

## TWELFTH DAY

Tuesday, January 21, 2020

### CALL TO ORDER

President Killion called the Fourth FSM Constitutional Convention to order at 10:53 a.m., Tuesday, January 21, 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, 23 delegates are present.

### ADOPTION OF JOURNAL

**President Killion:** Thank you Secretary. So we have a quorum to transact business. For the record, our Floor Leader is excused. And in that regard, I wish to again request that Delegate Cantero should be our Acting Floor Leader for today's session. So if no objection, we can move on to Item 4, Adoption of Journal.

**Delegate Cantero:** Mr. President, if I may.

**President Killion:** Yes, Acting Floor Leader.

**Delegate Cantero:** Thank you so much. Good Morning to all of you Delegates. My humble respect to Isoko. My respect to you Mr. President. Again, for the record, it continues to be an honor as Acting Floor Leader under your leadership and also a guidance of the collective membership of the body. With respect to agenda Item No. 4, adoption of the Journal, Mr. President, I'd like to move for adoption of the Convention Journal Number 11. Thank you, Mr. President.

**Delegate Sitan:** Second.

**President Killion:** Thank you. It's been moved and seconded that we adopt the Journal as presented. Discussion? If none, all those in favor of the motion to adopt the Journal say Aye? All those opposed say Nay? Motion carried.

The motion carried by voice vote of Delegates.

### COMMUNICATIONS

**President Killion:** Communications.

**Chief Clerk Reyes:** For Item 5, we received one Delegation Communication No. 4-3 and one Departmental Communication No. 4-1.

**President Killion:** You have that communication. Any discussion? Just straight forward for information purposes. If none, moving on Department Communications.

**Chief Clerk Reyes;** As already mentioned, we have one Department Communication No. 4-1.

**President Killion:** Thank you. Those information is included in Secretary Amor's letter is very useful for us pertaining to Financial Information on Revenues that comes to our National Government and also the shares.

**Delegate Fritz:** Point of Information.

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

**Delegate Fritz:** Thank you very much, Mr. President. These communication from members and departments or other, would they be part of the Journal?

**President Killion:** Move for a short recess.

President Killion declared the Convention recessed at 10:58 a.m., subject to the call of the Chair.

### **RECESS**

The Convention reconvened at 11:06 a.m.

**President Killion:** We are now back to session, any more discussions. We are on Communications, Departmental Communications and so forth. Any motion in disposing the matter discussed a while ago regarding to be part of the Journal or not. If no..

**Delegate Naich:** Mr. President.

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

**Delegate Naich:** I move that the Convention approves that all the communications to be part of the official record of the Convention.

**Delegate Fritz:** Second.

**President Killion:** Thank you. It's been moved and seconded that the motion that put forward by Delegate Naich would be adopted. Discussion? Yes Chairman Sitan.

**Delegate Sitan:** Yes, I want Delegate Naich to clarify as he said, part of. Are they going to be together with the Journal? Or they will be separated?

**President Killion:** Delegate Naich, you are requested to clarify your motion.

**Delegate Naich:** Thank you, Mr. President. May I ask Delegate Sitan to repeat his question?

**President Killion:** Chairman Sitan, just restate your query.

**Delegate Sitan:** Yeah, I just ask to clarify when you say, communication will be part of the Convention. Do you want to separate it from the Journal? Or be part of the Journal? Can you clarify that?

**President Killion:** Go ahead, Delegate Naich.

**Delegate Naich:** Thank you, Mr. President. What I meant was that all communications that are placed on the Order of Business, being the official communications be part of the Journal of the Convention.

**President Killion:** Okay. Thank you, Delegate Naich for that clarification. Any other before we vote? Delegate Susaia.

**Delegate Susaia:** Thank you President. This is a trivial matter. All communications to you, should become part of the Order of the Day. Communications such as what we discussing now is directed to Committee Chair, it shouldn't be on the Order of the Day. So I hope from now on, we put communications to you as the President of the Convention on the Order of the Day only. All other communications should not be on the Order of the Day.

**President Killion:** Okay. In an effort to be more transparent, everything should be on. So we still have the motion on the Floor.

**Delegate Fritz:** Mr. President.

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

**Delegate Fritz:** I am afraid that we are going to debate on this, but if a matter comes in and it is part of the activity for the day, all of those should become official records of that day and they should be part of the Journal. So, the information that Secretary of Finance provided to the Committee, now the Committee is sharing with us, and sharing the information to us, should be part of the official Journal for the day otherwise sharing of that information is absent from the Journal. When people in the future look at it, they will say, where is this information alluded to? So when we put it in, that's even better for everybody else. There's no enjoy to the public or for that matter to us as Delegates.

**President Killion:** Thank you, Delegate Fritz. That's further support the motion. No other discussions? We have the motion to vote on.

**Delegate Sitan:** So that means, all these communications to be part of the Journal will be as attached?

**President Killion:** Yes. That should be it. We still have the motion at hand, so let's dispose of it. If no further discussion, let's vote. All those in favor on the motion made by Delegate Naich and seconded by Delegate Fritz say Aye. For all opposed say Nay. Motion carried.

The motion carried by voice vote of Delegates.

## UNFINISHED BUSINESS

**President Killion:** Okay. Moving on, any other matters on Unfinished Business?

**Chief Clerk Reyes:** None, Mr. President.

## REPORTS OF COMMITTEES

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

**Chief Clerk Reyes:** For Item 7, Reports of Committees we have one Committee Report and it's No. CC-SCR-4-01 on ConCon Proposal 4-02 from your Committee on Public Finance and Revenue for adoption. This was deferred from yesterday to today's session.

**President Killion:** Chairman Sitan.

**Delegate Sitan:** Mr. President, I move to adopt the Standing Committee Report.

**Delegate Susaia:** Second.

**President Killion:** It's been moved and seconded that the said Committee Report adopted. I move for a 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:** We're now back in session,

**Delegate Susaia:** Mr. President.

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

**Delegate Susaia:** Previous Question.

**President Killion:** It's been moved for previous question, any second?

**Delegate Nabeyan:** Second.

**President Killion:** It's been moved that we stop debate and moved on. All those in favor of the motion by Delegate Susaia ...

**Delegate Fritz:** Point of Information.

**President Killion:** I declare short recess, please.

President Killion declared the Convention recessed at 11:13 a.m., subject to the call of the Chair.

## RECESS

The Convention reconvened at 11:17 a.m..

**President Killion:** We're now back to session. A while ago, before we took the recess, there was a motion from Delegate Susaia to stop debate and it was seconded. Let's vote on that motion, all those in favor say Aye. All those opposed say Nay. So motion defeated.

The motion defeated by voice vote of Delegates.

**President Killion:** So we still have the main motion at hand and we will have discussion on the report submitted by the Committee of Public Finance and Revenue. Chairman Sitan. Thank you, it is a report that we need to discuss further as echoed by some Delegates.

**Delegate Sitan:** Mr. President.

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

**Delegate Sitan:** Yes, Mr. President. Let me just summarize the Report and the Proposal. This Proposal is to amend the section on Foreign Assistance Fund where it comes in and it's not earmarked to be equally divided among the Five Governments. This amendment is to make it to be negotiated at later date as instead of automatically divided by who is. In short, that's what it is. We have our

hearing with Finance people and we also find out that this provision is not really practiced. Recently, most of the foreign assistance has been earmarked. As we found out for that reason, the Committee adopts the proposal to take away the requirement to divide by who is. Thank you.

**President Killion:** Thank you, Chairman Sitan for the elaboration on the matter on the report.

**Delegate Susaia:** Mr. President.

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

**Delegate Susaia:** Thank you, Mr. President. If the proposal is approved, the division of grants that are not earmarked will be based on an agreement between the National and the State Governments. As opposed to the grand wording of the Constitution, if the grand is not earmarked, it will be divided equally between the National Government and the four States. That is the essence of the amendment, an agreement will be reached between the National Government and the Four States.

**President Killion:** Thank you.

**Delegate Fritz:** Point of Information.

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

**Delegate Fritz:** Did my good friend here already offer his proposed amendments? I know that they were typed up, printed, and distributed according to the rules. But I did not remember him offering those amendments yet and yet we are talking about it.

**President Killion:** Are you talking about the main report?

**Delegate Nabeyan:** If I may, Mr. President.

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

**Delegate Nabeyan:** I do have introduced a written amendment proposing amendments to this proposal pursuant to Rule 53. The reason being, currently as the proposal stands should the parties, the Governments fail to reach an agreement which is a possibility, then there is no fall back question in terms of how to allocate

the funds. There is no time frame also within which the Governments will reach an agreement so my proposal is to provide a fallback position should the Governments fail to reach an agreement and also a timeline which they have to reach an agreement. I asked yesterday on when to verbalize a motion during the session. I was informed that I can do that on First Reading which I understand will be tomorrow so that's why I'm holding back on this. If I have to make a motion today, please advise. I will do so. Thank you.

**Delegate Susaia:** Short recess, President.

**President Killion:** Thank you, Chairman. Short recess called for.

President Killion declared the Convention recessed at 11:21 a.m., subject to the call of the Chair.

### RECESS

The Convention reconvened at 11:46 a.m.

**President Killion:** We are now back to session, Mr. Acting Floor Leader.

**Delegate Cantero:** Thank you, Mr. President. I'll make a motion if that is the required action. I'll make a motion for the adoption of Committee Report No. CC-SCR-4-01, re No. CC-PR-04-02. I make a motion for adoption.

**President Killion:** Short recess.

President Killion declared the Convention recessed at 11:47 a.m., subject to the call of the Chair.

### RECESS

The Convention reconvened at 11:52 a.m..

**President Killion:** We're now back to session. We still have the motion at hand, to adopt the Committee Report on SCR 4-01 by the Public Finance and Revenue Committee. Yes, Delegate Takesy?

**Delegate Takesy:** Thank you, Mr. President. Mr. President, fellow Delegates, I rise on the point of privilege to introduce some distinguished ladies

who are taking interest in what is happening in this Convention. I am pleased to introduce Sheri Barker Saimon, Pinery Marcus Rettin, Eugenia Samuel, and Suzanne Lowe Gallen. Thank you very much, Mr. President.

**President Killion:** Thank you, Delegate Takesy and welcome those young ladies to our session this morning. Okay, we have the matter before us to vote, on the adoption of the report as presented by the Committee on Public Finance and Revenue. If no other discussion, yes, Delegate Takesy?

**Delegate Takesy:** Yes, Mr. President. With all due respect to the Committee, I would like to ask what are the redeeming reasons why we need to adopt this. In reading the report, I fail to see the reasons why there needs to be a change of where things are today. What would be the economic results of this decision? What would the political? What would be the social results if we were to adopt this report which would lead to the adoption of the proposal to amend the Constitution. Thank you, Mr. President.

**President Killion:** Thank you very much, Delegate Takesy. Perhaps Chairman Sitan can answer your points.

**Delegate Sitan:** I would defer to the introducer of the proposal so it will be very clear from him. Thank you.

**President Killion:** The proponent, Delegate Noket, should more or less add the explanation in addition to what's been presented in the Committee report.

**Delegate Noket:** Yes, I introduced this proposal. The reasons, first, when I look at the present provisions of the Constitution, it says that it will, that any money that is coming in to the foreign assistance fund will be divided equally among the four States including the National Government. So first, if \$500,000 is given to the FSM from foreign assistance not earmarked to any particular project, then it will be divided among five. So, if we divide that \$500,000 among the five, it will be about \$100,000 for each state, including the National Government. That \$100,000 should not pay for any capital project or any big project – road, water, power, as examples. So, the intent of this proposal is to have these States come together and share their needs. Maybe Yap needs sewer system. The other States recognize that Yap state needs that and they need about \$500,000. That \$100,00 is not going to be enough. So, when this kind of situation occur, the proposal intends to have these state leadership get together and discuss what state needs more for

development instead of dividing up the \$500,000 to each of the States. And that's the main purpose, main intent of this proposal. Mr. President.

**President Killion:** Thank you, Delegate Nocket. Chairman Nabeyan? Any more clarification, explanation?

**Delegate Nabeyan:** Well, I just want to, I'm in support of the proposal and I want to respond to the question that Delegate Takesy raised slightly from a different angle than the introducer had. The point that Delegate Cantero raised earlier during recess, that often times most of the grants that come through are already earmarked prior to the submission of the grant document and allocations are already earmarked in the grant document. That will forego the need for this provision to be invoked. But there are block grants, for example IDA grants, EDF grants, that come with, the grantor basically looking to the country to decide how best to employ their grants in terms of their needs. And in those instances, I've seen because I've known in some of the sectors, the IDA grant in the nursing sector, I've seen that internally at the national, level decisions are made in terms of allocations before then passed on to the state governments. So, by the time the state government are engaged, the grant has already been locked in by the National Government and the decision on allocation has already been crafted into the grant document. So, that's why I think something like this is beneficial to the country and it will also give the States a chance at the table how best to allocate grants, will also be a venue by which these grants can be aligned with state priorities. At least there will be consultation between the National Government and the States on how best to employ these grants to fit the needs and plans of each of the States. That's why I'm in support of the proposal. Thank you.

**President Killion:** Thank you very much again for the clarification. You're in support of the proposed amendment. Thank you, Chairman.

**Delegate Cantero:** Mr. President. If I may?

**President Killion:** Yes, Acting Floor Leader.

**Delegate Cantero:** Thank you. My only question, concern on this proposal is only one thing. If the leadership is not able to get their act together, not a single penny will enter this country. Thank you.

**President Killion:** Yes. I think there's an issue there. Chairman Nabeyan?

**Delegate Nabeyan:** Yes, I agree with that. And that is why I have an amendment proposed to the proposal to address, to remedy that problem. Thank you.

**President Killion:** Thank you. Chairperson Sigrah.

**Delegate Sigrah:** Thank you very much, Mr. President. I share Delegate Takesy's concerns also on the contents of the Committee Report. My immediate concern is that if they can provide more definition to this term, "agreement". I understand that this agreement is to be negotiated in the future. However, if it becomes part of the Constitutional language, then the interpretation there would get some of us really locked out. And if that the purpose which is good to help some of the natural disasters in the States, so maybe it can be spelled out as part of the agreement. One of the natural disasters happening to us every day here is power outages, electricity. Can that be part of it? And if it is detailed as possible, then we may not have this kind of reservation. And I lodge again, as a Delegate from Kosrae, knowing that when there is an agreement, we may be a beautiful state, but we're a smaller state. So, that agreement has not served our state well. Let's look at the gentlemen's agreement. Thank you very much.

**President Killion:** Thank you Chairperson Sigrah. Chairman Sitan, first.

**Delegate Sitan:** Yes, thank you very much. I think, our committee, we don't know what the agreement will look like. It will be up to the leaders to discuss it. Let me use an example in the earlier years for the Japanese foreign aid. What the leaders have agreed was to rotate it so it would have a meaningful result instead of dividing up to so many little grants. Thank you very much.

**President Killion:** Thank you. Delegate Naich.

**Delegate Naich:** Thank you, Mr. President. I have listened to the arguments presented from both sides, their merits and demerits as Acting Floor Leader Cantero said. Part of the problem is that we're dealing with two issues here. One is substance, the other is procedure. We are projecting into the future. For financial planning, can that be done? Will there be stability? And a situation where we leave it to negotiation instead of setting a criteria, let's say 50%, 50 % rather than whenever there is no agreement, for the use of outside help, then it's left to negotiations. Thank you.

**President Killion:** Thank you Delegate Naich. Delegate Susaia?

**Delegate Susaia:** Thank you, President. The proposed amendment, as I stated earlier, is to address grants that are not earmarked. In the event that the grant is received or the donor country extends a grant to the FSM and it's not earmarked, then the amendment operates. Meaning, instead of what it is now, that the National Government and the four States will share equally the amount of the grant, it will be divided pursuant to an agreement by the four States and the National Government. That's all there is to it. Any grants that are earmarked, it's the purpose for the grant for what it is earmarked for. And so, in essence this proposed amendment, although I'm not supposed to be supporting it because I work for the National Government, is in a way gives the States a fair chance to argue for more. They cooperate together and convince the National Government in a discussion to agree on how the money should be used. So it really favors the States, because it's four against one. Unless another state sides with the National Government, or two then this proposed amendment is really to give the chance to the States to get a fair share of whatever grant that is not earmarked. That's all there is to it, President.

**President Killion:** Thank you. So, you're in support of the proposed amendment. Thank you. Yes, Delegate Takesy?

**Delegate Takesy:** Thank you, Mr. President. Mr. President, I've been privileged to work in the foreign service of this country for quite a while. As for the information of this Convention, the policy on foreign assistance is set in the Constitution, of course. But with respect to practicality, the leaders of this country starting with the first President decided that one way to actually maximize the impact of external assistance is to rotate that assistance whole so that it does a maximum good to one state. This was done with the assistance from the government of Japan. This is one of the reasons we got the Caroline Voyager among others. So it is that principle that will be impacted if this matter goes into reality. So, this is one principle that I would like for us to be aware of. On the issue of division, the States are not equal. As enunciated by my colleague, being the smallest state in the union, of course, puts her in an uncomfortable situation. The issue, Mr. President, how do we maximize the use of external assistance. I would suggest to this Convention, that that is the issue at hand. Thank you.

**President Killion:** Thank you very much, Delegate Takesy.

**Delegate Susaia:** Mr. President. Short recess.

President Killion declared the Convention recessed at 12:07 p.m., subject to the call of the Chair.

## RECESS

The Convention reconvened at 12:11 p.m..

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

**Delegate Asher:** Thank you, Mr. President. I wish to state my position in this particular content of the report that was provided by the Committee on Finance and Revenue. The report, I did not sign it for a reason. I commend Delegate Nocket for putting up this proposal because I think there are reasons for it, he has his own reasons. I read the report and everything I see in the report, it seems to justify that the witnesses that we called in stated, testified that there's very, it's very unlikely that we will receive this kind of foreign financial assistance fund. Not only the Foreign Affairs, but also from Department of Finance. The current law requires that when we receive foreign financial assistance fund, when there is no particular distribution, the formula is to distribute equally among National Government and the four States. To me that is a clear formula in existence. The current proposal proposed to amend that formula, requiring that when there is a foreign assistance fund that is provided to FSM and there is no particular distribution, we leave it to the States and the National Government to come up with an agreement. To me, that's an open-ended solution that has a lot of uncertainty. To me, if there are amendments to make it which I understand that Delegate Nabeyan will provide amendment to this proposal later on, then that may at least look appealing to me. But as of now, I try to base my decision on reason and with the standing committee report, everything seems to say that this maybe not the way to go for the interests of the States. I just wish to convey that, Mr. President. Thank you for the opportunity.

**President Killion:** Thank you very much, Chairman Asher. We're still on the main issue at hand.

**Delegate Albert:** Mr. President.

**President Killion:** Yes. Chairman Albert.

**Delegate Albert:** Thank you, Mr. President. I kind of share the same sentiments of my colleague from Kosrae. There's a phrase, "If it's not broken,

don't fix it." This is how I look at this proposal. The testimonies by the two witnesses who were present before the Committee, both of them expressed clearly that there's never been an incident where money come in unallocated. They all come in earmarked for projects. So, what we're trying to propose here is something in anticipation of something that is unreal. So, I'm really concerned why we are in a rush to put this kind of proposal forward when we know that in the past referendums where they crowd more than ten proposals, there seems to be no success. I thought there were some advice coming from certain entities, including the President that we be practical. That we choose the proposals that the people really want. So, I don't know about you guys, but for me, I stand on that phase, "If it's not broken, let's not fix it." Thank you.

**President Killion:** Thank you very much, Chairman Albert. Yes, Chairman Nabeyan. We're still on the Committee Reports.

**Delegate Nabeyan:** Thank you. I'm not sure the assertion that there has never been a grant that has come to the FSM unearmarked is accurate. I'll give an example. Under IDA 17, 60 million dollars, 25 million of that initially was earmarked for the energy sector, period. But the earmark within the energy sector was not done. That was left up to the FSM and the States to define how it needs to be earmarked pursuant to their needs. And that's where this proposal speaks to. Because the way that was handled, there was no input from the States until a decision had been made at the national level on how to earmark it. So, I think it's better, at best to for situations like this, to mandate that there is consultation between all the stakeholders, the States and the National Government in terms of how best to earmark that subgrant within the general grant for the sector. But if they fail to meet it, then my proposal would give them a fallback cushion to go to. And additionally, the agreement that was done with respect to the Japanese overseas grant of rotation on annual basis from state to state, first of all I'm not sure that's being followed. Because I know that Yap has missed its rotation maybe a couple of times. But this provision would give the Constitution basis for such an agreement because right now there is none. An argument can be made that that agreement by the principles has no root in the Constitution because the Constitution says it has to be divided equally. So, something like this would give the Constitutional basis for something of that nature to be met in the future. So, I don't think the assertion that there has never been a grant to the FSM that has not been earmarked within the context of what we are discussing is accurate. Thank you.

**President Killion:** Thank you, Chairman Nabeyan. Chairman Sitan.

**Delegate Sitan:** Thank you, Mr. President. I think we have discussed enough. I appreciate all the comments from Delegates. I think this is since this is the first one, it's healthy that everyone make their comments. I think probably it should be discussed during the first reading debate. But for the report, I think we should just move on and adopt it. And then when we meet, I mean on the first reading that's when we make the first amendment. If you don't agree with the amendment, then we move on. So, I move to close debate. Thank you.

**President Killion:** It's been moved and seconded that we close debate. All those in favor, say Aye. All those opposed, say Nay. So, debate has been closed. So, let's vote on the motion at hand to adopt the Report. All those in favor of the Report by the Committee on Public Finance and Revenue, say Aye. All those opposed, say Nay. Motion carried so we have adopted that particular report. So, moving on. First Reading of Committee Proposals.

### FIRST READING OF COMMITTEE PROPOSALS

**Delegate Sitan:** President. Short recess.

Short recess declared.

President Killion declared the Convention recessed at 12:20 p.m., subject to the call of the Chair.

### **RECESS**

The Convention reconvened at 12:21 p.m...

**President Killion:** We're now back to session. Mr. Floor Leader.

**Delegate Cantero:** President and colleagues. I'm not going to do a long intervention, Mr. President, but just an understanding that it was unanimously agreed for the record by the entire membership of the Convention unanimous agreement that going forward with respect to adoption of committee report, that once it's adopted, it's the understanding that it will also be considered first reading on the exact same day. That is the clear understanding of the Convention, that is Mr. President, what they want to do. So that is what we will do from now on until the Convention process completes. Thank you.

**President Killion:** Thank you. So since, we just adopted the Committee Report 4-10, so your comments are pertinent to that issue so let's move on. Yes, Chairman Sitan.

**Delegate Sitan:** Are we on 8?

**President Killion:** We are now on Item 8, First Reading of Committee Proposals.

**Delegate Sitan:** Mr. President, I move that we place that proposal on the First Reading.

**Delegate Palsis:** Second.

**President Killion:** It's been moved and seconded that we place the Proposal No.04-02. So, we have that motion to act on that first reading. Secretary?

**Chief Clerk Reyes:** Thank you, Mr. President. With the adoption of Committee Report No. CC-SCR-4-01 on ConCon Proposal 4-02 and with the understanding that was agreed upon earlier under Item 8, First Reading of Committee Proposals, we now have CC-PR-04-02 for first reading. CC-PR-04-02 is a proposed amendment to the Constitution "To amend Article XII, Section 1 (b) to provide that distribution of shares of foreign assistance from the foreign assistance fund will be made by agreement between the States and National Government instead of shared in equal portions by all of the four States and National Government."

**President Killion:** Thank you.

**Delegate Susaia:** President.

**President Killion:** Yes.

**Delegate Susaia:** Was the motion to place this proposal acted on?

**President Killion:** Short recess declared.

President Killion declared the Convention recessed at 12:24 p.m., subject to the call of the Chair.

## RECESS

The Convention reconvened at 12:28 p.m..

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

**Delegate Sitan:** Mr. President. To make Delegate Susaia happy, I hereby withdraw my motion.

**President Killion:** Thank you, Chairman Sitan. So, we have on hand the Proposal on first reading. Since we adopted the report. Unless there are others. Floor Leader, for the record, that's confirmed the absences.

**Delegate Susaia:** President.

**President Killion:** Yes.

**Delegate Susaia:** A motion to defer the consideration of the proposal on first reading today to tomorrow.

**Delegate Mori:** Second.

**President Killion:** It's been moved and seconded that we defer action on this particular proposal 04-02. All those in favor of the motion, say Aye. All those opposed, say Nay. Motion carried. The matter has been deferred to tomorrow's calendar. Moving on. Item 8. Any other first reading on committee proposals?

**Chief Clerk Reyes:** None, Mr. President.

## SECOND READING OF COMMITTEE PROPOSALS

**President Killion:** Second Reading of Committee Proposals.

**Chief Clerk Reyes:** None also, Mr. President.

## FINAL READING OF PROPOSED CONSTITUTIONAL AMENDMENTS

**President Killion:** Final Reading of Proposed Constitutional Amendments.

**Chief Clerk Reyes:** None, Mr. President.

## CONSIDERATION OF RESOLUTIONS

**President Killion:** Consideration of Resolutions.

**Chief Clerk Reyes:** At the moment, we do not have any resolutions, Mr. President.

## INTRODUCTION AND REFERRAL OF DELEGATE PROPOSALS AND RESOLUTIONS

**President Killion:** Introduction and Referral of Delegate Proposals and Resolutions

**Chief Clerk Reyes:** Please refer to Referral Sheet No. 04-09.

**President Killion:** That is attached to the Order.

## SPECIAL ORDERS

**President Killion:** Special Orders.

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

## MISCELLANEOUS BUSINESS

**President Killion:** Miscellaneous Business.

**Delegate Cantero:** Mr. President, if I may.

**President Killion:** Yes, Acting Floor Leader Cantero.

**Delegate Cantero:** Thank you. Again, our meeting today we encountered some challenges. Some different interpretations of what we could, could not do. But I think as a result of our meeting today, tomorrow going forward, I think when we get to this kind of situation, we already know and agreed to exactly what steps to take so we can be moving forward. So, I'd like to also to thank Chairman Sitan for his patience and his guidance and advice in that process. Thank you, Mr. Chairman. Just last, I just like to also comment that I sense, just myself, I sense that there is a little bit of disappointment on the role of our Floor Leader. Just my

own sense that we would expect him to be also part of the process. He has been given the role, albeit he's excused I have a feeling that we would like for him to be part of our family as we get together every day, sacrifice our respective individual times to get here so we can get our process, Convention process forward. I just like to register that. I think it's my duty to do that as your Temporary Floor Leader. Mr. President. Thank you.

**President Killion:** Thank you, Acting Floor Leader. I think you can further consult your colleague as a cabinet member on that matter. But we truly appreciate your efforts to carry on the load that he's supposed to be providing, but we understand his reason for being absent today and the previous days.

Any other miscellaneous business? Before we continue on that, on that matter, I wish to urge the Special Committee to Wait on the President which was created at the beginning of this session to with the leadership of our Iso Nahnken, Vice President, to have your Committee to again and visit President Panuelo and inform him that we will be recessing and extend our appreciation and thanks for all the support that has been provided since the beginning of our session on Day 1 and other matters that you wish to convey to him. And I think Iso Nahnken has already been informed and some of you and I know there is one from each Delegation so perhaps given fact that we'll be recessing from tomorrow. Tomorrow will be our last day before we go into recess. I urge, I respectfully and humbly request that your Special Committee take that up and plan for the visit to the President.

**Delegate Susaia:** Mr. President.

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

**Delegate Susaia:** Thank you for the extended assignment and breathing life into that Special Committee. I have a question on the Rules. Is there a particular provision in the Rules that specify how many excused absences a Delegate is provided or given? In line with what Delegate Cantero's concern.

**President Killion:** Short recess declared.

President Killion declared the Convention recessed at 12:33 p.m., subject to the call of the Chair.

**RECESS**

The Convention reconvened at 12:35 p.m..

**President Killion:** Now we're back to session. We're on Miscellaneous Business.

**Delegate Fritz:** Mr. President.

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

**Delegate Fritz:** I have just two small miscellaneous business.

**President Killion:** Go ahead. Proceed.

**Delegate Fritz:** Number one, on behalf of Delegate Hashiguchi and I, to thank Delegate Asterio for recognizing one of our constituents who is sitting in the gallery. So, thank you very much, Delegate Asterio. Another matter is, one day ago or so, I requested you to also view this side because we keep asking for you to recognize us, but you just keep looking at those two gentlemen on that side. I say this because we already adopted the pertinent Committee Report, but you notice on the Committee Report, I put "With Reservation". And I was hoping to explain why I had reservation on the Committee Report, but it's water under the bridge. So, look that way, look that way, and also look our way. Thank you very much.

**President Killion:** Don't worry. I'll do that. But you can express your reservation on the first reading since that's a pertinent matter. Thank you, Delegate Fritz.

**Delegate Bossy:** Mr. President.

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

**Delegate Bossy:** Yes, I would like to extend on behalf of our Chuuk Delegation, your leadership. On behalf of this Convention. To express and extend our sincere gratitude and great appreciation to the people of Pohnpei who have shown generous and kind gesture of hospitality through their traditional leaders and state as well as the National officials. And I ask the proper people to please expedite my Resolution that will express those sentimentality. Thank you very much, Mr. President.

**President Killion:** Thank you very much, Delegate Bossy. Comments are well taken. LC and staff will look into that to ensure that you have the Resolution completed. Any other matters on miscellaneous business before we move on to Announcements? If none, announcements by the various Committee Chairperson, Chairmen?

## ANNOUNCEMENTS

**President Killion:** Yes. Chairperson Sigrah.

**Delegate Sigrah:** Thank you very much, Mr. President. The Committee on General Provisions will be meeting at 1 o'clock today after lunch. We ordered lunch, but I haven't seen it so we hope to have lunch. And we will be discussing three proposals, 4-03, 4-16, and 4-32 relating to threshold required to amend the Constitution. And if we discuss this faster, we can also discuss other matters. Thank you.

**President Killion:** Thank you very much, Chairperson Sigrah. So, I guess the lunch is also for those who will be attending. Members and non-members?

**Delegate Sigrah:** Mr. President, the meeting will be held at the Congress Hearing Room.

**President Killion:** Okay, the venue will be at the Congress Committee Room? The one that you have been using the past several days? Okay, 1 o'clock to 2:30 that's your time slot. Thank you, Madam Chair. Chairman Albert?

**Delegate Albert:** Thank you, Mr. President. For the CLT Committee, I just received a report from our legal staff so that will be placed on tomorrow's discussion. Tomorrow we're dedicating time to the Dual Citizenship issue so I invite all members to join at 8:30 same place. Sorry about the time slot. That's what's allocated to us. Thank you.

**President Killion:** Thank you, Chairman. Short recess declared.

President Killion declared the Convention recessed at 12:39 p.m., subject to the call of the Chair.

**RECESS**

The Convention reconvened at 12:45 p.m..

**President Killion:** We're back to session. We're on Announcements.

**Delegate Sitan:** Mr. President.

**President Killion:** Go ahead, Delegate Sitan.

**Delegate Sitan:** Your Committee on Public Finance and Revenue will meet today at 2:30 in this Chamber instead of the Committee Room. We need to start shorting out all these Proposals to see if we can merge some of them before we break. So, during our consultation, we can confine to few and not too many. Thank you.

**President Killion:** Thank you very much, Chairman Sitan. So, your Committee will meet here, after lunch, at 2:30, I guess after the Committee on General Provisions meet at 1 o'clock. Okay, it shall be noted. Any other announcements? Chairman Nabeyan.

**Delegate Nabeyan:** Thank you, Mr. President. Your Committee on Government Structure and Functions will have its meeting tomorrow at 2:30 here in this Chamber, tomorrow 2:30 p.m.

**President Killion:** Okay. Thank you, Chairman. So, the Committee on Government Structure and Functions shall meet here at 2:30 in this Chamber tomorrow to consider whatever proposals you're going to consider. It shall be noted. Any other announcements? If none, Acting Floor Leader?

**Delegate Cantero:** Thank you, Mr. President. I move for recess until tomorrow at 10 o'clock.

**President Killion:** Any second?

**Delegate Mori:** 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. Recess till tomorrow. Thank you.

The motion carried by voice vote of Delegates.

President Killion declared the Convention recess at 12:47 noon, until 10:00 a.m., Wednesday, January 22, 2020.

Respectfully submitted,

Atarino A. Helieisar  
Journal Clerk