

## ELEVENTH DAY

Monday, January 20, 2020

### CALL TO ORDER

President Killion called the Fourth FSM Constitutional Convention to order at 10:47 a.m., Monday, January 20, 2020.

### MOMENT OF SILENT PRAYER

**President Killion:** I now call our session to order. May we stand for a moment of silent prayer.

A moment of silent prayer was observed.

### ROLL CALL

Chief Clerk Reyes called the roll, 22 delegates are present.

### ADOPTION OF JOURNAL

**President Killion:** Thank you Secretary. So we have a quorum to transact business. For the record, Floor Leader Yatilman and Delegate Hashiguchi are excused. So, before we proceed on, I wish to request that Delegate Cantero should be our Temporary Floor Leader for today's session. So moving on if no objection, we move on to Item 4, Adoption of Journal.

**Delegate Cantero:** Mr. President.

**President Killion:** Mr. Temporary Floor Leader.

**Delegate Cantero:** Thank you, Mr. President. I apologize for my voice. Mr. President, it continues to be an honor to serve as your Temporary Floor Leader for the Convention. As always, I'll give it my best and I do hope for your patience and guidance. Mr. President, with respect to adoption of the Journal, may I move that the Convention adopts Journal Number 10 which I think is in front of you and should have been reviewed, and I thank you Mr. President.

**Delegate Martin:** Second.

**President Killion:** Thank you. It's been moved and seconded that we adopt the Journal for day number 10, and I thank you Delegate Cantero for your willingness to assume the role as the Temporary Floor Leader for our Convention. So, we have now the motion at hand to discuss the Journal. Any other discussion? If none, all those in favor of the motion say Aye? All those opposed say Nay? Motion carried.

The motion carried by voice vote of members.

**Delegate Sitan:** Mr. President.

**President Killion:** Yes, Delegate Sitan.

**Delegate Sitan:** I move that we go to Item No. 7 to save time.

**Delegate Susaia:** Second.

**President Killion:** Okay. It's been moved and seconded that we move to Item No. 7. It's been seconded; so, discussion? If none, all those in favor of the motion say Aye? All those opposed say Nay? Motion carried. So now we are on Item 7.

The motion carried by a voice vote of the members.

### REPORTS OF COMMITTEES

**President Killion:** Item 7, Reports of Committees. Chairman Sitan.

**Delegate Sitan:** Mr. President, I ask for a short recess.

**President Killion:** Short recess declared.

President Killion declared the Convention recessed at 10:52 a.m., subject to the call of the Chair.

### **RECESS**

The Convention reconvened at 11:06 a.m.

**President Killion:** We're now back to session, Chairman Sitan.

**Delegate Sitan:** Yes, Mr. President. Based on our discussions during the break, I move that we defer this Standing Committee Report to tomorrow's calendar.

**President Killion:** Any second?

**Delegate Albert:** Second.

**President Killion:** It's been moved and seconded that we defer this discussion on the particular report to tomorrow's calendar. All those in favor, yes Chairman Sitan for more additional comments.

**Delegate Sitan:** Yeah, I want to add the reason why I move this.

**President Killion:** Go ahead.

**Delegate Sian:** My way of thinking is, we should allow Delegates to read the Report and understand before we start debating. This report just came out this morning, and I don't think we are ready to act on it. Thank you.

**President Killion:** Thank you. I guess this motion is not debatable so all those in favor of the motion to defer the action on this report say Aye? All those opposed say Nay?

Delegate Susaia opposed.

**President Killion:** Motion carried.

The motion carried by voice vote of members.

### FIRST READING OF COMMITTEE PROPOSALS

**President Killion:** Moving on, Item 8, First Reading of Committee Proposals?

**Delegate Sitan:** Mr. President.

**President Killion:** Yes, Delegate Sitan.

**Delegate Sitan:** I move that Convention move to agenda Item 11.

**Delegate Martin:** Second.

**President Killion:** Okay. It's been moved and seconded that we move to Item 11, Consideration of Resolutions. Any discussion on that? If none, all those in favor of the motion say Aye. All those opposed say Nay. Motion carried, so we're now on Item 11.

The motion carried by a voice vote of the members.

### CONSIDERATION OF RESOLUTIONS

**President Killion:** Item 11, Consideration of Resolutions.

**Delegate Cantero:** Thank you, Mr. President. If I may, I would like to move for the adoption of Convention Resolution No. CC-Res-4-04. I would like to move for adoption, Mr. President.

**President Killion:** Any second?

**Delegate Fritz:** Second.

**President Killion:** It's been moved and seconded that the Convention adopts the Resolution No. CC-Res-04-04, Discussion?

**Delegate Susaia:** Mr. President.

**President Killion:** Yes, Delegate Susaia.

**Delegate Susaia:** There is a written amendment to the Resolution. Copies have been passed to the Delegates. I move that we consider and pass these amendments?

**Delegate Fritz:** Second.

**President Killion:** It's been moved and seconded that we adopt the amendments to the Resolution. I declare short recess.

President Killion declared the Convention recessed at 11:08 a.m., subject to the call of the Chair.

## **RECESS**

The Convention reconvened at 11:10 a.m.

**President Killion:** Now session is back to order. We're on the motion by Delegate Susaia and it was seconded to amend the said Resolution that is CC-Res-4-04.

**Delegate Sitan:** Mr. President.

**President Killion:** Yes, Chairman Sitan.

**Delegate Sitan:** Question.

**President Killion:** Question is called for.

**Delegate Palsis:** I second.

**President Killion:** It's been seconded. All those in favor of the motion to stop debate say Aye. All those opposed say Nay. Motion carried.

The motion carried by voice vote of members.

So now we're on the motion to amend the amendments proposed by Delegate Susaia. If no other discussion, all those in favor to adopt the amendments say Aye. All those opposed say Nay. All the amendments to the Resolutions have been adopted.

The motion carried by voice vote of members.

Short recess.

President Killion declared the Convention recessed at 11:11 a.m., subject to the call of the Chair.

## **RECESS**

The Convention reconvened at 11:12 a.m.

**President Killion:** Now we're back to session. We have adopted the amendments to the main resolution and now we have to vote on the Resolution as amended. If no discussion, all those in favor of the main motion say Aye. All those opposed say Nay. Motion adopted, so we already adopted the Resolution as amended.

The motion carried by a voice vote of the members.

### INTRODUCTION AND REFERRAL OF DELEGATE PROPOSAL AND RESOLUTIONS

**President Killion:** Item 12, Introduction and Referral of Delegate Proposal and Resolution.

**Chief Clerk Reyes:** Please see or refer to Referral Sheet No. 4-08.

**President Killion:** See that Referral Sheet. If any Chairperson or Chairman of the Committees wish to have some of the measures jointly assign to their Committee which are noted by all means you can indicate your interest of preference.

### SPECIAL ORDERS

**President Killion:** Moving on Item 13, Special Orders.

**Chief Clerk Reyes:** None at the moment, Mr. President.

### MISCELLANEOUS BUSINESS

**President Killion:** Miscellaneous Business. Does anyone have any miscellaneous business for today? Today is Monday.

**Delegate Bossy:** Mr. President.

**President Killion:** Yes, Delegate Bossy.

**Delegate Bossy:** I would like to restate my statement before regarding the proposals and I thank you, Mr. President with my utmost respects to you, Vice

President, Floor Leader, and the rest of the Convention. These past few days as I mentioned earlier, have been very challenging yet at the same time very rewarding, having been amongst great leaders with great minds and also learning from you.

I wanted to bring to our attention again some of the concerns that I have seen from observing our sessions, committee meetings, and just from speaking with some of you. First, as mandated by the Enabling Law, it is the duty of this body to review the entire constitution and recommend amendments or changes. I understand that delegations and individual delegates have already submitted their proposals, and the committees have reviewed those proposals. However, it is my wish and desire that in the spirit of unity we all collectively review the constitution together, and identify those sections that are no longer relevant, and no longer applicable to this nation especially to the people of the FSM. And then together also submit proposals based on our review.

In that same spirit, Mr. President, I wish that there is a way we can work together to consolidate or merge those proposed amendments on similar issues or the same provisions. For example, there are multiple proposals on dual-citizenship. While it is within the purview of the committees to review these proposals, I wish that the proposers, including this body, to find a way to consolidate or otherwise compromise to accommodate the different perspectives. This may be a bit difficult, but I fear that taking these proposed amendments on the same issue to the public would only confuse them.

On some other matters, Mr. President, I want to recognize Kathleen Burch, as our Chief Legal Counsel. My respect to all especially those lawyers, attorneys as esquire in this Convention, I request and recognize her as our Chief Legal Counsel.

Follow by that, I would like to request about the budget that is been put before us that the Post Convention Item should be changed to Final Consultation before we adjourn sine die. Thank you, Mr. President.

**President Killion:** Thank you Delegate Bossy for those well stated statements and appreciated, of course. And any other miscellaneous business? Delegate Fritz, your light is on. Oh sorry. Okay. Any miscellaneous business? Delegate Naich.

**Delegate Naich:** Thank you, Mr. President. Good Morning to you and to everybody especially the sea farers, sitting in this Convention Chamber. I would like to share with you and our colleagues two Micronesian metaphors that I believe

are very appropriate to this Convention. These metaphors relate to two stars that I believe were used by our ancestors. If I can quote a line from the Preamble. The stars were used by our ancestors when men navigated by stars on rafts and canoes. And these are the same stars that our founding fathers used in creating this nation. The first star is known as, in Chuukese language, Wenewen, which means being straight up or being honest, transparent. On distant shores, it is called Southern Cross. This is the same star, but it takes on different names, depending on the rising and setting, rising in the East and setting in the West. There are five stars, but it's the same star, one star. And in this regard, Mr. President, I hope that we will continue to be inspired by these five stars. We are a federation of five governments, the national government and the four state governments. We are people of the sea, Re Mataw, we are islands under stars. So, the second star is called North Star. It's the name of a boat, I gather. In the Chuukese language it means, Fu Ese Mwokut or the star that never moves. In indigenous terms, I have been told it's the star for Chuukese ladies because it's a star that is unaged, and it remains beautiful or shining brightly throughout the night till the early morning. That's the Fu Ese Mwokut or North Star. It means preservation, commitment. I hope that we will continue to be inspired by the star, Fu Ese Mwokut. Thank you, Chair.

**President Killion:** Thank you, Delegate Naich for that reminder. As we are all descendants of those our ancestors for doing all those and it's a good reminder. Thank you. Alright, any other miscellaneous? Any counter points or support by the statement made?

**Delegate Fritz:** Mr. President.

**President Killion:** Yes, Delegate Fritz.

**Delegate Fritz:** Thank you, Mr. President. I know you're always facing that way so there's a tendency for you to allow my two friends there to do a lot of discussion. But you need to look on this side because Chairman of the COW's light has been on quite a few times but you never get to look this side. So, when you look, look around so you can see other interested Delegates who wish to contribute.

**President Killion:** Thank you very much, Delegate Fritz, for that other reminder and I will try my best. Okay, any other miscellaneous business? Mr. Floor Leader?

**Delegate Cantero:** Thank you, Mr. President. I want to thank our two Delegates for also conveying those very good statements. I think it's the perfect statement to close up this miscellaneous agenda, Mr. President. Thank you.

**President Killion:** Thank you very much, Mr. Floor Leader. So, if no other miscellaneous business, we move on to Announcements. Do any of the Chairpersons, Chairmen of each of the committees have any announcements regarding meetings, hearings, and so forth? Yes, Chairman Nabeyan. Go ahead.

### ANNOUNCEMENTS

**Delegate Nabeyan:** Thank you, Mr. President. The meeting for your Committee on Government Structure and Functions is postponed, cancelled for today and we will convene at 2:30 on Wednesday, in this Chamber. Thank you. 2:30, Wednesday, in this Chamber. Thank you.

**President Killion:** Okay. Committee on Government Structure is scheduled to have their meeting on Wednesday at 2:30 here in the Chamber, Chairman Nabeyan. Okay, it shall be noted. Yes, Chairperson Mori?

**Delegate Mori:** Thank you, President. Good morning to everyone, good afternoon. Just an announcement that the Chuuk Delegation will be having a Delegation meeting this evening at the Cliff Hotel conference room at 6 p.m. I hope everybody is available. Thank you.

**President Killion:** Okay. Thank you, Chairperson Mori. Chuuk Delegation we have the meeting at 6 o'clock at the Cliff Rainbow restaurant. Okay, Chairperson Sigrah?

**Delegate Sigrah:** Thank you. The Committee on General Provisions will be meeting tomorrow, Tuesday at 1 o'clock at the Committee Hearing Room and we will consider Proposal Numbers 4-03, 4-16, 4-32. We requested some documents. Hopefully we can get them by then, for information. And lunch will be provided. Thank you.

**President Killion:** Thank you very much, Madam Chair. Your Committee on General Provisions will have that meeting on that day, Tuesday, tomorrow.

**Delegate Fritz:** Point of information.

**President Killion:** Yes, Delegate Fritz.

**Delegate Fritz:** I kindly request the Chair to state those proposals again because older people are a little bit slower in catching up with what you said?

**President Killion:** All those are in the Announcements, written schedule. Yes, go ahead.

**Delegate Sigrah:** We also have a Notice of the Public Hearing. We will provide more further details. Proposal Number 4-03, 4-16, 4-32 and all those three Proposals relate to the reduction of number of votes required to approve an amendment to the Constitution. Thank you.

**President Killion:** Thank you very much, Chairperson Sigrah for the clarification. Any other announcements by any of the other Chairmen, Chairpersons of the various Committees?

**Chairman Sitan:** Can I ask for a short recess?

**President Killion:** Short recess declared.

President Killion declared the Convention recessed at 11:26 a.m., subject to the call of the Chair.

## RECESS

The Convention reconvened at 11:27 a.m.

**President Killion:** We are now back to session. Mr. Sitan?

**Delegate Sitan:** Thank you Mr. President. Yesterday, I announced that we may have a hearing today based on if we get the information from Finance. I would like to move that we delay that hearing until tomorrow at 2:30 so the information should be xeroxed and copied to all Delegates for revenues and expenses of National Government. And we will prepare a formal notice or a hearing plus the proposal that are supposed to be reviewed, which are connected to the information from Finance. So, 2:30 tomorrow here in this Chamber so we can record the journal. Thank you.

**President Killion:** Thank you, Chairman Sitan. So, tomorrow at 2:30, the Committee on Public Finance and Revenue is going to be having the Committee meeting here in this Chamber. 2:30 tomorrow. Okay, any other announcements by the other committees? If no other announcements, Mr. Floor Leader.

**Delegate Cantero:** Thank you Mr. President. Observing no violent objection around the room, I move that we go on recess until tomorrow, January 21, 2020 at 10 o'clock a.m.

**President Killion:** Any second?

**Delegate Nabeyan:** Second.

**President Killion:** It's been moved and seconded that we recess until tomorrow at 10 o'clock. If no objection, all those in favor say Aye. All those opposed say Nay. Motion carried. We stand in recess until tomorrow.

President Killion declared the Convention recess at 11:29 a.m., until 10:00 a.m., Tuesday, January 21, 2020.

Respectfully submitted,

Atarino A. Helieisar  
Journal Clerk