

A BILL FOR AN ACT

To further amend chapters 4 and 7 of title 9 of the Code of the Federated States of Micronesia, as amended by Public Laws No. 14-76 and 15-46, by amending sections 404 and 704, to remove the requirement that a person issued with a Voter Identification Card must present such card to be permitted to vote, and for other purposes.

BE IT ENACTED BY THE CONGRESS OF THE FEDERATED STATES OF MICRONESIA:

1           Section 1. Chapter 4 of title 9 of the Code of the  
2 Federated States of Micronesia, as amended by Public Law No.  
3 14-76, is hereby further amended by amending section 404 to  
4 read as follows:

5                   "Section 404. Registration procedures.

6                   (1) A person desiring to register to vote in  
7 National Elections shall complete such applications  
8 and affidavits, take such oaths, and present such  
9 personal documentation and witnesses, as required by  
10 the rules and regulations promulgated by the National  
11 Election Director pursuant to this title.

12                   (2) Regardless of the place of registration, all  
13 completed applications and affidavits of registration  
14 shall be transmitted to the national election  
15 commissioner of the relevant state for final approval  
16 and entry onto the National Voter Register.

17                   (3) Every completed application or affidavit of

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1 registration shall be maintained and preserved at the  
2 National Election Office of the State of registration  
3 until such time as the Registered Voter who completed  
4 the application or affidavit is deceased or is  
5 otherwise no longer eligible to vote.

6 (4) All completed applications and affidavits of  
7 registration shall be open to public inspection  
8 during regular business hours.

9 (5) The National Election Director may issue Voter  
10 Identification Cards to all Registered Voters at or  
11 after the time of registration. All Voter  
12 Identification Cards shall be issued free of charge,  
13 provided that, there shall be a charge in an amount  
14 to be set out in the rules and regulations  
15 promulgated pursuant to this title for issuing a  
16 Registered Voter with a replacement Voter  
17 Identification Card. Upon issuing a Voter  
18 Identification Card to a Registered Voter, the  
19 National Election Director, or his or her designee,  
20 shall make a notation next to that Registered Voter's  
21 entry on the National Voter Register. ~~A Registered~~  
22 ~~Voter who has been issued a Voter Identification Card~~  
23 ~~must present that card before being issued a ballot~~  
24 ~~at his or her Polling Place."~~

25 Section 2. Chapter 7 of title 9 of the Code of the

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1 Federated States of Micronesia, as amended by Public Laws No.  
2 14-76 and 15-46, is hereby further amended by amending section  
3 704 of to read as follows:

4 "Section 704. Checking the register; issuing of  
5 ballots.

6 (1) A person appearing at any Polling Place to  
7 vote, including absentee Polling Places specified in  
8 subsections 601(3)(b), (c), (d) and (e), shall report  
9 his or her full name to the election board members  
10 and ~~— [If the person has been issued a Voter~~  
11 ~~Identification Card, he or she must]~~ present his or  
12 her ~~[that v]~~ Voter Identification Card ~~[to the~~  
13 ~~election board members in order to vote. If the~~  
14 ~~person has not been issued a Voter Identification~~  
15 ~~Card, then he or she shall present]~~ or other proof of  
16 identity as required under the rules and regulations  
17 promulgated pursuant to this title.

18 (2) An election board member shall then check the  
19 Signature List to determine whether or not the person  
20 appearing is a Registered Voter for that  
21 Congressional Election District and Municipality, and  
22 if so, shall announce the name appearing on the  
23 Signature List. Once the person's identity has been  
24 established and entry has been found on the Signature  
25 List, he or she shall sign his or her full name next

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1 to his or her entry on the Signature List. An  
2 election board member shall then issue the person an  
3 official ballot, and, if the person has presented a  
4 Voter Identification Card, shall mark the person's  
5 Voter Identification Card so as to indicate that he  
6 or she has already voted in that National Election.

7 (3) No person shall be permitted to cast a ballot  
8 in a National Election at a Polling Place unless his  
9 or her name appears on the Signature List for that  
10 Polling Place and he or she signs the Signature List;  
11 provided, however, that a person shall be permitted  
12 to cast a ballot after signing a supplemental  
13 Signature List if:

14 (a) a person whose name does not appear on the  
15 Signature List but who presents a valid Voter  
16 Identification Card for that Polling Place which  
17 indicates that he or she has not yet voted in that  
18 National Election;

19 (b) a voter's name lawfully appears on the  
20 National Voter Registry but is not listed on the  
21 Signature List of the Polling Place in the State,  
22 Congressional Election District or Municipality in  
23 which he or she resides and has voted in at least one  
24 prior national election, and is not listed on the  
25 Signature List of any other Polling Place, or

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1                   (c) a voter's name lawfully appears on the  
2                   National Voter Register and is placed on the  
3                   Signature List of a Polling Place in a State,  
4                   Congressional Election District or Municipality in  
5                   which the voter does not reside and the voter has not  
6                   applied to vote absentee ballot pursuant to chapter 6  
7                   of this title.

8                   (4) Any election board member, poll watcher or  
9                   Registered Voter may challenge the identity or  
10                  eligibility to vote of any person appearing at the  
11                  Polling Place to vote on Election Day in accordance  
12                  with section 708 of this chapter.

13                  (5) An election board member shall record in the  
14                  official log book for the Polling Place the full  
15                  name, date of birth, sex and municipality of  
16                  registration of any person not allowed to cast a  
17                  ballot as a result of subsections (3) or (4) of this  
18                  section. The election board member shall also record  
19                  in the official log book the reason for disallowing  
20                  the person to vote. The person not allowed to vote  
21                  shall then sign the log book next to his or her  
22                  entry.

23                  (6) The National Election Director shall establish  
24                  by rules and regulations additional security measures  
25                  to prevent election fraud and irregularities at the

1                   Polling Places."

2           Section 3. This act shall become law upon approval by the  
3 President of the Federated States of Micronesia or upon its  
4 becoming law without such approval.

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6 Date: 9/12/12

Introduced by: /s/ David W. Panuelo

David W. Panuelo

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