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**NITIJELA OF THE REPUBLIC OF THE MARSHALL ISLANDS
39TH CONSTITUTION REGULAR SESSION, 2018**



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Republic of the Marshall Islands
Jepilpilin Ke Ejukaan

ELECTION AND REFERENDA (AMENDMENT) ACT 2018

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NITIJELA OF THE REPUBLIC OF THE MARSHALL ISLANDS
39TH CONSTITUTION REGULAR SESSION, 2018



Republic of the Marshall Islands
Jepilpilin Ke Ejukaan

ELECTION AND REFERENDA (AMENDMENT) ACT 2018

A BILL FOR AN ACT to amend Title 2, Chapter 1 of the Marshall Islands Revised Code, to change the closing date of filing of nomination by candidates of Nitijela from three months to one year prior to the date of election and not later than the end of the third year calendar. The leave of absence of Public Service including the State-Owned Enterprises, Justice (MIPD) and the Public School System Employee as well as politically appointed Public Official stands for election (deemed to have resigned from Office) shall commence three (3) months prior to the date of election.

BE IT ENACTED BY THE NITIJELA OF THE REPUBLIC OF THE MARSHALL ISLANDS

§101. Short title.

This Act may be cited as the Election and Referenda (Amendment) Act 2018.

§102. Amendments.

Section 108(2)(3) of the *Elections and Referenda Act 1980* is hereby amended to read as follows:

§108. Nitijela elections.

(2) In accordance with Article IV, Section 5 of the Constitution of the Marshall Islands, every employee of the Public Service, including the State-Owned Enterprises, the Public School System, Justice (Marshall Islands Police Department) who becomes a candidate for election as a member of Nitijela shall be granted leave of absence. That leave of absence shall commence three (3) months prior to the date of election ~~on the closing date of nomination pursuant to Section 146(1) of this Act.~~ If any Public Service, including the State-Owned Enterprises, the

Public School System and Justice (Marshall Islands Police Department) employee is declared elected as a member of Nitijela, he shall be deemed to have resigned from his employment in the Public Service provided in this Section.

- (3) If any ~~Confirmed~~ politically appointed Public Official stands for election as a member of Nitijela, he shall be deemed to have resigned his office. That resignation shall be deemed to take effect three (3) months prior to the election date pursuant to Section 108(2) ~~on the date that the candidate certifies to the Chief Electoral Officer in the certificate prescribed by Section 145(1) that he is willing and qualified to stand for election.~~

Section 146(1) of the *Elections and Referenda Act 1980* is hereby amended to read as follows:

§146. Time and Closure of Nomination.

- (1) The nomination papers with respect to an election shall be filed with the Chief Electoral Officer or the person appointed under pursuant to Section 145(2) of this Chapter on or before the closing date of nomination determined by the Chief Electoral Officer for the purposes of the election, not later than the end of the third year calendar year and in conformity pursuant to Section 136(1) of this Chapter ~~three (3) months prior to the date of the election.~~

§103. Effective date.

This Act shall take effect upon certification, in accordance with Article IV, Section 21 of the Constitution and the Rules of Procedures of the Nitijela.

**NITIJELA OF THE REPUBLIC OF THE MARSHALL ISLANDS
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ELECTION AND REFERENDA (AMENDMENT) ACT 2018

BILL SUMMARY

This Bill proposes to scale back the closing date of filing of nomination by candidates to the Nitijela from three months prior to the date of the election to a date not later than the third year calendar. The reason for this proposed amendment is to provide for ample time for all voters to get to know each candidate seeking office, thus providing them the opportunity to make informed decisions on whom they shall elect to be their representative during each general election. It is important to note that the proposed closing date of filing of nomination is made in conformity with the closure of registration of voters, of which a voter may register or change registration during the first three years before the fourth calendar year before the general election of the Nitijela of which the voters registration shall close. The language also includes any Public Official(s) stands for election or local official(s) (Nitijela, Mayor, or Councilman Stands for election within the Local Government) shall be deemed to have resigned from their Offices three (3) months prior to the date of election.

Lastly, it also proposes to distinct the commencement of leave of absence of Public Service, State-Owned, Enterprises, and Judiciary Employees or Public Official from the closing date of nomination.

**NITIJELA OF THE REPUBLIC OF THE MARSHALL ISLANDS
39TH CONSTITUTION REGULAR SESSION, 2018**

ELECTION AND REFERENDA (AMENDMENT) ACT 2018

SIGNATURES

DATE: _____ INTRODUCED BY _____
Print Name *Signature*

DATE: _____ INTRODUCED BY _____
Print Name *Signature*

DATE: _____ INTRODUCED BY _____
Print Name *Signature*

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Print Name *Signature*

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Print Name *Signature*

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