

STANDING COMMITTEE REPORT NO. 19-221

RE: C.B. NO. 19-267/J&GO

SUBJECT: TO INCREASE THE SALARIES OF THE CHIEF
JUSTICE AND ASSOCIATE JUSTICES OF THE FSM
SUPREME COURT

APRIL 01, 2017

The Honorable Wesley W. Simina
Speaker, Nineteenth Congress
Federated States of Micronesia
Eighth Special Session, 2017

Dear Mr. Speaker:

Your Committee on Judiciary and Governmental Operations, to which was referred C.B. No. 19-267, entitled:

"A BILL FOR AN ACT TO AMEND SECTION 108 OF TITLE 4 OF THE CODE OF THE FEDERATED STATES OF MICRONESIA (ANNOTATED), AS AMENDED, TO INCREASE THE SALARIES OF THE CHIEF JUSTICE AND ASSOCIATE JUSTICES OF THE SUPREME COURT OF THE FEDERATED STATES OF MICRONESIA, AND FOR OTHER PURPOSES.",

begs leave to report as follows:

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

Your Committee notes that your Committee considered a substantially similar bill to C.B. No. 19-267 during the Second Regular Session, 2013, of the 18th Congress. At that time your Committee undertook a dialogue with then Chief Justice Yinug to understand fully the range of salaries received by justices in comparable jurisdictions within the Pacific.

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The relevant portion of Standing Committee Report No. 18-66, which summarizes your Committee's investigation, is laid out below:

"On July 16, 2013, your Committee on Judiciary & Governmental Operations Chairman wrote back to Chief Justice Yinug requesting information on the salaries of Justices in the Pacific region. On August 14, 2013, the Chief Justice responded with that information.

According to the August 14, 2013 letter, the Associate Justices of the Supreme Court of the Republic of Palau make \$80,000 per year and the Chief Justice makes \$90,000 per annum. The Associate Justices of the High Court of the Republic of the Marshall Islands make \$60,000 per annum, while the Chief Justice makes \$70,000 per annum. The Associate Justices of the Supreme Court of the Commonwealth of the Northern Mariana Islands make \$126,000 per annum and the Chief Justice makes \$130,000. The judges of the Supreme Court in Guam make in excess of \$100,000."

Your Committee has no reason to believe that the substantial gap between the salaries for FSM justices and those of their regional peers has abated since 2013.

Further, your Committee shares the sentiments expressed in Standing Committee Report No. 18-66:

"It is extremely important that FSM is able to attract and retain experienced, well-regarded jurists to sit on our highest Court. Individuals of this caliber are naturally situated to command higher salaries in other governments or in private practice than the amount currently being offered."

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Conclusion

Your Committee on Judiciary and Governmental Operations is in accord with the intent and purpose of C.B. No. 19-267 and recommends its passage on First Reading and that it be placed on the Calendar for Second and Final Reading in the form attached hereto.

Respectfully submitted,

/s/ Tiwiter Aritos
Tiwiter Aritos, chairman

/s/ Alik L. Alik
Alik L. Alik, vice chairman

/s/ Isaac V. Figir
Isaac V. Figir, member

Berney Martin, member

/s/ Esmond B. Moses
Esmond B. Moses, member

Robson U. Romolow, member

/s/ Wesley S. Simina
Wesley W. Simina, member