AN ACT

To further amend title 9 of the Code of the Federated States of Micronesia, as amended, by amending section 704 of chapter 7 to permit a registered voter to cast a ballot where the name of the voter does not appear on the Signature List of a Polling Place in a State, Congressional Election District or Municipality in which he or she resides, and for other purposes.

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

1. Section 1. Title 9 of the Code of the Federated States of Micronesia, as amended, is hereby further amended by amending section 704 of chapter 7 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. If the person has been issued a Voter Identification Card, he or she must present 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 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 2. This act shall become law upon approval by the President of the Federated States of Micronesia or upon its becoming law without such approval.

Override September 15, 2008

Manny Mori
President
Federated States of Micronesia