

## EIGHTH DAY

Thursday, January 16, 2020

### CALL TO ORDER

President Killion called the Fourth FSM Constitutional Convention to order at 10:26 a.m., Thursday, January 16, 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, 21 delegates are present.

**President Killion:** Thank you very much. We have quorum to transact business. For the record, we have Delegates Saimon, Iso Nahnken Iriarte and Takesy are excused and maybe joining us later today. So, moving on Item 4, Adoption of Journal. Floor Leader.

**Floor Leader Yatilman:** Mr. President, I move that we adopt Journal of the Second Day through to the Seven Day.

**President Killion:** Any second

**Delegate Kanto:** Second.

**President Killion:** It's been moved and seconded to adopt those Journals for those days as mentioned by Floor Leader. Discussion?

**Delegate Fritz:** Mr. President.

**President Killion:** Delegate Fritz.

**Delegate Fritz:** Thank you very much Mr. President. Just for the record, I've asked our Journal Clerk to note some mistakes in the Journals and I believe he has corrected them. So that should be the one that is included in terms of the statement I made. Thank you very much.

**President Killion:** Thank you very much Delegate Fritz. Those are noted and should be taken care of. Any other Discussion? If none, all those in favor of the motion say Aye? All those oppose say Nay? Motion carried.

The motion carried by voice vote to adopt the said Journals.

**Floor Leader Yatilman:** Mr. President.

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

**Floor Leader Yatilman:** Apologies to interrupt here; but I was reminded yesterday after the conclusion of the Plenary yesterday that even though that I came in late and participated in the rest of the Plenary that I was still absent at least in the record. So, I would like to state in the record that I was here yesterday. Thank you.

**President Killion:** Thank you. Mr. Floor Leader, that shall be noted. I'm sure that you came in later.

**Delegate Albert:** Point of privilege.

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

**Delegate Albert:** Thank you Mr. President. I wish to take this opportunity to acknowledge the presence of Mr. Peterson Sam (Luhen), who is the Commissioner of V6AH Radio Pohnpei and his team of co-workers which have been tasked by this Convention to broadcast our deliberations to our citizens throughout the world live. I personally would like to extend on behalf of Iso and the Delegation of Pohnpei, our outmost gratitude to Peterson and his team. Ni wahu oh karakarahk. Ih met.

**President Killion:** Thank you Chairman Albert and we surely welcome Mr. Sam this morning. Thank you. Okay, any other matters as we moving on Communications?

## COMMUNICATIONS

**Chief Clerk Reyes:** Under Item 5, for Communications, we have one. State Communication is No.4-1.

**President Killion:** Thank you. That is a communication from Lieutenant Governor of Chuuk to me. So it's attached to the Order. Any other State Communications?

**Chief Clerk Reyes:** No more, Mr. President.

## UNFINISHED BUSINESS

**President Killion:** Unfinished Business?

**Chief Clerk Reyes:** For Item 6, none Mr. President.

## REPORTS OF COMMITTEES

**President Killion:** Reports of Committees?

**Chief Clerk Reyes:** There are currently no Reports from the Committees, Mr. President.

## FIRST READING OF COMMITTEE PROPOSALS

**President Killion:** Item 8, First Reading of 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 at the moment, Mr. President.

### CONSIDERATION OF RESOLUTIONS

**President Killion:** Consideration of Resolutions?

**Chief Clerk Reyes:** As of now, there are no Resolutions Mr. President.

### INTRODUCTION AND REFERRAL OF DELEGATE PROPOSALS AND RESOLUTIONS

**President Killion:** Introduction and Referral of Delegate Proposals and Resolutions. See Referral Sheet No. 4-05 attached to the Order. Today's Order.

**Delegate Fritz:** Short recess?

**President Killion:** Short recess.

President Killion declared the Convention recessed at 10:33 a.m., subject to the call of the Chair.

### **RECESS**

The Convention reconvened at 10:37 a.m.

### SPECIAL ORDERS

**President Killion:** We're now back to session. If no other discussion on Item 12. We are now on Item 13, Special Orders?

**Chief Clerk Reyes:** For Item 13, None, Mr. President.

### MISCELLANEOUS BUSINESS

**President Killion:** Any miscellaneous business by any Delegates who wish to bring forth aside from those who already discussed previous days?

**Floor Leader Yatilman:** Mr. President.

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

**Floor Leader Yatilman:** I realize that Wednesday is our last day of session before we go on recess. And so, like for instance, the Delegation from Yap, we would like to all depart on Thursday to go to Guam and then do our consultation with our Yap citizens in Guam before going on to Yap on Saturday night to do consultation in Yap. So, I'd like to encourage the Secretariat to please work on our travel documents so that they're ready by next week. Thank you, Mr. President.

**President Killion:** Thank you very much, Mr. Floor Leader. That is going to be taken care of by the Secretariat. Any other miscellaneous matters?

**Delegate Fritz:** Mr. President.

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

**Delegate Fritz:** Thank you very much, Mr. President. I just want to make some comment with respect to Convention Proposal 4-20. That's the proposal which was submitted by the three of us here on behalf of our Delegation, but there needs to be some changes as the proposal itself relating to Section 5 of Article 9. If you read the purpose and intent, some of the ideas that we wish to include are not inclusive in the proposal itself. So, other than the appropriate committee, that particular language is not complete. So, if and when the Committee takes it up, we will come up with the proper languages that will make it complete. Thank you.

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

**Delegate Bossy:** Mr. President.

**President Killion:** Yes?

**Delegate Bossy:** The purpose of Rules 50 and 51, I would like to familiarize myself. I move for a recess.

**President Killion:** Can you restate your motion again?

**Delegate Bossy:** For purpose of familiarizing myself with Rules 50 and 51, I would like to move for a recess.

President Killion declared the Convention recessed at 10:30 a.m., subject to the call of the Chair.

## **RECESS**

The Convention reconvened at 10:37 a.m.

**President Killion:** We are now back to session. We were on item 14 Miscellaneous Business.

**Delegate Nabeyan:** Mr. President.

**President Killion:** Yes, Chairman Nabeyan?

**Delegate Nabeyan:** I move that Proposal No. 4-05 be withdrawn from the Committee on Civil Liberties and reassigned to the Committee on Government Structure and Functions. Thank you.

**President Killion:** Any second?

**Delegate Susaia:** Second.

**President Killion:** It's been moved and seconded as suggested or moved by Chairman Nabeyan and seconded by Delegate Susaia that that particular proposal be withdrawn from the Committee on Civil Liberties to Committee on Government Structure. Discussion? If no discussion, all those in favor of the motion say Aye. All those opposed say Nay. Motion carried. So, moving on if no other miscellaneous business, Announcements?

**Delegate Kanto:** Mr. President

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

**Delegate Kanto:** Thank you very much, Mr. President. This is under Miscellaneous.

**President Killion:** Sorry, we're on Announcements.

**Delegate Kanto:** I was just late to.

**President Killion:** So, if no objection, we go back to Miscellaneous.

**Delegate Kanto:** Thank you. I brought this issue up before but I don't know, it seems like we don't take it seriously. Maybe it's not a serious matter. On the budget for this Convention, I saw one issued or sent out yesterday by our Secretariat to the Chuuk Delegation on their budget. Yet, I thought, I'm not sure if they need to be approved by this Convention before they are sent out. To my understanding, I'm not sure if I understood it correctly, from our meeting with the Speaker and the Vice Speaker they were asking if we approved the budget and some of the items in that budget. So, until now, I don't see that we've approved that budget yet; or I don't know if you guys just decided that the Chairmen of the Delegations will approve it or not. But I'm still not yet sure, that's why I'm bringing it up as a miscellaneous today.

**President Killion:** Thank you, Delegate Kanto. Declare a short recess.

President Killion declared the Convention recessed at 10:40 a.m., subject to the call of the Chair.

## **RECESS**

The Convention reconvened at 10:41 a.m.

**President Killion:** Now we're back to session. Any more discussion? We were on Miscellaneous Business.

**Fritz:** Mr. President?

**President Killion:** Delegate Fritz.

**Delegate Fritz:** Thank you very much. I move that the budget as proposed and submitted by the Pre Convention Committee and also considered by the Leadership be approved as the budget for this Convention to be formally submitted to Congress for consideration.

**Delegate Kanto:** Second.

**President Killion:** It's been moved and seconded. The motion put forth by Delegate Fritz. Discussion? So, no discussion. All those in favor of the motion say Aye. All those opposed say Nay. That motion carried. So, moving on.

**Delegate Samo:** Mr. President.

**President Killion:** Yes?

**Delegate Samo:** Are we still on Miscellaneous?

**President Killion:** Yes. We're still on Miscellaneous.

**Delegate Samo:** Thank you, Mr. President. Warm good morning to everybody. Just a note that.

**Delegate Fritz:** Order. This is where I will request the Honorable Floor Leader to remind the President that we haven't voted on the main motion, which is for the adoption. We only voted on the motion to stop debate, but.

**President Killion:** Sorry.

**Delegate Fritz:** So that motion should be up for.

**President Killion:** Short recess.

President Killion declared the Convention recessed at 11:17 a.m., subject to the call of the Chair.

## **RECESS**

The Convention reconvened at 11:50 a.m.

**President Killion:** Session is back to order. We have the pending matter to vote on, the motion as proposed. If no other discussion, we vote. All those in favor of.

**Delegate Noket:** Mr. President.

**President Killion:** Yes. Delegate Noket.

**Delegate Noket:** You just announce those who are in favor of the motion, but you never announce those who are not in favor of the motion.

**President Killion:** I was just going to call for the vote.



**Delegate Noket:** So my vote was No, but you could not hear it because you did not ask for those who are not in favor of the motion.

**President Killion:** I was just going to do that. So again, let's re-vote. All those in favor of the motion, say Aye. All those oppose say Nay.

**Delegate Susaia:** Division.

**President Killion:** Division is called for? So let's vote by show of hands. Easier. All those in favor of.

Vice President Iso Nahnken Iriate and Delegate Saimon just arrive now at 11:55 a.m..

**Delegate Nabeyan:** Mr. President, may I? I think we need clarification with the motion. That's why we're confused. Can the mover please restate the motion and I think we need to understand if we defeat the motion, what does that mean? That means the budget is not approved?

**President Killion:** That means, yes.

**Delegate Nabeyan:** So we need. Can you have the mover please restate his motion and for clarity so we fully vote, we know exactly what we're voting on.

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

President Killion declared the Convention recessed at 12:00 p.m., subject to the call of the Chair.

## **RECESS**

The Convention reconvened at 12:08 p.m.

**President Killion:** So, we're now back to session. Delegate Fritz?

**Delegate Fritz:** Mr. President. Based on the understanding given during the recess, which I believe the President will make sure is conveyed to our Leadership across from us, I move to withdraw my motion and that includes the concurrence of those who second, right? Alright.

**President Killion:** Thank you, Delegate Fritz for the withdrawal of the motion and for the second. Okay, thank you. So, Floor Leader, are we in order? Yes. So, if no objection, unless there are other matters under Miscellaneous, we move on to Announcements.

**Delegate Samo:** Mr. President.

**President Killion:** Yes? Who has the floor?

**Delegate Susaia:** Mr. President. Recess.

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

President Killion declared the Convention recessed at 12:09 p.m., subject to the call of the Chair.

## RECESS

The Convention reconvened at 12:18 p.m.

**President Killion:** Our session is back to order. Thank you for the reminder. We shall vote on the motion to withdraw. All those in favor of the motion to withdraw, say Aye. All those opposed, say Nay. Therefore, the motion to withdraw has been approved. So moving on to Miscellaneous Business, if no other. Yes, Delegate Samo?

**Delegate Samo:** Mr. President, just under Miscellaneous, as I'm the introducer of No. 4-18, I noticed that I gave the wrong version to LC, few omissions on my part so I want to point that out and I will raise that at Committee Hearings since the Chairman kindly asked that I also be present. Thank you.

**President Killion:** Thank you, Delegate Samo. It shall be noted with the LC. Okay, any other miscellaneous? If none.

**Delegate Mori:** Mr. President.

**President Killion:** Yes, Delegate Mori. Chairperson Mori.

**Delegate Mori:** Thank you. Good afternoon. Can we get a Delegate schedule for, I'm sorry, a schedule for committee hearings this afternoon?

**President Killion:** Any response to that? Yes, Delegate Susaia?

**Delegate Susaia:** On behalf of the Pohnpei Delegation, I ask that the Journal of today reflects that our Chairman is present, and Delegate Saimon.

**President Killion:** Thank you, Delegate Susaia. That shall be noted in our journal for today. The two honorable delegates are joining us now. Chairman Nabeyan?

**Delegate Nabeyan:** Recess please.

President Killion declared the Convention recessed at 12:19 a.m., subject to the call of the Chair.

## **RECESS**

The Convention reconvened at 12:20 p.m.

**President Killion:** Our session is now back to order. We're moving on from Miscellaneous Business. Announcements?

## **ANNOUNCEMENTS**

First off, I would like to announce that we now have two new secretaries to cover some of the committees, especially Committees on General Provisions, Civil Liberties and Traditions, as well as the Committee on Public Finance and Revenue. And we're still working on the third one, who is about to be hired in addition to these two new secretaries that are already on board. So, they're going to service these committees. The additional one will be servicing the other remaining committees. And also, I would like to announce that we've been requested by our Executive Director that we should have a photo session for tomorrow, after our session. So, our photographer, whoever that's going to be, is going to take our individual photos to be part of our, I guess, the journal or the webpage. So, just an information so that each one of us come ready and prepared to be photogenic so that you can look your best in the photos that will be distributed throughout our nation or outside of our nation. Those are two announcements which I wish to make. Any other announcements by any of the chairmen, chairpersons? Chairman Nabeyan?

**Delegate Nabeyan:** Yes, just to announce that the Committee on Government Structure and Functions will be holding its meeting tomorrow at 2:30. I would like to try the Chamber with your permission, Mr. President. Use the Chamber so that committee work testimonies may be recorded. Thank you. So, we will try it here, 2:30 tomorrow, in the Chamber.

**President Killion:** Thank you very much, Chairman Nabeyan. Chairman Albert?

**Delegate Albert:** President, thank you. I just want to first thank you for providing our secretary so that changes our schedule for our committee. May I ask that we meet tomorrow at 8:30? Let's maintain the same place since we already have a recorder in place so we don't need to be here. Thank you.

**President Killion:** Thank you Chairman Albert. Chairman Sitan?

**Delegate Sitan:** President, your meeting on Public Finance will recess until we get the final information on revenue projection and budget from FSM Finance. Thank you.

**President Killion:** Thank you very much. Chairperson Sigrah, you have any announcements for your Committee on General Provisions?

**Delegate Sigrah:** Yes, thank you. Committee on General Provisions will meet this Saturday, January 18 at 8:30 in the morning and we will meet at the Committee Meeting Room.

**President Killion:** Committee Room.

**Delegate Sigrah:** Yes.

**President Killion:** Committee on General Provisions chaired by Chairperson Sigrah will meet on Saturday at 8:30 at the Committee Room, next to Congress office. Any other announcements by the other Committee Chairmen?

**Delegate Sigrah:** President.

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

**Delegate Palsis:** I'm calling the Kosrae Delegation to meet immediately after the session today. That includes the staff, thank you.

**President Killion:** Thank you very much, Chairman Palsis. Any other announcements chairmen, chairperson of the Delegations or Committees? If none, Floor Leader?

**Floor Leader Yatilman:** Thank you, Mr. President. I move that the Convention stands in recess until 10 o'clock tomorrow morning.

**President Killion:** Any second? All those in favor of the motion to adjourn until tomorrow at 10, say Aye. All those oppose say Nay. Our session is adjourned until tomorrow at 10 o'clock.

President Killion declared the Convention recess at 12:27 p.m., until 10:00 a.m., Friday, January 17, 2020.

Respectfully submitted,

Atarino A. Helieisar  
Journal Clerk