

AN ACT

To further amend title 1 of the Code of the Federated States of Micronesia, as amended, by adding a new chapter 9 concerning the procedure for the admission of a new state into the Federated States of Micronesia, and for other purposes.

BE IT ENACTED BY THE CONGRESS OF THE FEDERATED STATES OF MICRONESIA:

1           Section 1. Title 1 of the Code of the Federated States of  
2 Micronesia, as amended by Public Law No. 10-25, is hereby further  
3 amended by enacting a new chapter 9, entitled "Admission of New  
4 States".

5           Section 2. Title 1 of the Code of the Federated States of  
6 Micronesia, as amended by Public Law No. 10-25, is hereby further  
7 amended by enacting a new section 901 of chapter 9 to read as  
8 follows:

9                   "Section 901. Authorization. New states may be formed  
10                   and admitted into the Federated States of Micronesia in  
11                   accordance with the provisions of article I of the  
12                   Constitution of the Federated States of Micronesia and  
13                   this chapter."

14           Section 3. Title 1 of the Code of the Federated States of  
15 Micronesia, as amended by Public Law No. 10-25, is hereby further  
16 amended by enacting a new section 902 of chapter 9 to read as  
17 follows:

18                   "Section 902. Vote Required. No new state shall be  
19                   formed and admitted except upon the affirmative vote of

1 a majority of the registered voters of the area seeking  
2 statehood and the approval, by resolution, of the  
3 Legislature of each existing state of the Federated  
4 States of Micronesia."

5 Section 4. Title 1 of the Code of the Federated States of  
6 Micronesia, as amended by Public Law No. 10-25, is hereby further  
7 amended by enacting a new section 903 of chapter 9 to read as  
8 follows:

9 "Section 903. Consent. A new state shall not be formed  
10 from within the territory of an existing state, or by  
11 the juncture of 2 or more existing states or parts of  
12 states, except with the consent, by resolution, of the  
13 Legislature(s) of the State(s) concerned."

14 Section 5. Title 1 of the Code of the Federated States of  
15 Micronesia, as amended by Public Law No. 10-25, is hereby further  
16 amended by enacting a new section 904 of chapter 9 to read as  
17 follows:

18 "Section 904. Admission. New states may be formed and  
19 admitted into the Federated States of Micronesia upon  
20 the approval, by bill, of the Congress of the Federated  
21 States of Micronesia."

22 Section 6. Title 1 of the Code of the Federated States of  
23 Micronesia, as amended by Public Law No. 10-25, is hereby further  
24 amended by enacting a new section 905 of chapter 9 to read as  
25 follows:

1           "Section 905. Bill Approving Admission. Each bill  
2           approving the admission of a new state into the  
3           Federated States of Micronesia shall set forth the  
4           effective date of the admission of such state and such  
5           other matters as may be necessary to facilitate a smooth  
6           and orderly transition to statehood, including, but not  
7           limited to, the following:

8                   (1) delineating the territory and boundaries of  
9                   the new state including marine boundaries;

10                   (2) providing for the establishment of an interim  
11                   government;

12                   (3) setting the date by which a constitutional  
13                   convention must take place in the new state and a  
14                   constitution for the new state must be adopted;

15                   (4) the date(s) by which national, state, and  
16                   local government elections must take place;

17                   (5) the principles and criteria for the equitable  
18                   division of assets and liabilities between the new  
19                   state, the predecessor entity, and the Federated States  
20                   of Micronesia;

21                   (6) determining applicable law to apply pending  
22                   adoption of the new state's constitution and  
23                   establishment of all levels of government;

24                   (7) funding for specified transitional  
25                   activities;\_and

1                   (8) any other matters contributing to a smooth  
2                   and orderly transition."

3           Section 7. Title 1 of the Code of the Federated States of  
4 Micronesia, as amended by Public Law No. 10-25, is hereby further  
5 amended by enacting a new section 906 of chapter 9 to read as  
6 follows:

7                   "Section 906. Equal Footing doctrine. Each new state  
8                   admitted into the Federated States of Micronesia shall  
9                   be admitted on an equal footing with every other state  
10                  and shall be subject to the same duties and obligations,  
11                  and accorded the same rights and privileges, as every  
12                  other state of the Federated States of Micronesia, as  
13                  provided for in the Constitution of the Federated States  
14                  of Micronesia."

15          Section 8. Title 1 of the Code of the Federated States of  
16 Micronesia, as amended by Public Law No. 10-25, is hereby further  
17 amended by enacting a new section 907 of chapter 9 to read as  
18 follows:

19                  "Section 907. Interim Government. The existing  
20                  government(s) of the area approved for admission as a  
21                  new state of the Federated States of Micronesia shall  
22                  continue as the interim government(s) until such time as  
23                  elections are held as set forth in the bill approving  
24                  admission."

25          Section 9. Title 1 of the Code of the Federated States of

1 Micronesia, as amended by Public Law No. 10-25, is hereby further  
2 amended by enacting a new section 908 of chapter 9 to read as  
3 follows:

4 "Section 908. Election of Representatives. A new state  
5 shall hold general elections to elect representatives to  
6 the Congress of the Federated States of Micronesia  
7 within one year of the date of approval for admission  
8 into the Federated States of Micronesia."

9 Section 10. This act shall become law upon approval by the  
10 President of the Federated States of Micronesia or upon its  
11 becoming law without such approval.

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July 6, 2004

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/s/ Joseph J. Urusemal

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Joseph J. Urusemal

President

Federated States of Micronesia

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