

Parliament of St. Maarten

Draft motion m.1

The Parliament of St. Maarten in its meeting of today, Wednesday October 28, 2015

Considering

that the Parliament in its meeting of September 30, 2015 declared that the Gumbs cabinet consisting of ministers Gumbs, Hassink, Richardson, Gumbs-Bourne, Boasman and Sams no longer enjoys the confidence of the Parliament of St. Maarten;

That this no-confidence motion was taken in accordance with article 33, sub 2 of the constitution of St. Maarten;

That on September 30, 2015, his Excellency the Governor was informed of the agreement between the National Alliance faction, the Democratic Party faction, the United St. Maarten Party faction and members of Parliament Maurice Lake and Silvio Matser, consisting a majority in Parliament to work together, form a new coalition and support a new government more responsive to the needs of the people of St. Maarten;

That subsequently to the no-confidence motion against the ministers, the caretaker Gumbs-cabinet invoked article 59 of the Constitution to dissolve the Parliament of St. Maarten and presented the decision to enact this article to his Excellency the Governor, and set the date of election on December 8, 2015;

That the main reason stated by the caretaker Gumbs-cabinet for invoking this article is to curb the phenomenon of what is locally referred to as "ship-jumping", the practice of switching allegiances and declaring one-self an independent member of Parliament;

That if the Gumbs cabinet was serious about addressing the matter of "ship-jumping", efforts to do so would have been evident, which is not the case;

That since this has not been addressed in any form or fashion by the government until now, it surely will not come about by dissolving Parliament and organizing a parliamentary election.

That to the contrary, the fate of the Gumbs cabinet hinges on the very situation, it now vehemently opposes,

That the parliament of St. Maarten has engaged a legal expert to further work out the proposals for electoral reform, based on proposals for such reform submitted to Parliament by the faction of the Democratic Party;

The block contains several handwritten signatures and initials in blue ink. From left to right, there is a signature that appears to be 'A.', a signature that appears to be 'B.', a signature that appears to be 'J.H.', and the initials 'M.L. CTE'.

That it is the right of Parliament to express its opinion about any decision of government, including and especially one to dissolve Parliament;

That in the view of Parliament the decision of the Gumbs-government to dissolve Parliament is misuse of a constitutional authority and therefore a "détournement de pouvoir",

That the refusal until now by individual ministers to tender their resignation, is "in breach of the constitutional legal system",

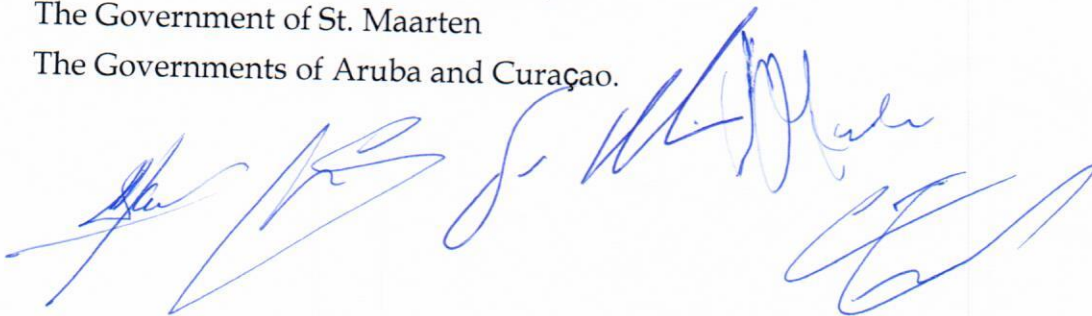
Resolves:

1. To call on the ministers collectively and individually to do the right thing and tender their resignations immediately;
2. To reject the decision taken by the caretaker Gumbs-cabinet to dissolve the Parliament of St. Maarten and call a new election, as this decision by the caretaker government is predicated on the wrongful and misleading grounds that an election will "fix political ship-jumping".

And goes over to the order of the day,

Copies of this motion to be sent to:

His Excellency, the Governor of St. Maarten
The Kingdom Council of Ministers
The Government of the Netherlands
The First and Second Chambers of the Netherlands
The Parliaments of Aruba and Curaçao
The Government of St. Maarten
The Governments of Aruba and Curaçao.





STATEN VAN SINT MAARTEN
Wednesday, October 28, 2015, at 10.00 hrs
Public Meeting no. 9
(urgent)
Voting list

Motion M.1

NO.	NAME	VOOR/FOR	TEGEN/AGAINST
1.	Sarah A. Wescot-Williams	✓	
2.	George C. Pankophlet	✓	
3.	Silvio J. Makser	✓	
4.	Maurice A. Ralhe	✓	
5.	Silveria E. Jacobs	✓	
6.	Christophe T. Emmanuel	✓	
7.	Frans G. Richardson	✓	
8.	William V. Marlin	✓	
9.	Leona M. Marlin-Romeo		✓
10.	Rloyd J. Richardson		✓
11.	Tamara E. Leonard		✓
12.	Franklin A. Meyers		✓
13.	Van Hugh C. de Weever		✓
14.	Theodore E. Heyliger	_____	
15.			

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