

## TWENTIETH DAY

Tuesday, March 3, 2020

### CALL TO ORDER

President Killion called the Fourth FSM Constitutional Convention to order at 10:51 a.m., Tuesday, March 3, 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, all 23 delegates are present.

**President Killion:** Thank you. Delegate Noket is excused. So, we have a full house in order to transact business. Adoption of Journal.

### ADOPTION OF JOURNAL

**Floor Leader Yatilman:** Mr. President. I move that we defer the adoption of the Journal.

**Delegate Martin:** Second.

**President Killion:** It's been moved and seconded that we defer the adoption of the Journal. Discussion? If there's no discussion, all those in favor of the motion say Aye? All those opposed say Nay? Motion carried.

The motion carried by voice vote of Delegates.

**Delegate Sitan:** Mr. President.

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

Delegate Sitan: Can I ask for a short recess?

President Killion: Short recess is 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 10:56 a.m.

**President Killion:** Our session is now back to order. Yes Kathe.

**Delegate Nabeyan:** Recess, please.

**President Killion:** Short recess.

President Killion declared the Convention recessed at 10:56 a.m., subject to the call of the Chair.

### **RECESS**

The Convention reconvened at 10:58 a.m.

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

**Delegate Sitan:** Mr. President, I move that the Convention recall the Journal of the First Day.

**Delegate Nabeyan:** Second.

**President Killion:** It's been moved and seconded that we recall the Journal of our first session which was on January 7<sup>th</sup>. Discussion? If there's no discussion, all those in favor of the motion say Aye? All those opposed say Nay? Motion carried. So now we recalled the Journal of our First Day of our session.

The motion carried by voice vote of Delegates.

So we have the discussion, Chairman Sitan.

**Delegate Sitan:** Yes, thank you President. I move that we go back to rule on the Election for the President and move to suspend Rule 6 and accept the decision of the Convention because there's no other candidate and this also includes the requirement of secret ballot.

**Delegate Martin:** Second.

**President Killion:** It's been moved and seconded the motion. Discussion? For further elaboration, Chairman Sitan.

**Delegate Sitan:** Yes, again we're doing this to ensure that we all agree that this was the correct decision according to our Rules and we hereby suspend the Rules for this purpose, so there will be no further question on this issue.

**President Killion:** Thank you, Chairman Sitan. Any other Discussions? If none, let's vote on the motion. All those in favor of the motion say Aye? All those opposed say Nay? Motion carried.

The motion carried by voice vote of Delegates.

**Delegate Fritz:** Mr. President.

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

**Delegate Fritz:** Thank you very much, Mr. President and with all due respect to all my fellow Delegates because I caused this little delay; but, it was based on my honest recollection of what happen. So, with what we just did, I now happily withdraw my miscellaneous business which I raised on the particular day so for the purposes of that record it does not exist. We've done what we did properly. So, thanks very much for the two gentlemen for doing what they did. Thank you.

**President Killion:** Thank you, Delegate Fritz. That clarifies the matter. Okay, let's call for a short recess.

President Killion declared the Convention recessed at 11:01 a.m., subject to the call of the Chair.

**RECESS**

The Convention reconvened at 11:01 a.m.

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

**Delegate Susaia:** I make a motion to amend the First Day Journal as amended.

**Delegate Sitan:** Second.

**President Killion:** It's been moved and seconded that the Journal of the First Day is adopted as amended. Yes, Delegate Takesy.

**Delegate Takesy:** I think what he meant was to adopt the Journal of the day as amended.

**President Killion:** Thank you for the clarification to adopt the Journal of the First Day as amended. Thank you. That was seconded, so discussion. If none, let's vote on the motion. All those in favor of the motion say Aye? All those opposed say Nay? Motion carried.

The motion carried by voice vote of Delegates.

So, moving on Item No. 5, Communications.

#### COMMUNICATIONS

**Chief Clerk Reyes:** There are no Communications, Mr. President.

#### UNFINISHED BUSINESS

**President Killion:** Thank you very much. Unfinished Business, Item No. 6.

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

#### REPORTS OF COMMITTEES

**President Killion:** Item No. 7, Committees Reports.

**Chief Clerk Reyes:** For Item No. 7, we have the first ConCon Standing Committee Report which is No. 4-02, regarding CC-PR-04-01 from your Committee on Civil Liberties and Traditions for adoption.

**Delegate Sitan:** Mr. President.

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

**Delegate Sitan:** Mr. President, I move to delay our action on this Committee Report.

**Delegate Susaia:** Second.

**President Killion:** Thank you. It's been moved and seconded that we delay action on this particular Committee Report. Discussion?

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

**President Killion:** Chairman Sitan.

**Delegate Sitan:** I just want to say why I made that motion. I think we need to be strategic on what we pass and perhaps we can look at the others and prioritize which one should be more important in this Convention. Thank you.

**President Killion:** Thank you very much for your justification. Any other Discussions?

**Delegate Albert:** Mr. President.

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

**Delegate Albert:** Thank you. Mwowe, ai tungoal sakarada ong Iso, President and everyone. I think it's only proper that the Committee who is introducing this proposal agree to that. So, I wish to state for the record that the introducer of this is present. So, I'm inclined to agree with Chairman Sitan for the motion. Thank you.

**President Killion:** Thank you, Chairman Albert. Yes, Delegate Noket who is ill, he is the author of the particular proposal.

**Delegate Nabeyan:** Mr. President.

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

**Delegate Nabeyan:** Yes, in addition to reasons that have been stated for delaying action on the Committee Report. I think earlier, we had an understanding that we should give at least one night to think over proposals, reports, and proposals, that had been report out to Plenary to give each Delegate a proper time to review and digest it, before we started debating it on the floor. So, I would move that we suspend all reports on this item for at least for another session day. Thank you.

**President Killion:** Thank you. Short recess, please.

President Killion declared the Convention recessed at 11:04 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. At hand, we have the motion from Chairman Sitan to defer the Committee Report No. CC-SCR-4-02, regarding CC-PR-04-01 from your Committee on Civil Liberties and Traditions. Any discussion? It was seconded so, all those in favor of the motion to defer that particular Committee Report say Aye? All those opposed say Nay? That particular Committee report is hereby deferred.

The motion carried by voice vote of Delegates.

Moving on Committees Reports.

**Chief Clerk Reyes:** The next report is ConCon Standing Committee Report No. 4-03, regarding CC-PR-04-11 from your Committee on Government Structure and Functions for adoption.

**Delegate Nabeyan:** Mr. President.

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

**Delegate Nabeyan:** I move that we defer action on the report until the next session.

**Delegate Martin:** Second.

**President Killion:** It's been moved and seconded that we defer action on this particular Committee Report to the next session. Discussion? If none, all those in favor of the motion to defer that particular Committee Report say Aye? All those opposed say Nay? Motion carried.

The motion carried by voice vote of Delegates.

Moving on, Committees Reports.

**Chief Clerk Reyes:** The next report is ConCon Standing Committee Report No. 4-04, regarding CC-PR-04-46 from your Committee on General Provisions for adoption.

**Delegate Sigrah:** Mr. President.

**President Killion:** Yes, Madam Chair.

**Delegate Sigrah:** If I may.

**President Killion:** Chairperson Sigrah.

**Delegate Sigrah:** Thank you very much. I move that we defer this until next session. And also, we are missing pages 2 and 3 of that report and if the staff can make sure that they have those pages and distributed to Delegates.

**Delegate Martin:** Second.

**President Killion:** Thank you, Chairperson Sigrah. So your motion is to defer this particular report and has been seconded by Delegate Martin. Thank you. 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 of Delegates.

Thank you very much. So, we are deferring action on those previous three Committee Reports. Moving on, Item No. 8, First Reading of Committee Proposals.

#### FIRST READING OF COMMITTEE PROPOSALS.

**Chief Clerk Reyes:** Mr. President, since all the committees reports have been deferred, there are none, Mr. President.

#### SECOND READING OF COMMITTEE PROPOSALS

**President Killion:** Thank you very much. Item No. 9, Second Reading of Committee Proposals.

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

#### FINAL READING OF PROPOSED CONSTITUTIONAL AMENDMENTS

**President Killion:** Thank you. Item No. 10, Final Reading of Committee Proposals.

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

#### CONSIDERATION OF RESOLUTIONS

**President Killion:** Thank you. Item No. 11, Consideration of Resolutions.

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

#### INTRODUCTION AND REFERRAL OF DELEGATE PROPOSALS AND RESOLUTIONS

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

**Chief Clerk Reyes:** Kindly refer to REFERRAL SHEET NO. 4-14.

**President Killion:** Thank you, the Referral Sheet is attached to the Order.

#### SPECIAL ORDERS



**President Killion:** Special Orders. Item No. 13

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

### MISCELLANEOUS BUSINESS

**President Killion:** Item 14, Miscellaneous Business. Any Miscellaneous Business that Delegates wish to bring forth to our session this morning? Yes, Delegate Takesy.

**Delegate Takesy:** Thank you, Mr. President. With all due respect, Mr. President, I would like to request through you to the staff on the preparation of these reports that more care be given to the collation of the pages. I believe all the reports that have been out today, I'm having difficulty reading them. Thank you.

**President Killion:** Thank you very much, Delegate Takesy. That is a very valid and important matter. So, the administration will look into it to improve as per your issues which you have just raised. It shall be done. Moving on, any other Miscellaneous Business by any Delegates?

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

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

**Delegate Cantero:** Thank you. My humble respect to Isohko, His Majesty, my respects to you, President, and Officers as well as Delegates. I simply just want to submit my sincere sentiments of appreciation to Delegate Fritz for the leadership he has displayed in our session, throughout the Convention especially today. So, I think it's important for me to at least submit my sentiments of Thank You and gratitude. I also want to submit also my apology to him if anything that I've displayed or conveyed that would question his character. I apologize for that. I mean well, but most importantly, his leadership and his openness to the Convention. Thank you so much. Thank you.

**President Killion:** Thank you very much, Delegate Cantero. I guess all of us have the same sentiments. We thank Delegate Fritz for that. Any other Miscellaneous Business?

**Delegate Bossy:** Mr. President.

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

**Delegate Bossy:** Thank you very much, Mr. President. At the beginning of this Convention, I could sense the spirit of unity, especially starting with the PreCon Committee. I complimented Ricky Cantero and the rest of the members of that very special Committee, and I just wish and desire that we sustain that spirit of unity working together. I wish for all the Delegations meet to address all the proposals that have been introduced and that we have common interest of those proposals. And, I've been observing our Chamber here. I am worried if that spirit would diminish. As I can see if you can look around, we have four pillars here with the FSM flags on them. I wonder why on one of the pillars the flag is not hung on that particular pillar. So, I am appealing to all Delegates, Honorable Delegates, with all due respect that even though we are not full-fledged by that one flag, let us be full-fledged in our minds and hearts. Thank you, Mr. President.

**President Killion:** Thank you very much, Delegate Bossy. I don't think there was an intention to not have a flag on the fourth pillar. After all, as you had said, we're all for unity for the nation because that's what makes us very strong as a country. So, I think somewhere the flag is hidden. But I know we have four flags of the FSM. Yes, thank you very much. Any other Miscellaneous Business?

**Delegate Fritz:** Mr. President.

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

**Delegate Fritz:** I merely wish to thank the good Delegate from Pohnpei, Delegate Cantero for the kind words he said about me. I don't deserve it; but, I'm here to work with all of us to, as you said, in the spirit of unity to forge ahead to do what we've been entrusted by our people to do. Now, my real Miscellaneous Business is I cannot help, but watch the TV and every day it's all about Corona virus. I really get worried that these big countries who have a lot of resources and manpower are extremely concerned about the safety and health of their people. And, if I could just continue to urge our President and our state governments to be vigilant in ensuring that they take protective action to ensure that this unfortunate thing will not reach our shore. I will sleep a little bit better at night, but I'm having difficulties because if they're worried and we're not worried and if it reaches us, I'm sure we will have terrible consequences. Thank you.

**President Killion:** Thank you very much, Delegate Fritz. It is a very important matter and I understand, of course, our President and our National Government is taking appropriate measures in assisting the states to deal with this very, potentially a deadly virus. But we will urge again, continue to urge our President, Governors, our leaders to continue to do what they can do to prevent such problem. Thank you. Any other Miscellaneous Business?

**Delegate Susaia:** Short recess.

**President Killion:** Short recess declared.

President Killion declared the Convention recessed at 11:23 a.m., subject to the call of the Chair.

## **RECESS**

The Convention reconvened at 11:24 a.m.

**President Killion:** We're now back to session. We're still on Item 14, Miscellaneous Business. If no other Miscellaneous Business, Announcements by the various Chairpersons, Chairmen? Chairman Nabeyan.

**Delegate Nabeyan:** Thank you, Mr. President. Just going along with the schedule that was distributed earlier, Government Structure and Functions Committee will be holding its Committee meeting starting tomorrow at one o'clock in the afternoon in the Central Facility. Thank you.

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

**Delegate Albert:** Mr. President.

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

**Delegate Albert:** Thank you. Again, just to remind the Committee on Civil Liberties, our meeting tomorrow is at nine, and also, there will be a joint hearing with the Committee on General Provisions as stated by our LC. So, we'll try to work out a good time for both Committees to complete those tasks. Thanks.

**President Killion:** Thank you very much, Chairman for that Announcement. Any other? Chairperson Sigrah?

**Delegate Sigrah:** Thank you very much. Mr. President, the Committee on General Provisions, as you have heard, we will be joining the Committee on Civil Liberties tomorrow, nine o'clock on Proposal 22. Thank you.

**President Killion:** Thank you, Chairperson Sigrah. So, tomorrow at nine o'clock, Committee meeting with the Committee on Civil Liberties and Traditions, nine o'clock, joint. Any other Announcements by any of the other Chairpersons, Chairmen? Chairman Sitan.

**Delegate Sitan:** Thank you, Mr. President. Your Committee on Public Finance and Revenue will have a meeting on Thursday, one o'clock. We will subpoena several staff from Finance, MRA, and Foreign Affairs. This meeting is primarily to get the correct numbers; so, please make sure you're here, because whatever number they provide that day those will be the official number we will use for deliberation on our work on revenue sharing from next week on. Thank you very much.

**President Killion:** Thank you Chairman Sitan for the announcement.

**Delegate Nabeyan:** Recess, Mr. President.

**President Killion:** Short recess declared.

President Killion declared the Convention recessed at 11:24 a.m., subject to the call of the Chair.

## **RECESS**

The Convention reconvened at 11:30 a.m.

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

**Floor Leader Yatilman:** Mr. President. I move that the Convention stands in recess until 2 o'clock on Friday, afternoon.

**Delegate Martin:** Second.

**President Killion:** It's been moved and seconded that we stand in recess until 2 o'clock on Friday, this coming Friday. If no objection, we are hereby recessed until then. Thank you.

President Killion declared the Convention recessed at 11:31 a.m., until Friday, March 6<sup>th</sup> at 2:00 p.m..

Respectfully submitted,

Atarino A. Helieisar  
Journal Clerk