

STANDING COMMITTEE REPORT NO. 13-168

RE: C.B. NO. 13-158/J&GO

SUBJECT: REVISED SCHEDULE FOR REGULAR SESSIONS

OCTOBER, 26, 2004

The Honorable Peter M. Christian
Speaker, Thirteenth Congress
Federated States of Micronesia
Fourth Regular Session, 2004

Dear Mr. Speaker:

Your Committee on Judiciary and Governmental Operations, to which was referred C.B. No. 13-158, entitled:

"A BILL FOR AN ACT TO FURTHER AMEND TITLE 3 OF THE CODE OF THE FEDERATED STATES OF MICRONESIA, AS AMENDED, BY AMENDING SECTIONS 201 AND 202 THEREOF TO ESTABLISH A REVISED SCHEDULE FOR REGULAR SESSIONS OF CONGRESS, AND FOR OTHER PURPOSES.",

begs leave to report as follows:

The intent and purpose of the bill are expressed in its title.

This bill, as introduced, would amend sections 201 and 202 of Title 3 of the Code of the Federated States of Micronesia, as amended, to establish a revised schedule for regular sessions of Congress.

Your committee is of the opinion that the Congressional schedule set forth in existing law does not fit current needs. Sections 201 and 202 of title 3 of the FSM Code currently provide that Congress shall meet each year in two regular sessions of 30 days each. Your committee notes, however, that a heavy legislative workload and changing circumstances have made it necessary for recent Congresses to meet in numerous special sessions in addition to the statutorily-mandated regular sessions. Further your committee is of the opinion that Congress is more efficient and effective when it meets in sessions of less than thirty days. Shorter, more focused sessions tend to be more productive.

C.B. No. 13-158 has the purpose of establishing a new schedule for Congress under which it will meet each year in three regular sessions of twenty days each. Those sessions will be held in January, May and September of each year. Your committee anticipates that this schedule will reduce the need for special sessions, improving the ability of both Congress and the Executive Branch to plan and prepare their legislative work. Further, the schedule set forth in C.B. No. 13-158 is compatible with the requirements of Compact II. Congress, during the May regular session, will be able to act on the President's proposed Compact budget,

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leaving ample time for the Executive to incorporate changes before submittal of the Compact budget request to JEMCO. The September session is timed so that Congress can respond promptly to actions taken by JEMCO with respect to sector grants for the next fiscal year and make any necessary adjustments to the internal revenue budget before the fiscal year begins. Further, for the reasons described above, your committee believes that the efficiency and effectiveness of Congress' work will be improved by shortening the length of regular sessions. C.B. No. 13-158 retains the flexibility of existing law by allowing the Speaker to modify the starting dates of the regular sessions and permitting the members or the President to call special sessions, as necessary. Your committee supports the scheduling changes set forth in the bill.

This Congress, during its Fifth Special Session, passed C.B. No. 13-120, which also had the purpose of amending the schedule for the regular sessions of Congress. That bill proposed holding regular sessions in January, April and September. The President, through Presidential Communication No. 13-211, dated October 6, 2004, vetoed C.B. No. 13-120, citing a potential conflict between the bill and section 107 of title 3 of the FSM Code. That section provides that the terms of members of Congress commence on May 11, following their election. The President, in his veto message, referred to the undesirability of having a regularly-scheduled lame duck session in April, after new members have been elected, but before they have taken office. C.B. No. 13-158 addresses this issue by providing that one of Congress' regular sessions will begin on May 11, rather than in April. With that change, your committee believes that C.B. No. 13-158 both meets Congress' current needs and avoids the problems identified by the President.

Accordingly, your Committee on Judiciary and Governmental Operations is in accord with the intent and purpose of C.B. No. 13-158, and recommends its passage on First Reading, and that it be placed on the Calendar for Second and Final Reading.

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Respectfully submitted,

/s/ Dohsis Halbert

Dohsis Halbert, chairman

Roosevelt D. Kansou, vice chairman

/s/ Alik L. Alik

Alik L. Alik, member

/s/ Henry C. Asugar

Henry C. Asugar, member

/s/ Peter M. Christian

Peter M. Christian, member

/s/ Ramon Peyal

Ramon Peyal, member