

THIRTEENTH DAY

Wednesday, January 22, 2020

CALL TO ORDER

President Killion called the Fourth FSM Constitutional Convention to order at 10:51 a.m., Wednesday, January 22, 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, Delegate Takesy is excused since he's ill today. So, moving on to Item 4, Adoption of the Journal.

Floor Leader Yatilman: Mr. President.

President Killion: Yes, Floor Leader.

Floor Leader Yatilman: Thank you, Mr. President. I move that we adopt the Journal of yesterday's session subject to technical corrections.

Delegate Fritz: Second.

President Killion: It's been moved and seconded that we adopt the Journal from yesterday subject to technical corrections that will be made. 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 Delegates.

COMMUNICATIONS

President Killion: Communications.

Chief Clerk Reyes: For Communications, as of now we do not have one Mr. President.

UNFINISHED BUSINESS

President Killion: Unfinished Business?

Chief Clerk Reyes: None, Mr. President.

REPORTS OF COMMITTEES

President Killion: Item 7, Reports of Committees.

Chief Clerk Reyes: None, Mr. President.

FIRST READING OF COMMITTEE PROPOSALS

President Killion: First Reading of Committee Proposals.

Chief Clerk Reyes: Under Item 8 for First Reading of Committee Proposals, we have one CC-PR-4-02 for first reading. This is attached to your Committee Report CC-SCR-4-01. CC-PR-4-02 is a proposed amendment to the Constitution to amend Article Section 1 (b) to amend that the distribution of foreign assistance fund will be made by an agreement between the States and National Government instead of shared an equal portion by all four States and National Government.

President Killion: Chairman Sitan.

Delegate Sitan: Mr. President, I move that the Convention adopt the proposal on first reading.

Floor Leader Yatilman: Second.

President Killion: It's been moved and seconded that the Convention adopt the said proposal on first reading.

Delegate Nabeyan: Mr. President.

President Killion: Yes.

Delegate Nabeyan: I have a motion to make.

President Killion: Yes, Chairman Nabeyan.

Delegate Nabeyan: I move that Proposal CC-PR-04-02 be amended as proposed by my Rule 53 by submission.

Delegate Noket: Second.

President Killion: Thank you. I move for a short recess.

President Killion declared the Convention recessed at 10:55 a.m., subject to the call of the Chair.

RECESS

The Convention reconvened at 10:56 a.m.

President Killion: We're now back to session. There's a proposed amendment by Chairman Nabeyan. Chairman Nabeyan?

Delegate Nabeyan: Thank you, Mr. President. Let me just explain the amendment proposal. In the last line of the Amendment Proposal of CC-PR-94-02, between the words in the last line, the word by and the word agreement, I am proposing to insert the word "**unanimous**". I am also proposing for the last sentence be added to the proposal to read as follows:

Quote: "If such no agreement is reached within one calendar year after the National Government receives the assistance or by a month before the expiration of the assistance whichever is earlier, then each state shall receive a share equal to the share of the National Government and the share of every other state." Unquote.

President Killion: Thank you, Chairman Nabeyan. Your proposed amendment was seconded. Discussion on the amendment as proposed?

Delegate Sitan: Mr. President.

President Killion: Yes, Chairman Sitan.

Delegate Sitan: Yes. Does it mean that if one state opposed such agreement and it therefore not passed, and it can refer to the old way?

President Killion: Yes. Okay, Chairman Nabeyan, clarification?

Delegate Nabeyan: Yeah. I think the amendment is clarifying, because an agreement is a meeting of minds of the governments. So just to avoid any thought, the agreement is to clarify that it is a unanimous agreement among the five governments. The issue right now is the current proposal just requires the governments agreed to the allocation of the funds but it does not provide the mechanism as a fallback position when the agreement is not reached. So, the answer to Delegate Sitan's question is yes, with the intention to make it that all governments have to agree on the allocation of the fund. Thank you.

President Killion: Thank you, Chairman Nabeyan. Does that satisfy your query, Chairman Sitan?

Delegate Sitan: No. Can I ask for a short recess?

President Killion: Short recess declared.

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

RECESS

The Convention reconvened at 10:59 a.m.

President Killion: We're now back to session. Motion at hand is the proposed amendment by Chairman Nabeyan to the main proposal. Yes, Chairman Sitan.

Delegate Sitan: I just want to put on record that the amendment therefore, essentially just maintain the current status quo on the practical bases if there's no agreement.

President Killion: Thank you. Any other discussions?

Delegate Asher: Mr. President.

President Killion: Yes, Chairman Asher.

Delegate Asher: Yes, Thank you Mr. President and Good Morning to all Delegates. Yesterday I said on the record about my skepticisms on this particular proposal but today hearing the nature of the amendment proposed by Chairman Nabeyan, I think it will satisfy the uncertainties that I had when I stated my comments yesterday. So, I hereby second to the motion to amend. Thank you.

President Killion: Thank you, Chairman Asher. Any more discussion on the amendment?

Delegate Fritz: Mr. President.

President Killion: Yes, Delegate Fritz.

Delegate Fritz: Thank you very much for recognizing me. All along including those proposals that I introduced, I always try to seek a way to accommodate the interest of our Municipal Governments where our citizens reside, and also on the questions of sharing, I've always advocated a view that we should have the equitable sharing instead of equal sharing. Because if the Governors and the President get together, they could also agree that this year almost like a rotation to maximize the effective use of the grants that will be given to Yap or even given to Kosrae based on some equitable consideration. So because the proposed amendment does not in any way consider the interest of those that I represent, I move that we defer action on this to the sitting of this Convention.

Delegate Kanto: Second.

President Killion: Okay. It's been moved and seconded that we defer action on the proposed amendment by Chairman Nabeyan on the main proposal by Chairman Sitan.

Delegate Nabeyan: Mr. President.

President Killion: It's been moved and seconded and I think the motion is undebatable.

Delegate Nabeyan: May I, Mr. President?

President Killion: Declare short recess.

President Killion declared the Convention recessed at 11:02 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. Delegate Fritz.

Delegate Fritz: Thank you, Mr. President. Based on the understanding that we shared during the recess, I humbly withdraw my motion and may I request the Seconder to also concur with me so it can be properly withdrawn.

Delegate Kanto: I concur.

President Killion: Thank you, Delegate Fritz. I believe the Seconder of your motion, hereby agrees to withdraw his second.

Delegate Kanto: Yes.

President Killion: So if not objection, all those in favor say Aye. Yes, well it's been withdrawn and we're now back to the main motion which was amended by Chairman Nabeyan.

Delegate Susaia: Mr. President.

Delegate Nabeyan: Recess, please?

Delegate Susaia: The motion to amend is still in discussion. So I can make the motion to recommit with the motion to amend with the proposal back to the Committee. That's what we need.

President Killion: Yes. Since Delegate Fritz motion has been withdrawn, now we're back to the main motion.

Delegate Susaia: So, Delegate Nabeyan's motion is still active, so I'll just make a motion to recommit.

Delegate Sitan: Are we in recess?

President Killion: No, we are not in recess. So, Chairman Sitan. We still on the matter. Okay. For the record, the motion to defer the amendment was withdrawn and now we're back to the main motion at hand per Chairman Nabeyan's amendment to be adopted. You want to withdraw your or you want to withdraw the whole thing?

Delegate Nabeyan: Recess, please?

President Killion: Yes, Recess call to order.

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

RECESS

The Convention reconvened at 11:16 a.m..

President Killion: We're now back to session. Delegate Susaia.

Delegate Susaia: Mr. President, Thank you. I make a motion to recommit the proposal under consideration along with the proposed written amendments that have been shared to each one of us by Chairman Nabeyan to the Committee on Public Finance and Budget.

President Killion: Any Second?

Delegate Sigrah: Second.

President Killion: Okay. It's been moved and seconded that the motion that was proposed by Delegate Susaia is adopted. Any discussion?

Delegate Sitan: Mr. President.

President Killion: Yes, Chairman Sitan.

Delegate Sitan: Yeah, I like to get an explanation from Delegate Susaia on what is the reason to do this?

President Killion: Delegate Susaia, you have been requested to elaborate on your motion.

Delegate Susaia: I believe we have enough time to consider Delegate Nabeyan's proposed written amendment. And if there's a need to improve on it, it's better if the Committee handles it, rather than debating it in this Convention.

President Killion: Thank you, Chairman Susaia.

Delegate Noket: Mr. President.

President Killion: Delegate Noket.

Delegate Noket: Mr. President, the amendment itself is clear. I don't know what the Committee is going to do with the amendment as Chairman Sitan as said. I don't see any reason for the referral. What additional information do we need when it's fully explained by the person who made the motion to amend. It's Chairman Nabeyan's motion. If it's not clear enough, let's ask him to clearly clarify what the amendment is. If we referred back to the Committee to work on the proposal, it will come up the same. It will come back to the Convention with the same thing. What we really doing is, delaying, delaying, delaying our work. I don't know what more explanation we need for the amendment when it was already discussed earlier. Thank you, Mr. President.

President Killion: Thank you, Delegate Noket.

Delegate Sigrah: Mr. President.

President Killion: Yes, Chairperson Sigrah.

Delegate Sigrah: Thank you very much, Mr. President. I seconded the motion because as we heard yesterday, there's been some registered concerns on these proposals. And the position to recommit is concerned that it needs more work

at the Committee level. We may come up with more amendments to the amendments in here. So, I believe that it has enough support for the proposals to be recommitted to the Committee. Thank you.

President Killion: Thank you. Yes, Delegate Fritz.

Delegate Fritz: Yes, I call for Question.

President Killion: Okay. Any second? Close debate, for those in favor say Aye. All those opposed say Nay. So, motion carried.

The motion carried by voice vote of Delegates.

So now we're back to the motion to defer. All those in favor of the motion proposed by Chairman Susaia, raise your right hand. Count. Thank you. All those opposed the motion, raise your right hand. What's the count? Who is abstaining from voting for the record? Short recess.

President Killion declared the Convention recessed at 11:20 a.m., subject to the call of the Chair.

RECESS

The Convention reconvened at 11:21 a.m.

President Killion: We're now back to session.

Floor Leader Yatilman: Mr. President.

President Killion: Yes, Floor Leader Yatilman.

Floor Leader Yatilman: Can we go back to recess, please?

President Killion: Recess.

President Killion declared the Convention recessed at 11:22 a.m., subject to the call of the Chair.

RECESS

The Convention reconvened at 11:23 a.m.

President Killion: We're now back to session. The result of the vote that we just did on the motion to recommit the proposal to the Committee. Thirteen (13) vote for and ten (10) against. That means the proposal has been hereby recommitted back to the Committee on Public Finance and Revenue. Moving on, Secretary.

The motion carried by hand vote of Delegates.

SECOND READING OF COMMITTEE PROPOSALS

Chief Clerk Reyes: There are no more First Reading of Proposals. So, our next item is on Item 9, Second Reading of Committee Proposals. None as of now, Mr. President.

FINAL READING OF PROPOSED CONSTITUTIONAL AMENDMENTS

President Killion: Thank you. Final Reading of Proposed Constitutional Amendments.

Chief Clerk Reyes: None also, Mr. President.

CONSIDERATION OF RESOLUTIONS

President Killion: Consideration of Resolutions.

Chief Clerk Reyes: There are no Resolutions, Mr. President.

INTRODUCTION AND REFERRAL OF DELEGATE PROPOSALS AND RESOLUTIONS

President Killion: Item 12, Introduction and Referral of Delegate Proposals and Resolutions.

Chief Clerk Reyes: Please refer to Referral Sheet No. 4-10.

SPECIAL ORDERS

President Killion: Special Orders.

Chief Clerk Reyes: None, Mr. President.

MISCELLANEOUS BUSINESS

President Killion: Miscellaneous Business.

Delegate Palsis: Mr. President.

President Killion: Yes, Chairman Palsis.

Delegate Palsis: Thank you, Mr. President. I would like to call upon the attention of the Convention to recognize the former Kosrae Chief Justice who is in the back of the room. Aliksa, if you are there, please rise for recognition. Thank you. (Applause)

President Killion: Thank you. Any other miscellaneous?

Delegate Liwy: Mr. President.

President Killion: Yes, Delegate Liwy.

Delegate Liwy: Thank you, Mr. President. Before I go on, my respect to Isoko, Mr. President, and Delegates of the 4th FSM Constitutional Convention. It is indeed a great pleasure to rise on the point of privilege. Please allow me to also take this time on behalf of myself and Delegate Kanto to recognize one of our Board of Regents from the College of Micronesia-FSM, Mrs. Susan Lowe Gallen, who is observing our session this morning. Please give her a round of applause. (Applause)

I also want to take this opportunity to convey our words of appreciations to the Pohnpei Public Broadcasting Corporation for them continuously providing live stream of our sessions to the people of the Federation and people abroad. Our main goal of the successful and monumental and historic proceeding, is to ensure that we meet the threshold. That, I thank the Pohnpei Public Broadcasting Corporation for being able to provide that. Being transparent is crucial to ensure that goal. If it could be possible for our Secretariat to ask our IT to also include the schedules on our website and also include some sort of link for any discussions that can be available to the people so that they can raise their concerns through our website. What I sense during our deliberations from each individual Delegates

from each respectful State, we all came to the Convention with a strong feeling to ensure we all take back to our states what we deserve or their state share of the pie. To make it short, I humbly request the Convention to ensure to protect the people's will and give the power back to the people.

To conclude, Mr. President and Members of the 4th FSM Constitutional Convention, I have a niece who is fighting for her life due to a tragic incident that happen to her. Her name is Switer Roby, and I humbly ask that this Convention, the people is the gallery, and the people from abroad who are tuning in on the live stream, listening to our session to remember her in your prayers. Thank you very much.

President Killion: Thank you very much, Delegate Liwy. Any other miscellaneous business.

Delegate Palsis: Mr. President.

President Killion: Yes, Chairman Palsis again.

Delegate Palsis: I know it's an oversight on my part when it came to Item 11 for Resolutions. There's a resolution that I feel that we should take up since we are going on recess, and I think it's better to take action on this before we go on recess. Otherwise, it will become an history. So, if it's proper, I want to make a motion that Resolution No. 4-06 be placed on the Order. So, Mr. President, I move that we place the Resolution on the Calendar for today.

Delegate Susaia: Short recess.

President Killion: Short recess declared.

President Killion declared the Convention recessed at 11:29 a.m., subject to the call of the Chair.

RECESS

The Convention reconvened at 11:33 a.m.

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

Delegate Palsis: Thank you, Mr. President. I now move that Resolution 4-07 be placed on the calendar.

Delegate Bossy: Second.

President Killion: So, it has been moved and seconded that the said Resolution be placed on today's calendar. Discussion? Chairman Palsis?

Delegate Palsis: Yes. As discussed earlier, this really should have come along with the previous Resolutions that were adopted by this ConCon. And the fact that we're on recess, will be on recess today, by having to put off our action on this after we come back from our consultation will be in history so I take it that it is most appropriate for the Convention to take action on this one. I so move.

Delegate Sitan: Question.

President Killion: All those in favor to stop debate, say Aye.

Delegate Fritz: Point of Information. We really cannot hear from this side. So, I humbly request our respectful Delegate to speak closer to the mic so we can hear.

President Killion: Okay. Chairman Palsis, can you restate the matter, your motion on the Resolution?

Delegate Palsis: I restate my motion to place Resolution No. 4-07 on today's calendar. That's the motion.

President Killion: And was there any second? It was seconded, so if no objection, all those in favor of the motion, say Aye. All those opposed, say Nay. So, the said Resolution is placed on today's calendar.

Delegate Susaia: Previous question.

President Killion: If no objection, all those in favor of the motion, say Aye. All those opposed, say Nay. Motion carried. Sorry.

Floor Leader Yatilman: Mr. President.

President Killion: Floor Leader.

Floor Leader Yatilman: Are we in session or we in recess? Short recess please.

President Killion declared the Convention recessed at 11:36 a.m., subject to the call of the Chair.

RECESS

The Convention reconvened at 11:37 a.m.

President Killion: We're now back to session. Secretary, can you read the main title and the Resolution?

Chief Clerk Reyes: Thank you, Mr. President. Now we are back to Consideration of Resolutions. We have one and it's Convention Resolution No. CC-RES-4-07 for adoption. Convention Resolution CC-RES-4-07 is a resolution expressing congratulations to the Honorable Reed B. Oliver, the Honorable Feliciano M. Perman, the Honorable Ausen T. Lambert and members of the 10th Pohnpei State Legislature and gratitude and appreciation to Pohnpei State for the invitation to the Delegates to the Fourth Constitutional Convention of the Federated States of Micronesia to attend the 2020 Joint Inauguration of the Governor-Elect, Lt. Governor-Elect, and members of the 10th Pohnpei State Legislature.

President Killion: There you have it. Yes, Chairman Palsis?

Delegate Palsis: Mr. President, I so move for the adoption of the Resolution.

President Killion: Any second? It's been moved and seconded that the said Resolution be adopted. Discussion?

Delegate Susaia: Question.

President Killion: If no objection, let's vote on the main motion to adopt the said Resolution. All those in favor, say Aye. All those opposed, say Nay. Resolution carried. Thank you very much. Now we're back to, if no other matters on Resolution, we go back down to Miscellaneous Business.

Delegate Mori: Mr. President.

President Killion: Yes, Chairperson Mori?

Delegate Mori: Are we in Miscellaneous?

President Killion: We're in Miscellaneous.

Delegate Sitan: Short recess.

Delegate Fritz: Mr. President, Point of Order.

Delegate Sitan: There's one more.

President Killion: Short recess

President Killion declared the Convention recessed at 11:39 a.m., subject to the call of the Chair.

RECESS

The Convention reconvened at 11:41 a.m.

President Killion: We're now back to session. If no objection, we go back to Resolution calendar. Item 11. Floor Leader?

Floor Leader Yatilman: Thank you very much, Mr. President. I move that we place Convention Resolution No. CC-RES-4-06 on today's calendar.

Delegate Kanto: Second.

President Killion: That's been moved and seconded that that said Resolution be placed on today's calendar.

Delegate Sitan: Question.

President Killion: If no objection, all those in favor of the motion, say Aye. All those opposed, say Nay. Motion carried. Mr. Floor Leader?

Floor Leader Yatilman: Mr. President, I move that Convention adopts Convention Resolution No. CC-RES-4-06.

President Killion: It's been moved and seconded that the said Resolution be adopted. Discussion? Secretary, read out the title.

Chief Clerk Reyes: Thank you, Mr. President. Under Resolution calendar, we now have Convention Resolution No. CC-RES-4-06 for adoption. Convention Resolution No. CC-RES-4-06 is a resolution expressing and extending sincere gratitude and great appreciation to the people of Pohnpei who have shown generous and kind gestures of great hospitality through their traditional and state leaders to the Delegates of the Fourth FSM Constitutional Convention.

Delegate Sitan: Question.

President Killion: That is the Resolution. Discussion? If no objection, let's vote. All those in favor of the said Resolution, say Aye. All those opposed, say Nay. Motion carried. So, if no objection, we go back to Miscellaneous Business.

President Killion: Any other miscellaneous business by any of the Delegates?

Delegate Mori: President.

President Killion: Yes, Chairperson Mori?

Delegate Mori: Thank you President Killion. Foremost, I remain grateful for each day that the Lord so generously blesses us with, as we continue to deliberate on this very important responsibility to our nation, entrusted to us by the people.

I would like to convey my respects to the traditional leaders of my home state of Chuuk to include our very own Chief Camillo Noket, most reverend respects to Iso Nahnken from the Kingdome of Nett, Chief Victor Nabeyan of Yap State, my esteemed colleagues, Honorable Delegates to the Fourth ConCon, Good Morning and Tirow.

I would like to thank my dear colleagues from the states of Chuuk, Kosrae, Pohnpei and Yap for a very enriching experience as we close this first chapter of the work entrusted to us from our individual home states as well as our beloved FSM Federation. As we find our way back to our homes and families, for this

period of recess, I leave with an abundance of unprecedeted friendships while reuniting with many old friends as well. With 24 personalities and great minds, our mandate is not a simple one. I congratulate each and every one of us for the accomplishments thus far.

I also extend my gratitude to the great people of the state of Pohnpei for their unending hospitality and generosity which I hope to personally reciprocate should the opportunity permit.

As we all embark on engaging with our people and families back home on what has transpired in these great Halls of FSM Congress, I extend a special ‘Thank You’ to Speaker Wesley Simina and the members of the 21st Congress.

I wish all of you a safe journey and look forward to a greater second half of the Fourth FSM Constitutional Convention.

Kinisou chapur, Thank you very much.

President Killion: Thank you very much, Chairperson Mori.

Delegate Noket: Mr. President.

President Killion: Yes. Delegate Noket. Chief Noket.

Delegate Noket: Thank you very much, Mr. President. Now we have completed 14 days out of the 45 days Convention. We only have about half of that remaining so to be exact about 17 more days and we have not completed, we have not finished not even pass a Proposal. I'm just wondering if the Officers of this Convention can request Congress to again give us more days, maybe 15 more days to complete our work. By law we are required to complete our work for 45 days and looking at what we have accomplished so far. We completed 14 days, we have not completed anything. We have not accomplished anything yet. Instead we are arguing on procedures of the Convention. So, probably it's proper that the Convention Officers should request Congress to extend, 14 or 15 more days for our Convention to complete our work. Thank you, Mr. President.

President Killion: Thank you very much, Delegate Noket. That is a valid concern. However, as you had pointed out, we had expended, today is the 13th day or 14th day. So, if we take into account the additional 15 days, Yes. After the break, we would have at least 30 more days, but hopefully we can try our best especially

during the recess to expedite our work and we can come back and move on. If there are no other comments? Yes, Chairman Sitan.

Delegate Sitan: Thank you, Mr. President. Now I start to believe what my colleague from Chuuk Delegate Fritz has been saying, you keep looking to our corner. I'm saying this because I think it should be better practice that if there is amendment to a proposal it should be done in a transparent way, meaning in the Convention instead of Committee, because this is where the Journal is taken. So, I ask, even though it's not clear in our Rules, but to be transparent, I think that should be the way to address any amendments for any proposals from any Delegates in the Plenary so they can explain the reason and argue against, for, or not but I think we should follow what we've been saying all along. Be transparent and practical. Thank you.

President Killion: Thank you. If no.

Delegate Naich: Mr. President.

President Killion: Yes, Delegate Naich.

Delegate Naich: Thank you, Mr. President. My respects to you and to all the Convention Officers. As we all know after this session today this Convention will go into recess. A recess that will enable us, the Delegates to go out into our respective communities to conduct consultation, a term that has raised some thoughts in my mind as to what it means, or ought to mean in the context of this Convention. On that note, let me express my gratitude to you and to all the Delegates for the product that we have done so far. I gather that this Convention has produced close to 70 or is in possession of the 60 some proposed amendments. Having participated in two of the last three Conventions, this is impressive. I observed a correlation between the frequency of this undertaking for this kind of undertaking in terms of its product expressed over time. So, we will go out to conduct consultations. We will sail from Pohnpei to our respective communities and then this question has been raised by my Chief, Samol Camillo Noket. What are we going to tell them? What are we going to tell our people? Perhaps it would have been better if we went on consultation before the Convention, but that is passed already. So, I am very grateful that we're going to make sure that we fill a vacuum when we go out into the communities. Otherwise, this Fourth Convention would have to be the first Convention to be conducted without consultation. So, it's important that we do that for the people of this country so that this Convention, this Fourth Convention can still be people-oriented. I am sure all of us have our

moments of, uncomfortable moments of coming face to face with **encounterance**. There is a Chuukese expression, “?????” which means you only remember me at sundown. I am happy that we correct that by going for recess so that nobody can tell us during the twilight of the day you go and join your friends, your real friends but you forgot about me except at sundown. Now I’m happy. We’ll go out and consult so that we also avoid people saying “Uwa netiw, uwa neta, chuu mesei me inochi.” I look down, I look up, we came face to face again. So, this recess will remove those. That’s why I am happy that we will sail on. We have no choice, but to go out to the people and meet with them. Sail on, Delegates. Whatever mode of travel you take, whether sailing, flying, or going on motor boats, Bon Voyage. Sail on, sail on, Delegates. Our time has come to shine. Thank you.

President Killion: Thank you Delegate Naich. I’m sure we’re taking your advice, but it’s not going to be sundown, but sunrise again. Thank you. Yes, Floor Leader.

Floor Leader Yatilman: Thank you very much, Mr. President. I just wanted to go back and express the sentiments expressed by Delegate Sitan because I made a mistake in raising my hand in favor of recommitting, but it’s too late. It’s water under the bridge. I lowered my hand, but I guess I was already counted. That’s why I raised that question of whether someone in absentia is counted as abstention. Anyway, I think we need to consider that because the Committee had done its work diligently and then reported it out to the Plenary and we can do amendments here in Plenary and then debate the issue until everyone is convinced one way or the other instead of recommitting to Committee. Because I can see us not being able to progress forward if we continue to do this. So, I just wanted to support that statement made by Delegate Sitan about moving forward. Thank you very much, Mr. President.

President Killion: Thank you very much. Chairperson Sigrah.

Delegate Sigrah: Thank you very much. I would like to join my Delegates in thanking you, Mr. President, Mr. Vice President Iso Nahnken, and all the Officers plus the magnificent staff that we have here, that service us throughout the first part of the session. And because I am so privileged and honored to be a Delegate from the beautiful State of Kosrae and further honored and privileged to be a woman Delegate in this Convention, I would like to thank all of my fellow Delegates for your courtesy, and your friendship, and respect and the good dialogue and the good friendship that I have received and encountered. Thank you to all of the members of the Committee on General Provisions for your great

attendance at our meetings and I thank each and all of you here. We had a great session and we look forward to the next session. Thank you.

President Killion: Thank you, Chairperson.

Delegate Bossy: Mr. President.

President Killion: Yes, Delegate Bossy.

Delegate Bossy: Thank you, Mr. President. My respects to you and to Iso Nahnken the Vice President, Floor Leader Yatilman, and the rest of the Delegates of this Convention. I would like to share the good thoughts from Honorable Delegate Asterio Takesy, that our principle here is to stimulate, strengthen, and support our unity and the FSM economy. And our objective should be a unified effort in this and our endeavor to revise or amend the FSM Constitution for a better and stronger Government to provide stronger public service to the People. And our goal should be to have sustainable and perpetual peace and happiness in our environment and in this Nation. Thank you very much, Mr. President.

President Killion: Thank you very much, Delegate Bossy. I have a short statement to make before we recess.

Vice President Iriarte: President.

President Killion: Yes. Iso Nahnken.

Vice President Iriarte: I understand that we will be having recess and we will be coming back. During this recess, we'll be visiting villages, explaining and answering questions. And of course, as a traditional leader, we also have a saying that unity means strength. But I want this question with us working on the Constitution. We have the know, we understand that we have this system, State Constitutions and another Constitution which we call Local Constitutions. All these belong to the People. So, the question after these 40 years of being together, these numbers of proposals that we have before us, over 60. What is the truth over here? The unity and changing every 10 years. Is this a kind of spirit of unity? Did we see changing now it seems like we almost touch every article of this important part of the Constitution. So, I would like to request that all members of this Fourth Constitutional Convention put in our minds that there should be respect to those other level of Constitutions in the States. Because this can divide us. If these four stars we're talking about five governments. So, what is one star? The ocean,

maybe. So, if that one star, invisible star that we are working on now, do not respect the Constitution of the four stars, that will be a problem. That will cause problems between the citizens of this Nation. I said days before, in my remarks during the Inauguration, we'll have to think big because we are big. We are feeding the world or contributing to the world peace because we have an ocean that is larger than United States. But when I come back and I listen to debates, I listen to the voice of Chuukese, Kosraens, Yapese. Sometimes I wonder if we can be together in the future. Some proposals will of course create programs. I can see now, if it passes, we will be discussing later. But I can see that there is going to be problems. On issues of land, this is very important. This is where our life is centered on. So, when you go, ask this question, can we continue in this unity? If yes, then this Convention, the Fourth Convention will prove it. We'll make sure that what we put, the changes that we make will support the spirit of unity of this Nation. You go and come back, we'll be expecting you in the next round of negotiations on our Constitution of this Nation. Thank you very much.

President Killion: Thank you very much, Iso Nahnken Iriarte for the very profound and meaningful statement. I have a short statement to make on this Miscellaneous Business.

Iso Nahnken Iriarte, distinguished Delegates, our Convention staff, ladies and gentlemen. As today's our last day for our Convention session before we take break, I wish to thank you all for the hard work and support which all of you had put in from day one of our session, which started about two weeks ago. We all know our Mandate has selected Delegates to this Fourth FSM Constitutional Convention to review our current FSM Constitution and see how much an important document could be modified to best address the current and future needs of our young Nation, particularly for our people now and the future generations of this Nation. We all know that this is a solemn task and responsibility to which our constituents have entrusted us to do and in retrospect, I as President of this Convention can comfortably state that we have successfully the first order in organizing ourselves to move forward and undertake the main task of reviewing our Constitution as called for in the Enabling Legislation, Public Law No. 21-19.

Needless to say, the eyes of our Nation is on us as we undertake this very important task of reviewing our Constitution. Given the numerous challenges facing our Nation as well as our individual States. As we had agreed earlier, this upcoming recess, which will be about 30 days will afford us the Delegates the opportunity to consult with our people in each of our four States on the various Constitutional Proposals which have been introduced so far in our Convention, the

outcome of which I believe will be very useful in finalizing our thoughts and decisions on such proposals after we return next month to complete our task in completing our review of our Constitution as called for.

During the recess, I also encourage each of the Committee Chairmen, Chairpersons to review the various proposals which have been introduced and assigned to your respective Committees and see how they could possibly be reconciled so that they can be best handled immediately after we come back, after we return to resume this Convention next month. Likewise, I would also like to request that during the recess, each Delegation prioritizes State priorities of proposals to be discussed or handled after the recess. Our Legal Counsel and our Executive Director along with the support Delegation staff in each of the State Delegations will be available online to provide advice on matters which you may have while you're out in your respective States doing the consultations. Before closing, I wish just to again reiterate on our behalf our thanks to President Panuelo and his Cabinet and staff of our National Government Executive Branch, Speaker Simina, Vice Speaker Moses, and members of our FSM Congress and their staff, as well as Chief Justice Yamase and his legal staff and other administrative staff of our National Judiciary Branch for all the support rendered, they have rendered to our Convention these past two weeks, without which it would have been difficult to start our Convention earlier this month and continuing on to today. I will be remiss if I don't mention our thanks and gratitude to our legal staff, Ms. Kathy Burch as well as our Executive Director, Mr. Kapilly Capelle as well as our other legal staff from the other departments and administrative staff from Congress, who had assisted us during these past two weeks and of course, our journal clerk, secretary Ms. Jessica Reyes, and Mr. Atarino Helieisar and other support staff from all the branches of our National Government and State Governments as well. I look forward to seeing you all next month after the recess and I wish you the very best and safe trips and journeys as you return to your home states and islands and especially as you return back to see your families and friends in your home states. Thank you very much everyone. Thank you. Any other miscellaneous business before we go on to Announcements?

Delegate Susaia: Mr. President.

President Killion: Yes, Delegate Susaia?

Delegate Susaia: I will submit a written statement for the record for today for the sake of time, if it's so permitted.

President Killion: Thank you. If no objection, it shall be done.

Delegate Susaia: Mr. President, colleagues and fellow citizens. With your indulgence, I wish to join the previous speakers and offer a few words as we prepare to go into recess, subject to the call of the chair. At the outset, I wish to pay my respects to the traditional leaders of our country, especially the guardians of Pohnpei, on which ground we assembled today. Keipweni pahn samatail Eni Lap, Kauno Koht. Keipweni pohn Erekso Nanmwariki kan en Pohnpei uh, Wahulap pohn Iso Naniken ko, lapalap kan en palien tiahk, mwoadisou kan, government en Pohnpei State, Municipal Koperment kan, oh karoasie tohn pei Sarawi en Pohnpei. Re ketin kupwure pwe ien kak doadoahki masen de pato en English.

Recalling those hot summer days, 41 years ago in Saipan at the White Sands Hotel, our founding fathers debated at length over the government structure, the taxing authority, public finance and the separation of powers between the national, state and municipal governments. From these discussions, they were able to agree to the existing provisions of our FSM Constitution. We, the delegates to this 4th FSM Con-Con cannot re-walk the exact footprints they left behind, but we may be able to add or improve on some of these provisions, if we work together and strengthen our resolve to live as one people under this same Constitution. If we are sincere in our commitment to work together, we will be able to agree to the changes or amendments which will strengthen Unity in the FSM.

I am confident in our efforts and dedication to do the best for our people. In fact, I believe our first order of business after we return from this recess should be to commit ourselves to work harder and together as a unified body. This is essential. Despite any differences we may have, it is incumbent upon us as duly elected representatives of the people to this Convention that we commit to these noble causes of strengthening our Unity.

In our deliberations, we must recognize the changing world and emerging realities in front of us. No longer is the outside world a far-off entity over the horizon which we used to think of as innocent children running around on our remote island atolls, towns and villages many moons ago. No longer is the land of opportunity beyond the reachable stretch of our imaginations. We have grown and matured as a nation. We have rightfully assumed our place as a village among the global community of villages. The world has expanded in the face of globalization. So change we must, and when one third of our citizens find homes in the United States and elsewhere, it is imperative that we respond to these changing dynamics and let our conscience bring out the best of us. We must do

what is best for our people given the circumstances we live in today. Our people living in faraway places like Springdale in Arkansas, in Milan, Minnesota, in the deep Southern cities of Alabama, Georgia, and Florida have one thing in common. They are citizens of the Federated States of Micronesia, and I know they are proud of it. We must address the issue of Dual Citizenship for the sake of our people who deserve this privilege.

It stands to reason that we also must not be so quick to change things solely for the sake of change itself. After all, some things are better off if we leave them untouched and intact. And among these, which is fundamental in my view, is the preservation of Unity as the fundamental pillar of this Federation. Any action that compromises the fabric of Unity for our federation must be opposed with every ounce of our energy. As a small island country in a big world, we are better off together as one country. The world order these days favors the forces of globalization and the building of regional alliances. It is in our best interest to remain united and continue to live together as one people.

In preserving the Unity of this Federation, we also have to be mindful of the needs of the States. After all, the uniqueness of our federation lies in the extent of the constitutional authority and resources given to the States to manage their own affairs of state. Our goal is to ensure that the States are equipped with adequate financial resources and the tools to carry out their constitutional mandates. I am very aware of the challenge and the daunting task of addressing revenue sharing with the States. However, I believe it is prime time that this dicey issue of revenue sharing is addressed head on. I believe also that our work in this Convention can be successful if we are able to agree to a better formula of revenue sharing. It will be difficult, but we must find a way to do it. If we are serious about strengthening and preserving Unity, let us dedicate ourselves to the spirit of the work our founding fathers achieved in the summer of 1975. Creating a nation which has sustained the winds of change over the years is a more daunting task than agreeing to make the necessary changes to our Constitution and devise an acceptable and workable sharing of the revenues between the National and State Governments.

Mr. President and my fellow delegates, this 4th FSM Constitutional Convention provides us an opportunity to heed the challenges of our times. It provides us the opportunity to make real changes for the sake of our people. Let us not fail them or we will waver between utter despair and glimmers of hope for a better tomorrow.

Kalahngan, Kilisou Chapur, Kamagar, Kulo Mulalap

President Killion: Thank you, Delegate Susaia. Yes, Delegate Hashiguchi.

Delegate Hashiguchi: Thank you, Mr. President. This is on the Committee to Wait on the President. I think they scheduled a meeting today. If I could humbly request on behalf of the Chuuk Northwest Team outreach for the outer islands of Chuuk that you humbly request the assistance and support of, Mr. President, to our humble request for one of the patrol boats for Chuuk and, I think to Pohnpei team. Just to echo, I'm sure that a letter has been transmitted from you, Mr. President to that request and I think it's important that we continue as mentioned by my fellow Delegates right here that it's important, the outreach and the consultation and to really go out and engage with our citizens out there. Thank you, Mr. President.

President Killion: Thank you very much, Delegate Hashiguchi. Yes, of course the request has been made to the President for the uses of those two patrol boats for Chuuk and Pohnpei based on their discussion. Of course, Yap and Kosrae have different requests and the Secretariat is also taking action on those. Any other miscellaneous business? If none, Announcements?

ANNOUNCEMENTS

Delegate Mori: Mr. President.

President Killion: Yes. Chairperson Mori.

Delegate Mori: Thank you. I would like to remind the Convention as well as the people of Chuuk that reside or are on Pohnpei currently that we have a consultation scheduled tomorrow at the SBDC Center in town, 2nd floor at 3 p.m., 3 to 6 p.m. tomorrow. Additionally, on Friday, we have another consultation at the COM campus at 1 o'clock for the students and anyone else that may be interested. Thank you.

President Killion: Thank you, Chairperson Mori for the announcement for those meetings. Any other announcements by any other Chairmen, Chairpersons? Yes, Delegate Susaia.

Delegate Susaia: Mr. President, your Special Committee to say farewell to the President this afternoon will meet him at 1 o'clock.

President Killion: Okay, you have less than an hour to meet, so that appointment has been made for our Committee to see the President on our behalf at 1 o'clock this afternoon. Yes, any other announcements?

Delegate Nabeyan: Here, Mr. President.

President Killion: Yes, Chairman Nabeyan.

Delegate Nabeyan: Thank you. Your Committee on Government Structure and Functions will not have its meeting today. It's cancelled. We're not quite yet prepared for it so we'll recess. We'll start our meeting when we come back from our recess. Thank you.

President Killion: Thank you, Chairman Nabeyan. So, the Committee on Government Structure and Functions is in recess also until, as you said, after the recess, when we come back. Any other announcements by any of the other Chairmen, Chairpersons of Committees? I guess we're happy and satisfied to take the break. If none, Mr. Floor Leader.

Floor Leader Yatilman: Thank you, Mr. President. I move that the Convention stands in recess until on or about February 24th.

Delegate Bossy: Second.

President Killion: It's been moved and seconded that we stand in recess until about February 24th but subject to the call of the Chair. That is understood in case something happens. If no discussion, all those in favor of the motion, say Aye. All those opposed, say Nay. Those who say Nay, you can stay here until next month. Our session is hereby recessed until next month, about February 24th. Thank you

The motion carried by voice vote of Delegates.

President Killion declared the Convention recess at 12:14 noon, until about February 24th but subject to the call of the Chair.

Respectfully submitted,

Atarino A. Helieisar
Journal Clerk