

TWENTY-FIFTH DAY

Thursday, February 1, 1973

The House of Representatives of the Fifth Congress of Micronesia, First Regular Session, 1973, was called to order at 10:10 a.m., Thursday, February 1, 1973.

Speaker Bethwel Henry presided.

A moment of silent prayer was observed.

The Chief Clerk called the roll. Twenty members were present; Representative Balos was excused.

The Speaker suspended reading of the Journal.

COMMUNICATIONS

High Commissioner Communication No. 20, transmitting an audit report of the federally funded Employment Programs.

High Commissioner Communication No. 21, transmitting an audit report of the Micronesian Occupational Center records.

Departmental Communication No. 6, transmitting a "Report on Sanitation Facilities in the Trust Territory of the Pacific Islands," prepared by Mr. Pearson and Mr. Flohrschutz, Jr. of the U. S. Public Health Service.

Senate Communication No. 13, transmitting S.B. No. 36, SD1, appropriating \$257,000 for operation of the tax offices.

Senate Communication No. 14, transmitting S.B. No. 5, SD1, appropriating \$52,200 for expenses of the Trust Territory Personnel Board.

Senate Communication No. 15, transmitting S.B. No. 53, SD1, appropriating \$4,000 as supplemental for operation of the Social Security Office for Fiscal Year 1973.

Senate Communication No. 16, transmitting S.B. No. 70, SD1, appropriating \$122,462 for operation of the Social Security Office for Fiscal Year 1974.

No Miscellaneous Communications were reported.

STANDING COMMITTEE REPORTS

None

SPECIAL COMMITTEE REPORTS

Special Committee Report No. 7, submitted by the Senate Committee on Judiciary and Governmental Operations, regarding salary administration in the executive branch.

The Chair recognized Representative Basilius.

Representative Basilius: Mr. Speaker, this report on a review of the salary administration in the executive branch of the Trust Territory Government has been submitted to us, prepared by the Senate Committee on Judiciary and Governmental Operations. I find that it is rather lengthy, and I recommend that the report be reviewed and action taken at a later date.

Representative Haruo seconded the recommendation.

Speaker Henry: If there is no objection from the floor, the House will take the recommendation of the Chairman of the Committee on Judiciary and Governmental Relations.

ASSIGNMENT OF MEASURES

The Speaker called attention to Referral Sheet No. 16 attached to the Order of the Day for the assignment of measures. The following Senate Communications were also assigned:

Senate Communication No. 9, transmitting S.B. No. 7, SD1, "Limiting the length of time during which a person may be employed by contract with the Trust Territory Government, and for other purposes." (Assigned to Judiciary and Governmental Relations)

Senate Communication No. 10, transmitting S.B. No. 10, SD1, "To amend paragraph (a), Subsection (2), Section 501 of Title 5 of the Trust Territory Code to allow a jury trial in eminent domain proceedings, and to amend Section 513 of Title 5 to allow each district to adopt jury trial proceedings selectively." (Assigned to Judiciary and Governmental Relations)

Senate Communication No. 11, transmitting S.B. No. 16, SD1, "To amend Section 11153 of Title 57 of the Trust Territory Code relating to penalties for removal of land markers." (Assigned to Judiciary and Governmental Relations)

Senate Communication No. 12, transmitting S.B. No. 22, "Amending certain provisions of Title 53 of the Trust Territory Code regarding entry permits." (Assigned to Judiciary and Governmental Relations)

UNFINISHED BUSINESS

Representative Setik moved for passage of H.B. No. 22, HD1 on Second Reading; Floor Leader Silk seconded, and the Chief Clerk read the title, "To establish Trust Territory programs, policies and procedures for relief from the effects of disasters, to create a Trust Territory Disaster Control Office, to establish a Disaster Contingency Revolving Fund, to appropriate \$500,000 therefor, and for other purposes."

The Chair recognized Representative Haruo.

Representative Haruo: Mr. Speaker and fellow members of the House of Representatives:

"I would like to make a few remarks today about H.B. No. 22, HD1, the Trust Territory Disaster Control bill. As I understand it, the bill has two purposes. The first is to create the necessary machinery to qualify for federal funds from the United States Government for disasters. The second is to establish a one-half million dollar fund for disasters which are not sufficiently serious to qualify for funds under the federal program. Mr. Speaker, I heartily concur with the first purpose of this bill, but strongly disagree with the second.

"I recognize, Mr. Speaker, that much of Micronesia is prone to typhoons and other forms of natural disasters and that such occurrences cause great hardship to our people. I also recognize that some means must be devised to compensate people who suffer from natural disasters. But, Mr. Speaker, I feel that the federal program is sufficient to remedy this problem without the tremendous appropriation from the Congress of Micronesia proposed in this bill.

"Mr. Speaker, the High Commissioner in his State of the Territory Address singled out this bill as an item of important legislation and urged the Congress to take favorable action on it. When the Administration considers a measure involving a large expenditure of funds important, Mr. Speaker, it should participate in funding the program. If we are to initiate a program to provide disaster relief for natural disasters not serious enough to qualify for federal funds, we should reallocate the United States grant funds to provide a major portion of the revenue for such a program.

"In addition, Mr. Speaker, I feel that the bill is misleading in certain respects. The bill refers to the one-half million dollar appropriation as a revolving fund. A revolving

fund implies a fund out of which money will be paid to deal with some immediate need, and then repaid back into the fund at a later date. Mr. Speaker, the only way in which this fund will revolve is if the Congress makes it revolve by replenishing the fund with new appropriations after each disaster.

"Mr. Speaker, there is a great temptation to spend our tax revenue on useful but nonessential programs. I admit that the so-called revolving fund aspect of this bill would be useful, Mr. Speaker, but I feel that there are many more important ways for us to spend the money of the people of Micronesia.

"Mr. Speaker, as I have mentioned earlier in this Chamber, economic development is the key to our political future. We are at an extremely critical stage in our history. We have the choice of either continuing down the path of dependency on the United States Government or striking out on new ground to seek political freedom. But we cannot have political freedom until we become self-sufficient economically. Mr. Speaker, I view political freedom as our paramount goal and thus the means to attain it; that is, economic development is also paramount.

"In the days ahead we must make many hard decisions as to the way in which we spend our revenue. We must not simply decide whether a useful program, such as the Disaster Contingency Revolving Fund, is important. We must decide if it is more important than other programs which will develop our economy such as the fishery program proposed by the Joint Committee on Marine Resources. In other words, Mr. Speaker, we should determine priorities for spending our tax revenue. We must make every effort possible to break this stranglehold of dependency upon the United States which we find ourselves in and we cannot do that without economic development supported with large appropriations from this Congress.

"Mr. Speaker, we can qualify for disaster funds from the United States Government without appropriating any of our money, by amending the bill to delete the appropriation and the sections relating to use of the revolving fund. I therefore proposed that the bill be recommitted to the House Committee on Appropriations to be so amended.

"Thank you, Mr. Speaker."

Mr. Speaker, I so move that the bill be recommitted to the Committee on Appropriations.

Vice-Speaker Dois seconded.

Floor Leader Silk moved for a short recess; Vice-Speaker Dois seconded, and the Speaker declared the House recessed at 10:20 a.m., subject to the call of the Chair.

RECESS

The House reconvened at 10:25 a.m.

Speaker Henry: The motion on the floor is to recommit the bill. Is there any further discussion?

The motion to recommit carried by voice vote.

Special Committee Report No. 6, entitled "Marine Resources Development in Micronesia, a Report to the Congress of Micronesia prepared by the Joint Committee on Marine Resources, Fifth Congress of Micronesia, First Regular Session, January 1973."

Representative Haruo moved for adoption of the report, deferred from January 29, 1973; Representative Basilius seconded, and the Chair recognized Representative Domnick.

Representative Domnick: Mr. Speaker, I would like to offer an amendment on page 25 of the report. On page 25, paragraph (2), it states: "That all foreign fishing vessels be granted the right to enter port for the purchase of food, fuel, water, other provisions, and bait fish..." Delete "and bait fish". Also, on the same page, paragraph (3), "That the district

fishery association be the exclusive agent for the sale of all provisions and bait fish..." Delete "and bait fish". Mr. Speaker, I am offering this amendment in writing. The reason for this amendment is because, as the committee pointed out, by allowing these foreign vessels to enter the ports in the Trust Territory would stimulate economic ties with these foreign vessels; also to make sure that they don't enter our water illegally. One of the major obstacles that has plagued bonito and tuna is they have to have live bait in order to fish the same way that Micronesian fishing vessels do, not only within the three mile limit, but outside the three mile limit. Recently through extensive studies Japan has come out with a solution where they have the machinery to keep bait fish alive for two to three weeks, but this is an expensive method. The reason why I am offering that particular amendment, Mr. Speaker, is so that although the economic benefits we will derive from allowing them to come into our ports would not make them competitive with our local fishermen. They are more experienced than we are and if they have this major obstacle where they have to have live bait...there are a few types of vessels that can accommodate that--not the same type of vessel that fishes for bonito around our islands. I think it will be in direct competition with our fishermen outside the three miles limit. That is why I offered that amendment, Mr. Speaker.

Representative Basilius moved for a short recess; Floor Leader Silk seconded, and the Speaker declared the House recessed at 10:30 a.m., subject to the call of the Chair.

RECESS

The House reconvened at 10:41 a.m.

Speaker Henry: Are there further comments on Special Committee Report No. 6?

The Chair recognized Representative Basilius.

Representative Basilius: Mr. Speaker, the amendment offered by my colleague from the Marshalls is not necessary because of the fact, Mr. Speaker, that we have H.B. No. 87 which will be discussed on the floor at a later date and this H.B. No. 87 states in Section 12 the ability and power to legislate any fishing regulations and I think they will have an option to decide whether to provide bait fish or not, so, as far as I am concerned, this amendment offered by my colleague from the Marshalls is not necessary.

Representative Tman: Mr. Speaker, I am inclined to agree with the Representative from Palau. The proposed amendment by the Representative from the Marshalls is not necessary. I feel it isn't necessary to amend this report. If we adopt it we are not necessarily committed to every single word in the report. I feel that we should go ahead and adopt this report and subsequent legislation that relates to marine resources can be amended by my friend from the Marshalls, if he wishes to do so.

Representative Basilius: Mr. Speaker, I think my colleague from Yap endorses my statement thoroughly.

The motion to adopt Special Committee Report No. 6 carried by voice vote.

BILL CALENDAR

Representative Basilius moved for passage of H.B. No. 35, HDI on Second Reading; Representative Haruo seconded, and the Chief Clerk read the title, "Clarifying and resolving certain conflicting provisions regarding penalties for starting unauthorized fires." The motion carried by roll call vote of twenty ayes; Representative Balos was excused.

RESOLUTION CALENDAR

None

INTRODUCTION OF BILLS

H.B. No. 113

Introduced by: Rep. Dornick
Assigned to: Appropriations/Education and Social Matters

To appropriate the sum of \$19,000 for the Micronesian Education and Social Action Workshop.

H.B. No. 114

Introduced by: Rep. Setik
Assigned to: Appropriations

To appropriate the sum of \$325,000 for channel blasting and improving projects in the Marshall Islands, Ponape, Truk, Yap, Palau and Mariana Islands Districts, and for other purposes.

H.B. No. 115

Introduced by: Rep. Setik
Assigned to: Appropriations/Resources and Development

To appropriate the sum of \$500,000 out of the General Fund of the Congress of Micronesia for the improvement and operation of the Palau Boatbuilders Association and for other purposes.

H.B. No. 116

Introduced by: Rep. Nakayama
Assigned to: Resources and Development

To regulate and control the importation of goods and commodities into the Trust Territory and for other purposes.

H.B. No. 117

Introduced by: Rep. Oikeriil
Assigned to: Resources and Development

Establishing a mortgage law and providing for the proceeding of foreclosure.

H.B. No. 118

Introduced by: Rep. Oikeriil
Assigned to: Education and Social Matters

To provide for the relief of unemployment through the performance of useful public work, and for other purposes.

H.B. No. 119

Introduced by: Rep. Oikeriil
Assigned to: Appropriations

To appropriate the sum of \$500,000, or so much thereof as may be necessary, to start construction on the Babelthuap primary road and for other purposes.

H.B. No. 120

Introduced by: Rep. Rugulimar
Assigned to: Judiciary and Governmental Relations

Amending paragraph (c) of Subsection (1) of Section 9 of Public Law 4C-49, exempting temporary employees from the Trust Territory Public Service System.

H.B. No. 121

Introduced by: Rep. Nakayama
Assigned to: Education and Social Matters/Appropriation

To establish a Micronesian Research Center attached to the Community College of Micronesia, to prescribe its duties and functions, to appropriate funds therefor, and for other purposes.

H.B. No. 122

Introduced by: Rep. Atalig
Assigned to: Education and Social Matters

To amend Section 10 (10) (e) of P.L. No. 4C-49 to provide hazardous work differential for employees required to work during typhoon emergencies and for other purposes.

INTRODUCTION OF RESOLUTIONS

None

MISCELLANEOUS BUSINESS

Floor Leader Silk: Mr. Speaker, I have some miscellaneous business and it is very important because it involves a large appropriation bill of \$500,000. Mr. Speaker in the Micronesian News Service bulletin of January 31, 1973, on page 3, it is reported that H.B. No. 22 had gone to the Senate for further consideration. This is the same bill, Mr. Speaker, which has been recommitted to the Committee on Appropriations today. I hope that the news media will correct this because it involves a half-million dollars and the people of Micronesia should have the accurate information of where this bill goes, and it involves major disaster control. A lot of people are interested in it and I hope the news service will make the necessary correction. Thank you, Mr. Speaker.

Speaker Henry: Thank you, Mr. Floor Leader.

ANNOUNCEMENTS

Chairman Basilius announced a meeting of the Committee on Judiciary and Governmental Relations at 1:30 p.m., February 1, 1973 in the House Chamber to consider H.B. No. 6, H.B. No. 20, and H.B. No. 27.

Representative Haruo moved for a short recess; Floor Leader Silk seconded, and the Speaker declared the House recessed at 10:50 a.m., subject to the call of the Chair.

RECESS

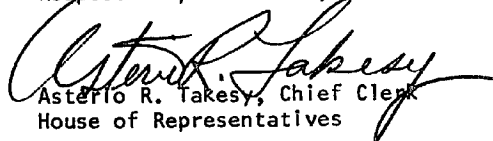
The House reconvened at 10:54 a.m.

Chairman Haruo announced a public hearing of the Committee on Resources and Development at 3:30 p.m., February 1, 1973 in the House Chamber.

Chairman Setik announced that the Committee on Appropriations would rest for the day.

There being no further announcements, Floor Leader Silk moved that the House stand in recess. Vice-Speaker Dois seconded and the motion carried. The Speaker declared the House recessed at 10:56 a.m. until 10:00 a.m., Friday, February 2, 1973.

Respectfully submitted,


Astolfo R. Takesy, Chief Clerk
House of Representatives