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S.C.R. No. 1313  
March 10, 2023  
RE: L.R. 13-13

Committee on Judiciary and Governmental Operations  
(J&GO)

The Honorable Semeon J. Phillip  
Speaker  
13<sup>th</sup> Kosrae State Legislature

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Salpasr E. Tiffas

Dear Speaker Phillip:

Your Committee on Judiciary and Governmental Operations reports on L.R. 13-13 entitled:

**“Consenting and confirming the nomination of Mr. Johnson A. Asher, Esq. to serve as the Attorney General for the State of Kosrae.”**

COMMITTEE ACTIONS:

Your committee met in an Executive Meeting on Thursday, March 2<sup>nd</sup>, 2023 around 1:30 p.m. to deliberate on this nomination.

In this meeting, your committee decided to hold public hearings and to solicit public comments regarding this nomination.

On March 09, 2023, your committee held a public hearing with the following witnesses in four separate sessions: (1) T.H. Governor Tulensa W. Palik at 1:30 p.m., (2) Attorney General Aliksa B. Aliksa and Chief of Police Rinson J. Phillip at 2:00 p.m. (3) Nominee: Mr. Johnson A. Asher at 2:30 p.m., and (4) Prosecutor Albert T. Welly and Prosecutor Bercil C. Timothy at 3:00 p.m.

COMMITTEE FINDINGS:

The intent of the subject resolution is clearly stated in its title.

During the committee meeting, members of J&GO were concerned mostly on the nominee's salary, if he is willing to sacrifice his FSM Salary to the State Salary? With this question being raised, the committee decided to take this question to the public hearing, to inquire the nominee's response.

During the public hearing, the testimonies from each witness are noted as follows:

- 1) Session 1: Governor Palik stated in his opening remark that there is nothing much to say but only to await the committee's queries and that he will provide the best possible response regarding this nomination.
  - a. When the committee inquired if the Governor had ever discussed with the nominee about his salary, the Governor responded saying that they have not talked specifically about wages and salary, but the only matter they discussed was the nominee's willingness to serve Kosrae. The only response from nominee was a question, “Why, is Kosrae ready to be served by me?”

b. The committee also asked, if the nominee became the Attorney General of the State, is he planning on staying in Kosrae or is he going to stay elsewhere and do the service? Governor responded saying that the nominee is willing to be stationed in Kosrae to do his duty as an Attorney General.

2) Session 2: Attorney General and Chief of Police with the Committee on Judiciary and Governmental Operations at 2:00 p.m..

a. In this session, two main concerns were raised by the committee, as listed below, followed by response from both AG and the Chief of Police.

i. How much do you support this nomination? AG first responded saying that he is in full support for the nomination due to the fact that the nominee had practiced law for a long period of time and that his experience as a lawyer along with his achievements in the field of law has given him the knowledge to perform this duty, as an Attorney General. Chief of Police responded saying that he had worked with the nominee as a Police Officer and he knew how much he is qualified for the AG Position, plus he would occasionally meet up with the nominee inquiring about the needs which he might be able to help the Division of Public Safety with.

ii. The committee also asked, whether or not there was a time that the nominee worked on a case against the State of Kosrae? The only response came from the Attorney General saying that there was not a time he could remember, but to provide an answer, there was none.

3) Session 3: Nominee, Esq. Johnson A. Asher at 2:30 p.m.. In this session, the nominee mentioned in his opening statement the purpose for being summoned for this public hearing, which he stated that he understood that his response to the new administration somewhat startled this public hearing, therefore he reassured the committee that he firmly said "YES" to the Governor and Lt. Governor.

a. The committee asked the nominee whether or not he is willing to surrender his job at the National level in spite of lower salary -- He responded saying that salary is not an issue with him. All he cares about is the service to his people and home island.

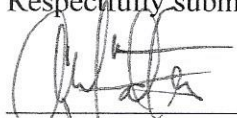
b. Another inquiry raised was the willingness of the nominee to work in Kosrae for a longer period --he responded saying how much he's willing to be in Kosrae, to be with his people, help the people, and mostly to provide assistance to our people and our government.

- 4) Session 4: Kosrae Prosecutors at 3:00 p.m. Prosecutor Welly started off in his opening statement saying how happy he is to be called here to provide support to our distinguished and honorable members of the Kosrae State Legislature.
- a. The committee asked whether they support Governor's nomination or not? Prosecutor Welly stated that because of the Law, there is someone nominated for the seat and because of this, he understood that this is the reason why they were being called here. He further responded that he is very happy to work with this kind of person, someone with the capabilities and knowledge of an Attorney General's roles and responsibilities.
  - b. When asked whether or not the nominee is a plus to the government of Kosrae? Both Prosecutor Welly and Prosecutor Timothy stated that with the nominee's previous experiences, achievements, and background, YES, he will be a plus to our government and to our people.


COMMITTEE RECOMMENDATION:

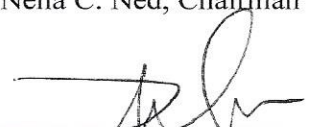
With the aforementioned findings, Your Committee on Judiciary & Governmental Operations (J&GO) hereby recommends the plenary's further discussion and adoption.

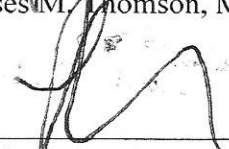
Respectfully submitted,

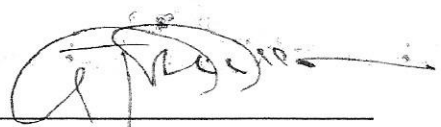
  
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Artson S. Talley, Acting Chairman

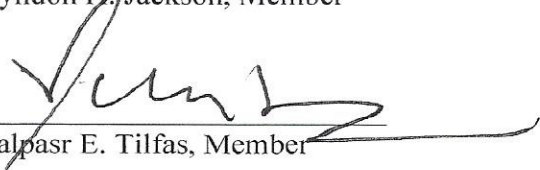
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