

FIFTH CONGRESS OF THE FEDERATED STATES OF MICRONESIA

FOURTH REGULAR SESSION, 1988 CONGRESSIONAL BILL NO. 5-377, C.D.1, C.D.2

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AN ACT

To further amend title 9 of the Code of the Federated States of Micronesia, as amended by Public Law No. 5-70, by amending section 706 for the purpose of providing for exceptions to the seven day's notice requirement for voting at a polling place other than the one at which a voter is legally registered to vote, and for other purposes.

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

1 Section 1. Section 706 of title 9 of the Code of the Federated  
2 States of Micronesia is hereby amended to read as follows:

3 "Section 706. Voting at another polling place.

4 (1) A voter shall have the right to vote on election  
5 day at a polling place other than the polling place at which  
6 he is legally registered to vote if the following conditions  
7 are met:

8 (a) the voter is present in his State on the day  
9 of election;

10 (b) he is lawfully registered to vote in his  
11 representative or election district; and

12 (c) he notifies the national election  
13 commissioner in writing at least seven days before the  
14 election that he will not be voting in his proper voting  
15 place and that he requests to vote at a specific voting  
16 place.

17 (2) Upon receipt of voter's request for a change in  
18 polling place, and no later than five days from such  
19 receipt if request is made seven days before the election,  
20 the national election commissioner shall immediately  
21 assign and notify the voter by any means of communication,  
22 including the use of radio, as to the place where the voter

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1           may vote. Upon such notification, the voter shall be  
2           permitted to vote only at that polling place.

3           (3) The national election commissioner shall cause a  
4           mark to be placed next to the name of the voter in that  
5           part of the General State Register for the election  
6           precinct or the polling place where the voter would  
7           normally cast his ballot. This mark shall indicate that  
8           the voter will be casting his ballot at another polling  
9           place and that he is prohibited from voting in that  
10          election at his usual polling place. The national election  
11          commissioner shall provide the proper ballot at the newly  
12          designated polling place for each voter who complies with  
13          the provisions of this section.

14          (4) The seven day notice requirement in subsection  
15          (1) of this section may be waived by the national election  
16          commissioner if the following conditions are met:

17                 (a) the voter was unable to give sufficient  
18                 notice because circumstances beyond his control made  
19                 it impossible or extremely difficult to do so;

20                 (b) the voter gives at least one day's notice in  
21                 writing; and

22                 (c) the waiver would not prevent compliance  
23                 with any other provision of this section."

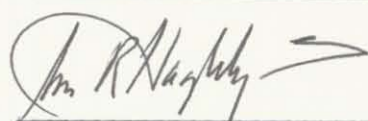
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Public Law No. 5 - 95  
CONGRESSIONAL BILL NO. 5-377, C.D.1, C.D.2

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

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December 6, 1988



John R. Haglergam  
President  
Federated States of Micronesia

