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:

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

"Section 404. Registration procedures.

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

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

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

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

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

Section 2. Chapter 7 of title 9 of the Code of the
Federated States of Micronesia, as amended by Public Laws No. 14-76 and 15-46, is hereby further amended by amending section 704 of to read as follows:

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

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

(2) An election board member shall then check the Signature List to determine whether or not the person appearing is a Registered Voter for that Congressional Election District and Municipality, and if so, shall announce the name appearing on the Signature List. Once the person's identity has been established and entry has been found on the Signature List, he or she shall sign his or her full name next
to his or her entry on the Signature List. An
election board member shall then issue the person an
official ballot, and, if the person has presented a
Voter Identification Card, shall mark the person's
Voter Identification Card so as to indicate that he
or she has already voted in that National Election.

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

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

(b) a voter’s name lawfully appears on the
National Voter Registry but is not listed on the
Signature List of the Polling Place in the State,
Congressional Election District or Municipality in
which he or she resides and has voted in at least one
prior national election, and is not listed on the
Signature List of any other Polling Place, or
(c) a voter’s name lawfully appears on the National Voter Register and is placed on the Signature List of a Polling Place in a State, Congressional Election District or Municipality in which the voter does not reside and the voter has not applied to vote absentee ballot pursuant to chapter 6 of this title.

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

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

(6) The National Election Director shall establish by rules and regulations additional security measures to prevent election fraud and irregularities at the
Polling Places."

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

Date: 9/12/12

Introduced by: /s/ David W. Panuelo

David W. Panuelo