

## NINTH DAY

Friday, January 17, 2020

### CALL TO ORDER

President Killion called the Fourth FSM Constitutional Convention to order at 10:40 a.m., Friday, January 17, 2020.

### MOMENT OF SILENT PRAYER

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

A moment of silent prayer was observed.

### ROLL CALL

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

### ADOPTION OF JOURNAL

**President Killion:** Thank you very much. We have quorum to transact business. Item 4, Adoption of Journal.

**Delegate Asher:** Mr. President.

**President Killion:** Oh, sorry. Declared short recess.

President Killion declared the Convention recessed at 10:42 a.m., subject to the call of the Chair.

### **RECESS**

The Convention reconvened at 10:43 a.m.

**President Killion:** Now we're back to session. Shall be noted that Floor Leader Yatilman is here this morning to continue to be our Floor Leader for the rest of the day and the rest of our session. So we are now on Item 4, Adoption of Journal. Mr. Floor Leader.

**Floor Leader Yatilman:** Good morning, Mr. President, I'd like to move that the Convention adopt Journal Number Eight.

**President Killion:** Any second?

**Delegate Asher:** Second.

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

### COMMUNICATIONS

**President Killion:** Item 5, Communications?

**Chief Clerk Reyes:** For Item 5, there are no Communications, Mr. President.

### UNFINISHED BUSINESS

**President Killion:** Thank you. Unfinished Business?

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

### REPORTS OF COMMITTEES

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

**Chief Clerk Reyes:** There are currently no Committee Reports, 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:** Nine, Second Reading of Committee Proposals?

**Chief Clerk Reyes:** Also none, Mr. President.

## FINAL READING OF PROPOSED CONSTITUTIONAL AMENDMENTS

**President Killion:** Number 10, Final Reading of Proposed Constitutional Amendments?

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

## CONSIDERATION OF RESOLUTIONS

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

**Chief Clerk Reyes:** For Item 11, Consideration of Resolutions we have at the moment 3 Resolutions.

The first one is Convention Resolution No. CC-Res-4-01 for adoption. Convention Resolution 4-01 is a resolution expressing gratitude and appreciation to President David W. Panuelo and Vice President Yosiwo P. George for making some of their staff, offices, and equipment available for use by the Fourth Constitutional Convention of the Federated States of Micronesia.

**President Killion:** Thank you. Floor Leader?

**Floor Leader Yatilman:** Short recess.

**President Killion:** Short recess called for.

President Killion declared the Convention recessed at 10:47 a.m., subject to the call of the Chair.

## **RECESS**

The Convention reconvened at 10:48 a.m.

**President Killion:** So we resume our session, Mr. Floor Leader.

**Floor Leader Yatilman:** Mr. President, I move that the Convention adopt the three Resolutions as outlined under Item 10, Consideration of Resolutions.

**Delegate Sitan:** Short Recess.

**President Killion:** Short recess declared.

President Killion declared the Convention recessed at 10:49 a.m., subject to the call of the Chair.

### **RECESS**

The Convention reconvened at 10:53 a.m.

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

**Floor Leader Yatilman:** Mr. President, I move for the adoption of Convention Resolution No. CC-Res-4-01 with the understanding that the copies be also provided to the State Governors, state Speakers of the legislatures as well as the.

**Delegate Sitan:** Short recess.

**President Killion:** Recess called for.

President Killion declared the Convention recessed at 10:54 a.m., subject to the call of the Chair.

### **RECESS**

The Convention reconvened at 10:55 a.m.

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

**Floor Leader:** Thank you Mr. President. I restate the motion for the Convention to adopt Convention Resolution 4-01.

**Delegate Susaia:** Second.

**President Killion:** It's been moved and seconded that we adopt the particular resolution CC-Res-4-01. Any discussion?

**Delegate Palsis:** Mr. President.

**President Killion:** Chairman Palsis.

**Delegate Palsis:** Thank you and good morning everyone. I just want to make a comment so that it can be reflected that I notice that all the three Delegations had resolutions for the matter. Kosrae is not having one. So, I take it that we would be on the same boat sharing the resolution as presented as being discussed here. Thank you, Mr. President.

**President Killion:** Thank you Chairman Palsis. Any other discussion?

**Delegate Asher:** Mr. President.

**President Killion:** Yes. Chairman Asher.

**Delegate Asher:** Just to make a verification, I understand Kosrae State will be introducing our Resolution tomorrow for that matter.

**President Killion:** Okay.

**Delegate Nabeyan:** Mr. President.

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

**Delegate Nabeyan:** I yield to Delegate Sitan.

**President Killion:** Chairman Sitan, you've been yielded the floor to.

**Delegate Sitan:** Yeah. Thank you very much, Mr. President. I want to propose an amendment to the Resolution to include the Governors, Speakers and Judges of the States. I so move.

**President Killion:** Any second?

**Delegate Nabeyan:** Second.

**President Killion:** It's been moved and seconded that the amendment by Chairman Sitan be adopted. Amendment to the main motion. Discussion of the motion by Chairman Sitan. Can you clarify again your amendment, Chairman Sitan?

**Delegate Sitan:** Yes, let me repeat. I said to amend the resolution to include the Governors, Speakers, and Chief Justices of the State Governments. Presiding officers of the State Judges.

**President Killion:** Thank you and there was a second to your motion.

**Delegate Nabeyan:** Yes.

**President Killion:** We are still discussing that motion for amendment.

**Delegate Fritz:** Point of information.

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

**Delegate Fritz:** I just want to make sure that, I believe Delegates from Chuuk's proposed amendment relates to the second whereas cross for transmittal for copies of this resolution. Right?

**President Killion:** Yes. Okay, any other discussion on the proposed amendment to the main motion? If none, all those in favor of the motion by Chairman Sitan say Aye. All those opposed say Nay. So, the motion is adopted so we have an amended motion for the main motion at hand. Adoption of the Resolution as amended.

The motion carried by voice vote of members.

Any other discussion? If none, let's vote on the main motion as amended. All those in favor say Aye. All those opposed say Nay. Motion carried.

The motion carried by voice vote of members.

**President Killion:** Moving on, Mr. Floor Leader.

**Floor Leader Yatilman:** Mr. President, I move that the Convention adopts Convention Resolution No. CC- Res-04-02.

**Delegate Liwy:** Second.

**President Killion:** It's been moved and seconded that the particular Resolution be adopted. Discussion. Any discussion?

**Delegate Susaia:** Mr. President.

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

**Delegate Susaia:** To follow suit for the previous Resolution. I move that we amend this Resolution to include certified copies to be forwarded to the Governors of each state, the Justices of the Supreme Court of the states and the Presiding Officers for this Convention. So move.

**President Killion:** Any second?

**Delegate Sitan:** Second.

**President Killion:** Discussions on the amendment motion by Chairman Susaia.

**Delegate Susaia:** The Speakers of the Legislatures are included in the motion.

**President Killion:** Thank you.

**Delegate Takesy:** Mr. President.

**President Killion:** Delegate Takesy.

**Delegate Takesy:** Yes, Mr. President. I would like to seek the consent of the maker of the motion to amend to include the following, on line 8 of the Resolution after the work offices, include the Congressional Chamber. So that it will read "The Twenty-first Congress recognizing that the importance of the Constitutional Convention have made available some of their staff, offices, the Congressional Chamber, and equipment." Thank you.

**President Killion:** I declare a short recess.

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

## **RECESS**

The Convention reconvened at 11:10 a.m.

**President Killion:** Let's go back to session. Delegate Susaia, we have your propose amendment.

**Delegate Susaia:** Thank you, Mr. President. For clarification, my amendment is to include certified copies of this Resolution to be transmitted to the Governors of the four states, Presiding Officers of the respective legislatures, Chief Justices of the State Courts, and the Presiding Officers of this Convention, so move.

**Delegate Sitan:** Second.

**President Killion:** Thank you. It's been moved and seconded that is the amendment to the motion at hand. All those in favor say Aye. All those opposed say Nay. So the motion to amend to the main motion is adopted.

The motion to amend to the main motion carried by voice vote of members.

So we have the main motion at hand to consider. Delegate Takesy. It's okay? Okay, if no other discussion on the main motion as amended. Yes, Floor Leader?

**Floor Leader Yatilman:** Thank you very much, Mr. President. I am just wondering about the last motion from Delegate Susaia. Currently we have the President of the Fourth Constitutional Convention but in his motion, he says "to the Presiding Officers." Would that include giving to the Vice-President, naming the Vice-President, the Floor Leader, and the Chairman of COW?

**President Killion:** In the affirmative, the response as affirmative as noted by Delegate Susaia. Floor Leader.

**Floor Leader Yatilman:** Mr. President. The first one was only the President and now the second one is going to include all the Presiding Officers. So why are we being inconsistent?

**President Killion:** Okay. We still need to vote on the main motion at hand. Thank you for those comments. Yes, those are well point taken. Any other discussion? Let's vote, all those in favor of the motion as amended say Aye. All those opposed say Nay. Motion carried.

The motion carried by voice vote of members.

Moving on, Floor Leader.

**Floor Leader Yatilman:** Mr. President, I move that the Convention adopt Resolution No. CC-Res-4-03.

**Delegate Kanto:** Second.

**President Killion:** It's been moved and seconded that the Convention adopts the aforesaid Resolution CC-Res-04-03. Discussion.

**Delegate Sitan:** Mr. President.

**President Killion:** Chairman Sitan.

**Delegate Sitan:** Yes. I want to amend the motion to include the Governor, Chief Justices of the States, and the Presiding Officers of the Legislatures. Thank you.

**President Killion:** So, you move? Any second?

**Delegate Susaia:** Second.

**President Killion:** It's been moved and seconded that the particular motion or resolution is amended. Discussion on the amendment by Chairman Sitan. If none, all those in favor of the motion say Aye. All those opposed say Nay. Motion carried. So now we have the motion at hand amended. Any more discussion? If none, let's vote on the main motion. Yes. Floor Leader, you have any comments? Your light is on so, okay. All those in favor of the main motion at hand to adopt the resolution as amended, all those in favor say Aye. All those opposed say Nay. Motion carried. Any other matters under the Item 11?

The motion carried by voice vote of members.

## INTRODUCTION AND REFERRAL OF DELEGATE PROPOSALS AND RESOLUTIONS

**President Killion:** If none, Item 12, Introduction and Referral of Delegate Proposals and Resolutions. Please note Referral Sheet No. 4-06 which is herewith attached to the Order.

## SPECIAL ORDERS

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

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

## MISCELLANEOUS BUSINESS

**President Killion:** Thank you. Item 14, Miscellaneous Business. Any discussion on miscellaneous? Yes, Chairman Sitan.

**Delegate Sitan:** Thank you very much, Mr. President. I want to kind of endorse the comment raised by Delegate Fritz, that any Resolution or any Bills, I mean, Delegate Proposals for adoption, we should at least add one day before we act on it, not immediately.

**President Killion:** Thank you, Chairman Sitan. Point is well taken and it shall be noted again. Any more matters under Miscellaneous Business?

**Delegate Sitan:** President.

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

**Delegate Susaia:** Were you informed that the Iso Nahnken Delegate Iriarte will be excused from our Convention, the Plenary Session this morning? If not, then on his behalf and on behalf of the Pohnpei Delegation, I wish to state for the record that the Iso Nahnken of Nett is excused to attend a funeral.

**President Killion:** Thank you very much, Delegate Susaia. It shall be noted in the journal, for the record for today's session that Iso Nahnken Iriarte is excused because of that particular reason. Any other miscellaneous business? If none.

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

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

**Floor Leader Yatilman:** Short recess.

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

## **RECESS**

The Convention reconvened at 11:10 a.m.

**President Killion:** Session is now back to order. Mr. Floor Leader?

**Floor Leader Yatilman:** Mr. President. I just wanted to consult with my Chairman. There was something that was discussed in Committee this morning and I thought that it was something for me to raise here, but no, it's not.

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

**Delegate Albert:** Mr. President. Thank you. I just want to, on behalf of the Pohnpei Delegation, once again acknowledge the presence of V6AH and I want to kindly remind fellow delegates that our discussions, deliberations are going live and I've heard comments from several colleagues that some of the discussions are not being heard because of us not using the mics. So, I just want to make sure that everybody is using it because I'm sure your fellow constituents will be out there listening to all the discussions. Thank you.

**President Killion:** Thank you very much, Chairman Albert for that reminder, thank you.

**Floor Leader Yatilman:** 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 11:18 a.m.

**President Killion:** We're now back to session. If no other matters on Miscellaneous, Announcements?

### ANNOUNCEMENTS

**President Killion:** Before the Committee Chairperson, Chairmen make announcements, I wish to remind Delegates that today is supposed to be our photo session and I understand, there is somewhere our photographers to take our photos after this morning's session. Any other announcements by the Chairmen, Chairpersons of each of the committees? Chairperson Sigrah?

**Delegate Sigrah:** Thank you very much. Good morning. Mr. President, the Committee on General Provisions will be meeting tomorrow, Saturday, 8:30, at the Legislative Committee Meeting Room. Thank you very much.

**President Killion:** Thank you Chairperson Sigrah. Tomorrow, Committee on General Provisions will be meeting at 8:30 at the Committee Room, correct? That's a good announcement. Any other announcements? Chairman Nabeyan?

**Delegate Nabeyan:** Thank you, Mr. President. Your Committee on Government will be having its meeting this afternoon at 2:30 in this Chamber. Thank you.

**President Killion:** Thank you Chairman Nabeyan. So, your Committee will be having your committee meeting or hearing this afternoon at 1:30, 2:30 at the Committee, here inside the Chamber. It shall be noted. Any other? Yes, Chairman Sitan?

**Delegate Sitan:** 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 our meeting. Any other announcements by any of the Chairmen, Chairpersons? Yes, Chairperson Sigrah?

**Delegate Sigrah:** Thank you very much, Mr. President. The Committee on General Provisions will be reviewing three Delegate Proposals 4-03, 4-16, 4-32 and they relate to reduction of the number of votes needed to amend the Constitution. This will also be the first meeting of the Committee so we're open for an open agenda. Thank you very much.

**President Killion:** Thank you very much, Madam Chair, for the clarification on those issues to be taken up by your Committee on General Provisions. Tomorrow at 8:30 at the Committee Room. Any other announcements?

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

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

**Delegate Cantero:** It's not necessarily an announcement, but just something for us to reflect on. Many times when we encounter challenges that we can't tackle, we often refer to Biblical phrases to give us some guidance. So, if I may, Mr. President, a friend of mine once told me to note that if I ever encounter challenges especially in a big group setting, I should refer to 1 James verse 19. If I may, Mr. President, it says this, "Understand this, my beloved brothers and sisters, let everyone be quick to hear", in other words, be a careful and thoughtful listener; "Let everyone be slow to speak", in other words, a good speaker careful chosen words; and "Let everyone slow to anger", in other words, be patient, be reflective, and be forgiving. I thought since we're towards the end of our session today, perhaps that's something that we can all reflect on. Hopefully it can give each and every one of us courage, patience, and the spirit of brotherhood so we can progress well from now until the end of our Convention, Mr. President. I thought I'd share that. Thank you.

**President Killion:** Thank you very much, Delegate Cantero. We're still in recess, right? We're back to session. Any other announcements? If none, before we adjourn I would like to request again that the Chairmen, Chairpersons of each of the Delegations along with the officers, we have a quick meeting session immediately after this morning's session at the back room. Okay, if no other announcements, Floor Leader?

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

**President Killion:** Any second?

**Delegate Mori:** Second.

**President Killion:** It's been moved and seconded that we stand in recess until tomorrow morning at 10:00 a.m.. If no other objection, our session is adjourned until tomorrow.

President Killion declared the Convention recess at 11:25 a.m., until 10:00 a.m., Saturday, January 18, 2020.

Respectfully submitted,

Atarino A. Helieisar  
Journal Clerk