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**NITIJELA OF THE REPUBLIC OF THE MARSHALL ISLANDS
40TH CONSTITUTION REGULAR SESSION, 2019**



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Republic of the Marshall Islands
Jepilpilin Ke Ejukaan

**MARSHALL ISLANDS MARINE RESOURCES
AUTHORITY (AMENDMENT) ACT, 2019**

5

Index

6

Section

Page

7

§101. Short title.....3

8

§102. Amendment.....3

9

§103. Effective Date.....6

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
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1 NITIJELA OF THE REPUBLIC OF THE MARSHALL ISLANDS
2 40TH CONSTITUTION REGULAR SESSION, 2019



3 Republic of the Marshall Islands
4 *Jepilpilin Ke Ejukaan*

MARSHALL ISLANDS MARINE RESOURCES
AUTHORITY (AMENDMENT) ACT, 2019

5 A BILL FOR AN ACT to amend P.L. 2018-64, the Marshall Islands Marine
6 Resources Authority (Amendment) Act, 2018, to require that monies in the
7 Marshall Islands Marine Resources Authority Fund be deposited into the General
8 Fund at the end of each fiscal quarter and other related matters.

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

10 §101. Short title.

11 This Act may be cited as the Marshall Islands Marine Resources Authority
12 (Amendment) Act, 2019.

13 §102. Amendment.

14 1) Section 124 shall be amended by revising the existing language as follows:

15 §124. Payment out of the fund.

16 (1) Ten (10) days prior to the end of a fiscal year, the Board shall transfer
17 to the RMI General Fund the monies paid into the Fund. Payment
18 may be made out of the Fund only for:

19 ~~(a) Carrying out the powers and functions of the~~
20 ~~Authority, and particular but not to restrict the generality~~
21 ~~of the foregoing;~~

22 ~~(i) fisheries monitoring, control and~~
23 ~~surveillance;~~

24 ~~(ii) training;~~

- ~~(iii) research;~~
- ~~(iv) fisheries;~~
- ~~(v) such other activities as the Director may designate in accordance with this Title.~~

~~(b) the cost and expenses of the Authority, including administration;~~

~~(c) where an individual provides the necessary information leading to a civil or criminal fine or forfeiture against a commercial fishing vessels pursuant to this Title, such individual or individuals shall receive, or where more than one (1) individual is involved, share, five (5) percent of the amount of the fine or two thousand dollars (\$2,000) whichever is lesser, and the necessary information required for such reward and the procedures for disbursement shall be provided or by rules and regulations promulgated by the Authority.~~

~~(d) the purposes of working capital and petty cash, and other related purposes;~~

~~(e) giving effect to the provisions of this Title and any regulations made under this Title.~~

(2) Prior to the transfer referenced in subsection (1) of the Section, The fund shall be administered by the Director shall provide quarterly financial report of payments into the Fund to and such Board member as the Board with copies to the Cabinet and the Secretary of Finance, Banking and Postal Services. may designate in accordance with:

~~(a) financial regulations which may be adopted by the Authority; and~~

~~(b) a budget approved on an annual basis by the Board of Directors and the Secretary of Finance, Banking and Postal Services. The Director shall make quarterly financial report to the Board.~~

(3) To give effect to the provisions of this Title and any regulations made under this Title, including the administration of the Authority, In addition to the above, the Board shall provide a budget approved on an annual basis by the Cabinet. transfer to the RMI General Fund,

- ~~such amount(s) as may be appropriated by the Nitijela for expenditures under the General Fund within 10 days of the beginning of each quarter;~~
- ~~(4) Furthermore, the Board may, at any time during the fiscal year where he Nitijela is not then in session, and at the request of Cabinet, approve the transfer to the General fund of any surplus funds from the MIMRA Fund to meet any shortfall, or necessary expenditure in any program area under the annual budget Surplus funds transferred to the RMI General Fund in this manner shall be considered unanticipated revenue in accordance with Article VIII of the Constitution, and may be appropriated by the Cabinet among the different program areas in the RMI General fund. Where this occurs, the amounts appropriated in the annual budget for the program areas concerned, shall be increased accordingly.~~
- ~~(5) In considering any such requests from the Cabinet, the Board shall have regard to ability of the Authority to continue to discharge its functions efficiently, and to this end, the Minister of Finance, Banking and Postal Services and the Board may hold consultations to determine the available level of funding.~~
- ~~(6) 'Surplus' funds as used in Subsection (4) above refers to funds then available in the MIMRA Fund, and Accounts, in excess of the amount approved by the Board and the Secretary of Finance, Banking and Postal Services each year for the annual operating budget of the Authority, generated from fisheries licenses, the Vessel Day Scheme, and any joint ventures between the Authority and any fishing operator.~~
- ~~(7) Funding provided by:~~
- ~~(a) donors to assist the Authority in its operations, or to administer certain projects, and placed in the MIMRA Fund and Accounts, or in special accounts in any banking institutions in the Republic under the management of the Authority;~~
 - ~~(b) Community Based Development Fund;~~
 - ~~(c) Observers Fund; and~~
- ~~shall not be subject to the provisions of Subsection (3), (4), (5) and (6) above.~~

1 **§103. Effective Date.**

2 This Act shall take effect on the date of certification in accordance with the
3 Constitution and the Rules of Procedures for the Nitijela.

1 NITIJELA OF THE REPUBLIC OF THE MARSHALL ISLANDS
2 40TH CONSTITUTION REGULAR SESSION, 2019

MARSHALL ISLANDS MARINE RESOURCES
AUTHORITY (AMENDMENT) ACT, 2019

3 BILL SUMMARY

4 This Bill seeks to amend P.L. 2018-64 by requiring that payment out of the Marshall
5 Islands Marine Authority Fund be made to the General Fund before the end of every
6 fiscal year. This in turn would require that the operation and administration of the
7 Authority be based on an annual budget approved by the Cabinet prior to its
8 submission for the consideration of the Nitijela.
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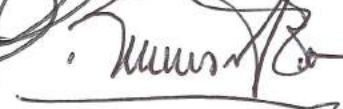
1 NITIJELA OF THE REPUBLIC OF THE MARSHALL ISLANDS
2 40TH CONSTITUTION REGULAR SESSION, 2019

MARSHALL ISLANDS MARINE RESOURCES
AUTHORITY (AMENDMENT) ACT, 2019

3 SIGNATURES

4 DATE: 2/25/19 INTRODUCED BY Tony Muller 
5 *Print Name* *Signature*

6 DATE: 2/25/19 INTRODUCED BY JACK J. ADING 
7 *Print Name* *Signature*

8 DATE 2/25/19 BY BRENSON S. WADE  2-25-19