

**3rd CHUUK STATE CONSTITUTIONAL CONVENTION**  
**Weno, Chuuk State**  
**Federated States of Micronesia 96942**

**JOURNAL OF THE CONVENTIONAL CONVENTION**

40th Day (Thursday)      July 22, 2004      10:00 a.m. \_\_\_\_\_

**CALL TO ORDER**

President Noket Mwich a poputa, sipwe fanafanono ren iotek, emon me emon. Secretary kopwe koko it.

**SILENT PRAYER**

Emon me emon Delegates a puisin iotek non ekiek me netip.

President Noket: Secretary, ka tongeni koko it.

Secretary: a kokori iten emon me emon delegates. Mr. President, ukukun delegates mi ponueni iter neatopan ei, 11, 2 ese nom, mi quorum.

President Noket: Kinisou chapur Mr. Secretary, sipwe angei item 4 me lon ena Order of Business, adoption of the journal, Floor Leader Harper.

Floor Leader Harper: Ewer, kilisou chapur Mr. President, pokiten ese mwo pwal available nouch we journal, lon ei fansoun iei mine uwa fori motion pwe adoption won epwe mwo pwal postpone.  
Second.

President Noket: A mokut a puan second pwe pokiten ese available nouch we journal ina puun mwich epwe - ewe journal esap mwo tolong iei, pwe ese available. Chon tipeew ngeni ewe motion apasa U, chon rese tipeew ngeni apasa Apw. A carry ewe motion. Iwe sipwe mwetetiwon won item 7. Pokiten ese wor communication me unfinish business. Item 7 lon order of business mesen (a)

Floor Leader Harper: Osupwang.

President Noket: Met omw na osupwang, Floor Leader Harper. Titipei pwe kich mi angang won eu proposal nanew, nge ese mwo wes ach angang nge sia sar. Ita ururun epwe nomw won unfinish business, ikenai. Sipwe mwo asoso.

Mwich a asoso. Mwich a puan popusefanita.

**STANDING COMMITTEE REPORT**

President Noket: Mwich a puan popusefanita. Iei sipwe angang won Order of Ousiness 7(a). Standing Committee Report No. 3-04A. Secretary.

Secretary: Mr. President, Standing Committee 3-04A a repotei an GS&F angang won ekkewe Committee Proposals ren 3-4, 3-43, and 3-68. Ei report mei piin deffered ngeni committee an we tolong lon last meeting. Iwe iei a katosefanilong, fiti ekkewe instructions a fullfillini ina popun iei a katolong ikenai. Omusalo Mr. President, ena committee report ina mi nomw ren emon me emon echok 3-04 ese pacheta letter (A). Umochen epwe pual noted ren members pwe ina ena report.

President Noket: Ren chon eu typo epwe tonong ena mesen (A) murin 3-04 epwe (a) lon ena committee report. Del. William.

Del. William, K.: Kinisou chapur Mr. President, ita ngang upwe chok kapas eis ika wewen nge ruu ei report iei epuan (A) iwe murin epwe puan wor (B)?

President Noket: Secretary kose mochen kopwe mwo afata kich ren ena.

Secretary: Mr. President lon 38th day of session, July 20, 2004 a katolong ei report, 3-04. Iwe pungun mwich a deffered ni ngeni committee. Iwe iei popun a niwinsefanilong, the same report nge epwe chok afat pwe e resubmitted pokiten mei wor an deffered. Ew deferral ngeni committee sefal lon ewe July 20, 2004.

President Noket: A ponu omw we kapas eis Del. William.

Del. William, K.: Ewer.

Floor Leader Harper: Mr. President.

Mr. President: Floor Leader Harper.

Floor Leader Harper: Uwa fori motion pwe mwichenap a etiwa Standing Committee Report No. 3-04A. Second.

President Noket: A mokut a puan second pwe mwichenap a etiwa Committee Report No. 3-04A. Fansoun poraus won ewe committee Report. Floor Leader Harper.

Floor Leader Harper: Upwe mwo kapas eis won datein ena report. Pwata ina e ura pwe June 30, 04.

President Noket: Chariman Stephen kose mochen kopwe afata ena date. Ika pungun ena date ika kopwe siwin ngeni datein ikenai.

Chairman Stephen: Kinisou Mr. President, kose mochen Floor Leader Harper, metena date e mak won noum na.

Floor Leader Harper: June 30, 2004.

Chairman Stephen: Oh, iwe kinisou nei ei mi chok puan reflect ena same date.

Iwe nge ma epwe chok siwin ngeni today's date.

President Noket: Chairman Nifon.

Chairman Nifon: Ai nuku pokiten ena fansoun ewe original report e submitted, e report in. Iwe non July 1, 2004 a deffered ngeni committee. Iwe ai nuku ina pwata chon ra minasefani ra chok nikitano. Nge June 30, 2004 atun ika ewin an tonong non Mwichenap. Ika pwe ena June 30, a chok fitato en original date, iwe ai nuku mi tongeni epwe ekisiwin. Ren chok ai upwe ponuweni ewe kapas eis, June 30, ina atun a wesen tonong non plenary, Standing Committee Report No. 3-04A.

Floor Leader Harper: Mr. President.

Mr. President: Floor Leader Harper.

Floor Leader Harper: Omusalo sap ren ach sipwe pual debateni ewe date nge merei pwe ma ika mwo mi pung metenan Honorable Nifon e anni poraus, iwe ina datein ewe original report e nampani 3-04. Nge ei a 3-04A ita ururun epwene sakolo ma datein pwe eu minafon report me nukun ewe original.

President Noket: Pokiten ei report e submitted ikenai, ese chiwen submit - pwe a submit eu new report. Iwe oupwe chok ii siwini noumi kena taropwe, ngeni July - dateni ngeni ikenai. July 22, 2004. Soposopono discussion won ei Committee Report. Floor Leader Harper.

Floor Leader Harper: Ewer, kilisou chapur Mr. President, upwe omusomus ngeni ewe committee fan iten ese naf ai wewechuti ei report. Pokiten ai magneto, iwe ina popun ai kapas eis epwe kaan ekis wewengaw, are epwe kaan pual ekis amangawa netipen chon ewe committee. Won page 2, ena aruuan paragraph, ina e ura Section 7, "the Governor shall appoint with the advise and consent by the Legislature a roster of qualified lawyers, under section 9, who maybe appointed by the Chief Justice to sit on the trial or appellate division in case of conflict of interest or disqualification of all justices. Aewin, umochen upwe silei ika inet ei list epwe approved meren Legislature.

President Noket: Chon ewe committee ika ami mi tongeni ponueni kapas eis. Ika inet epwe tongeni approve seni Legislature ei list.

Chairman Stephen: Mr. President.

President Noket: Chairman Stephen.

Chairman Stephen. List of qualified attorneys ika lawyers, repwe puan chok kefin under section 9. Wewen nge repwe appointed maa by Governor, etiw puan ren Legislature, ina atun ar repwe advise and consent by Legislature. Nge ma - mi pung ngang mi puan ii aware ren an Floor en osukosuk an en double appointment by Chief Justice and Governor. Usually ai nuku ma ewor nom ena wewe fengen nefinen ewe

Judiciary Branch noom me ewe Governor, iwe official appointment epwap wesewesen for meren Governor. Ita ina usun an - ngingin en propos amendment.

Presideng Noket: Wewen nge ponuen we kapas ese fat, inet chok Governor a appointni ekkewe Judges iwe epwap ina atun an epwe ettiw.

Chairman Stephen: Ewer, ma based on appointment ika e wor osukosuken conflict of interest, iwe ina.

Floor Leader Harper: Mr. President.

President Noket: Floor Leader Harper.

Floor Leader Harper: Ifa usun nonomun ekkewe met upwe feen ura ren, ekkewe disbar lawyers. If mi pual qualify ar repwe serve, ir mi pual qualify ar repwe appointed ar repwe pual choni - nom won ena list, ena roster of qualified lawyers.

President Noket: Chon ewe committee ika ion mi tongeni ponueni ewe kaapas eis seni Floor Leader Harper. Ika ouse rongoch. Ika ekkewe mi disbar ar repwe tongeni practice law before the court, iwe puan ir mi tongeni qualified ar repwe nom won ena list ren roster of temporary justices?

Chairman Stephen: Mr. President.

President Noket: Chairman Stephen.

Chairman Stephen: Ika usap mwan emon lawyer a disbarred iwe a ma disqualified for practicing law. Including even a judge on any bench. Ina met ai weweiti pwe a disqualified lawyer ese tongeni epwe tongeni sit on any bench.

Floor Leader Harper: Mr. President.

President Noket: Sopweno Floor Leader Harper.

Floor Leader Harper: Kilisou a fat ngeniei ponuen ai kewe kapas eis. Ewe chok fansoun an epwe - uwa weweiti an epwe appointed me confirm ekkewe - ar repwe choni are ar repwe nom won ewe list. Ese koon nien fat ngeniei epwe inet atun. Ngang mi weweiti pwe are a wor conflict of interest, disqualification ren ekkewe justices, iwe epwene wor appointment ren Governor me Legislature. Iwe nge epwe inet, epwe ifan taman, epwe eu week, epwe 1 year, ika epwe 10 year me murin ar ra tori - are ewor conflict of interest, ika disqualification iwe a appointed are. Ina ena uwe chiwen ani osukosukan iei.

President Noket: Sipwe mwo ekis asoso.

Mwich a asoso. Mwich a puan popusefanita.

President Noket: Mwich a sopouloso discussion won Committee Report No. 3-04A. Ika ese chiwen wor discussion won ena report sipwene vote won. Chon tipeew ngeni pwe mwich a etiwa Committee Report No. 3-04A, apasa U, chon rese tipeew apasa Apw. A ketiw ewe Committee Report, 3-04A. Sipwe angang won Standing Committee Report 3-18, Secretary kopwe amwenikich.

Secretary: Mr. President Standing committee Report 3-18, an Committee on General Provision, reportun an angang won Delegate Proposal No. 3-56, ina mei pacheta pual afat lon pusin na report.

Floor Leader Harper: Mr. President.

President Noket: Floor Leader Harper.

Floor Leader Harper: Uwa fori motion pwe Mwichenap a etiwa Standing Report No 3-18. Second.

President Noket: A mokut a puan second pwe mwichenap a etiwa Standing committee Report No. 3-18, iei fansoun discussion.

Chairman Nifon: Mr. President.

President Noket: Chairman Nifon.

Chairman Nifon: Kinisou Mr. President, usun sia fen rongorong pwe ena report a etto seni omw we Committee won General Provision, fan asengessin Del. Proposal No. 3-56, a akawenewen ngeni - ekesiwin ngeni Section 5, non Article X, lon ewe Chuuk Constitution. Ewe section 5 a awenewen ngeni monien aninis ngeni ekkewe Private school non Chuuk. Mr. President omw we committee awora an hearing ngeni principalun ekkewe fitu private school lon Chuuk. Iwe omw we committee a weweiti usun an fakkun kinamweiti me pwapwaiti ei ekesiwin. Ewe ekesiwin e ataieno Non religious purposes, an epwe open up ewe aninis ngeni ekkewe private school ngeni sakopaten expenditures. Ach anean pwe ei convention - mwichenap epwe etiwa ei report fan asengessin epwe puan otei anen enan ekesiwin ngeni an epwe pass, an epwe tonong pwe eu ekesiwin non nouch we constitution fan asengessin ekkewe school - private school non fonuach Chuuk. Kinisou chapur.

Chairman Stephen: Mr. President.

President Noket: Kinisou Mr. President, ngang uwa meen pwapwaiti ei report. Fiti fengen me puan ma ai mochen ika pwe epwe wor nenien puan ai - kaan ai puan nanangaw chok ne anisanong - ai chok puan anean pwe ei report epwe me record epwe afata ei report pwe epwe put emphasis on parochial school. Pun ena languagein ena provision iwe ekon emphasis ei parochial school and supposed to private school. Umochen ei report pwe epwe reflect ei intent of the proposal pwe parochial school are not necessarily private school only. Usun mi fat lon ewe hearing parochial school

ekewe school mi run by a church. Nge ena language ekkon chok addressni emphasis won parochial schools. Iwe ngang u mochen ei report epwe put more emphasis won ena distinction. Pun usun uwa nenenong nge ese - fen ina ewe emphasis e koon fen auchea non ewe hearing yesterday. Kinisou.

Floor Leader Harper: Mr. President.

President Noket: Floor Leader Harper.

Floor Leader Harper: Ai nuku iei eu report e reportuni chok eu kukun amendment. Iwe ai luku kich meinisin sia meen ii wewechuti sipwapfen ma anganga met ach osukosuk won ena committee proposal. Nge ren mwo iei ika esap wor tipeengaw are out of order ua fori motion pwe a koukutiw poraus won ena report. Second.

President Noket: A mokut a puan second pwe a koukutiw anini won ei Committee Proposal No. 3-18, chon tipeew ngeni ewe motion apasa U, chon rese tipeew ngeni apasa Apw. Iei sipwene utut won ewe Committee Report. Chon tipeew ngeni pwe mwich a etiwa Committee Report No. 3-18, apasa U, chon rese tipeew ngeni apasa Apw. A ketiw ewe report. Iei fansoun sipwe - sia nom won calendarun First Reading. Sipwe angang won Committee Proposals 3-04CD1. Secretary kopwe amwenikich ren ena committee proposal ren wewechun.

### **FIRST READING ON COMMITTEE PROPOSALS**

Secretary: Mr. President, Committee Proposal No. 3-04CD1 a ekesiwini section 9, 5, 7, me lon Article VII, fan asengessin qualification of justices, chochon justice repwe sit won appellate me puan establishni awora eu roster ren justices repwe ani kapungun trial me appellate division me lon ewe Chuuk State Supreme Court, in case of conflict of interest.

President Noket: Fori motion, Floor Leader Harper.

Floor Leader Harper: Kilisou chapur President. Uwa fori motion pwe plenary a pual passni Committee Proposal No. 3-04CD1 on First Reading. Second.

President Noket: A mokut a puan second pwe mwichenap a passni Committee Proposal No. 3-04CD1 lon ewin alea. Iei fansoun discussion won ena proposal.

Floor Leader Harper: Mr. President, kose mochen sipwe mwo ekis asoso.

Mwich a asoso. Mwich a puan popusefan.

President Noket: Mwich a poputa. Soposopono angang won Committee Proposal No. 3-04CD1 lon Ewin Anea. Soposopono discussion.

Del. William, K.: Mr. President.

President Noket: Del. William, Keiuo.

Del. William, K.: Kinisou chapur Mr. Presient, fan iten ekkewe wewe non ewe fansoun asoso, uwa wanong non motion pwe a koukutiw anini won ei report. Second.

President Noket: A mokut a puan second pwe a koukutiw anini. Chon tipeew ngeni ewe motion apasa U, chon rese tipeew apasa Apw. A carry ewe motion. Iei fansoun sipwe ne utut won ewe Committee Proposal No. 3-04CD1, chon tipeew ngeni pwe mwich a etiwa Committee Proposal No. 3-04CD1, apasa U, chon rese tipeew ngeni apasa Apw. A ketiw Committee Proposal No. 3004CD1, lon Ewin Anea. Sipwe angang won Committee Proposal No. 3-18, lon ewein anea. Sipwe tungor ngeni Secretary epwe emweni.

Secretary: Mr. President, CP No. 3-18, amending Section 5, of Article X, of the Chuuk State Constitution by authorizing private schools to receive financial assistance.

Floor Leader Harper: Mr. Presient.

Presient Noket: Floor Leader Harper.

Floor Leader Harper: Kilisou chapur Mr. President ua fori motion pwe mwichenap a puan passni CP No. 3-18, on First Reading. Second.

President: A mokut a puan second pwe mwichenap a etiwa ika passni CP No. 3-18, lon Ewin Anea. Chon tipeew ngeni ewe motion - iwe iei fansoun discussion. Chairman Nifon.

Chairman Nifon: Uwa fori motion pwe ewe rule e require written amendment epwe mwo suspended, Motion a seconded.

President Noket: A mwokut a pwal second a pwal second pwe ewe rule e requirini written amendment epwe mwo suspended. Chon tipeew ngeni apasa U, chon rese tipeew ngeni apasa Apw, a carry ewe motion, met om na amendment Chairman Nifon?

Chairman Nifon: Kinisou Mr. President, won line 4 ita upwe awora ew floor amendment ngeni ena kapas parochial schools epwe ekesinin ngeni non public.

President Noket: Met ena epwe ekesiwin, omusalo? Epwe katano to parochial to non-public. Chon tipeew ngeni ewe motion o discussion won ewe motion won ewe amendment, Floor Leader Harper.

Floor Leader Harper: Ngang imochen weweiti ena kapas non-public school, ifan public school ifan non-public school.

President Noket: Chairman Nifon kose mochen kopwe awewei om we amendment ika en mi tongeni.

Chairman Nifon: Kinisou Mr. President, ena kapas non-public school e refer ngeni ekkewe sukun rese run by ei state government, re run by private organizations,

President Noket: A ponu floor leader Harper?

Floor Leader Harper: A ponu nge mefiei use kon nien pwapwa ngeni ena kesiwil ena parochial ngeni non-public, pwe en parochial usun met sia weweiti pwe ekkewe sukul re run ren ekkei namanam ika, iwe awewe ika a fisita ew sukul ese run ren namanam pwe private nge imi ekis kotongaw mwokutungaw ina mwo nge sipwe pwal funduni?

President Noket: Floor leader Harper kopwe statini om we kapas eis.

Floor Leader Harper: Ai we kapas eis ewe, ewer Mr. President, uwa weweiti non-public wewen nge a refer ngeni sukul meinisin ese run me ren government, non-public, ika esap ina wewen? Iwe nge ika a kefilita ekkoch are foruta ekkoch sukul leson nge ese run me ren government, ese pwal run me ren lamalam, ekkoch chok ma private, chok parochial sukul usun ma met ra aweweni nge mi ekis kotongaw mwokutun lon pwe re asukula ekkoch mettoch, iwe ina mwo government epwe pwal awora assistance ngeni?

President Noket: Mi wewe ngeni ena kapas, wewen nge enan ekkoch. Asukuna ekkoch mettoch mi napanapangaw.

Chairman Nifon: Ewer, Kinisou chapur Mr. President, Ren ach sipwe ponuwani enan kapas eis ai luku mi pwal wor met epwe epwe chung rei pinei ekkena sakkun nikinikin manaw me nonomun aramas lon na sakkun wewe. Ina pwata ese mwo pwal wor non ekiekich pwe epwe tongeni ita ma fis ena sokkun, epwe och fis nge epwe chok u ngeni annuk.

Floor Leader Harper: Mr. President,

President Noket: Floor Leader Harper,

Floor Leader Harper: Mefiei ren ewe amendment ai use fokkun tipeew ngeni, alongolong won ngang u fen mochen epwe nom en word pwe I mochen pwe ika epwe foruta sukul nesor me pelon nge government epwe fen alisir, nge ekewe chok ren mi fen run by church ika mwichefel ika met, pwe I luku pwe ikena ekewe sukul chon sukul ika semirit repwe lo kaeo me ia manaw mi murilo. Nge ika pwe epwele open ngeni sukul ekkena sokkun alilis iwe mi wor ekkoch repwe foruta ar sukul ar chok repwe angei ekkena moni nge kokotun lon me angangan lon eli esap fokkun och iwe ewe kisikisin moni esap fen pwal chiwen naf ngeni ekkena sokopaten sukul epwele pwal tota, nge ita sipwe fen pwal encourage ika ion ese fen fiti ekan private school mi run meren lamalam, iwe ra ma feilo ngeni ach kewe public school.

President Noket: Sipwe mwo pwal ngeni pwal epwe sopweno an ponuwani ekkewe kapas eis, Chairman Nifon.



Chairman Nifon: Kinisou Mr. President, omusalo esap I ren ai upwe wipini poraus nge fan asengessin chok ewe committee mei kan fen understand position seni ekewe chon kokoto. Ren an witness ir mi fokkun pwarata pwe meinisin ekkewe sukun ese run fully by the church, ina pwata pwal ir rese pwal consider public school, pwe re pusin run fully by the church. Iwe mei eta fitu ekewe wewe seni saramen chuuk, me ia we, iwe Mr. President ita ina wewen chok ai awora ena ekesiwin fanasengessin ita fen ina met om we committee weweiti met ekkewe witness re prefer an epwe fen tonong non-public over pwal met ewe. Kinisou chapur.

President Noket: Delegate Tuter.

Delegate Tuter: Kinisou Mr. President, mefiei won ena amendment ai luku amen och an epwe tetenino chok ekena parochial schools, fan iten ekkewe public fund epwe pwal qualified ar repwe pwal nounou ne kamongeni nour kewe Bible usun met committee mi fen afata. Because we can not use public fund ach sipwe mon ngeni ekkoch metoch.

President Noket: Chairman Mino.

Chairman Mino: Kinisou Mr. President, omusano esap ren I ai ach sipwe wipini fos ren kewe amendment, nge pokiten ai nuku ekewe original framers mi wor ar intention ren fan iten ekewe assistance epwe no ngeni sukunen namanam, a school that is related with some or as some collection with the church or religious organization. Nge ika sipwe wanong enan non-public school, e afata pwe assistance epwe no ngeni sukun some how related with religion. Nge ekewe funds esap use for religious teachers. Iwe ika sipwe siwini ngeni non-public school then we wiping out met ekkewe framers re framinatiw pun sukun mi avilated ngeni namanam repwe nounou moni. Kinisou.

President Noket: Mwich a pwal sopoulosono, iei kich mi nom won ewe amendment, ena amendment e proposed amendment epwe nom nefinen 2, katano ena parochial iwe a tonong ena lon-public. Chairman Nifon.

Chairman Nifon: Omusalo ita upwe chok mwo pwal eis ika pwe usap hold up ei term nge epwe problem, lon ei fansoun nupwen ach we asoso, ai upwene fen I withdrawini ai we amendment. Ika mi problem.

President Noket: Iwe, Chairman Nifon a withdrawini an we amendment, nge a recognize ren ei chair, sipwe sopwosopwono ren ewe proposal it self, Floor Leader Harper.

Floor Leader Harper: Kilisou chapur Mr. President, are esap wor tipengaw ia aukatiw poraus won na proposal.

Motion a seconded.

President Noket: A mwokut a pwal seconded pwe a koukutiw poraus won ei proposal, chon tipeew ngeni ewe motion apasa U, chon rese tipeew apasa Apw, iei sipwene uttut

won ewe CP.No. 3-18, chon tipeew ngeni pwe CP.No. 3-18 a pass lon aewin anea apasa U, chon rese tipeew ngeni apasa Apw, CP.No. 3-18 a pass lon aewin anea. Floor Leader Harper.

Floor Leader Harper: Killisou chapur Mr. President, sipwe mwo asoso. Met sipwene mwo sari ka.

President Noket: Iei sa nom won second reading of Committee Proposals. Floor Leader Harper.

Floor Leader Harper: Mr. President, Kinisou chapur Mr. President, fan iten ia silei pwe chomong leich mi wor ar appointment iei lukulion, ete fen ngaweno ar appointment mi fokkun lamot me auchea, chommong me leich mi torir high blood, site tipis ngeni ach convention ika sa fen chok matiw me murin emon, iwe ina popun ren na wewe, ia fori motion pwe a pwal mwo sareno ren ikenai niwin sefan kulok 10:00 a.m. nesor.

President Noket: Ese wor e second ngeni ewe motion? A mwokut a pwal second pwe mwich epwe ne mwo asosono, pokiten mi wor chon urir feita cha, chon mi wor ar appointment, mi wor mi semwen, sipwene mwo asosono tori kunok 10:00 a.m. nesor, chon tipeew ngeni ewe motion apasa U, chon rese tipeew ngeni apasa Apw, mwich a sar.

Katonong seni,

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Hernak Pual  
Secretary  
Third CSCC