

STANDING COMMITTEE REPORT NO. 15-111

RE: C.B. NO. 15-99/JGO

SUBJECT: NATIONAL ELECTIONS - TIMING FOR FILING OF NOMINATION PAPERS

MAY 22, 2008

The Honorable Isaac V. Figir
Speaker, Fifteenth Congress
Federated States of Micronesia
Fourth Regular Session, 2008

Dear Mr. Speaker:

Your committee on Judiciary and Governmental Operations, to which was referred C.B. No. 15-99, entitled:

"A BILL FOR AN ACT TO AMEND TITLE 9 OF THE CODE OF THE FEDERATED STATES OF MICRONESIA, AS ENACTED BY PUBLIC LAW NO. 14-76, BY AMENDING SECTION 202 OF CHAPTER 2 TO REQUIRE THAT NOMINATION PETITIONS FOR CANDIDATES RUNNING FOR A SEAT IN CONGRESS BE FILED AT LEAST 180 DAYS PRIOR TO A GENERAL ELECTION, AND FOR OTHER PURPOSES."

begs leave to report as follows:

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

Subsection 202(4) of title 9 currently requires that nomination papers, including a petition and an affidavit, be filed in the office of the relevant state national election commissioner at least 120 days prior to a general election.

C.B. No. 15-99 proposes to amend this procedure so that nomination papers would be required to be filed at least 180 days prior to a general election. In this way, candidates would declare their candidacy earlier. The benefit of this amendment would be that all candidates, and also voters, would be aware of the number and identity of candidates at an earlier time. With the proposed amendments of C.B. No. 15-99, campaigning would likely begin earlier and last for a longer period, assuming that candidates begin campaigning when their nomination papers are filed.

Your committee notes that changes to the required filing time for nomination papers for special elections are not recommended by the subject bill. This will remain at 40 days prior to a special election.

Public Hearings

Your committee held hearings in each of our four states to gather views and suggestions regarding the subject bill. The concern that

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arose is that the earlier date for the filing of papers may overlap or conflict with state elections. This was specifically pointed out in the case of Yap state.

Your committee also held a hearing regarding the subject bill with the National Election Director and his staff in May 2008. The National Election Director expressed his support for the proposed amendment, saying it would allow more time for election purposes.

Recommendations of your Committee

Your Committee has given careful consideration to the proposed amendments in C.B. No. 15-99 and is in favor of the amendment. Your committee takes the view that the benefits of candidates declaring earlier override any potential conflicts with state elections.

Based on the above, your Committee on Judiciary and Governmental Operations is in accord with the intent and purpose of C.B. No. 15-99 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 as C.B. No. 15-99.

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Respectfully submitted,

/s/ Peter Sitan
Peter Sitan, chairman

Fredrico O. Primo, vice chairman

/s/ Tiwiter Aritos
Tiwiter Aritos, member

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

/s/ Dohsis Halbert
Dohsis Halbert, member

/s/ Moses A. Nelson
Moses A. Nelson, member

/s/ Paliknoa K. Welly
Paliknoa K. Welly, member