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A BILL FOR AN ACT

To amend sections 311, 331, and 334 of Public Law No. 2-54 allowing persons 16 years of age or older to vote in the plebiscite and removing the disenfranchisement from those convicted of a criminal offense, and for other purposes.

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

1 Section 1. Section 311 of Public Law No. 2-54 is hereby amended
2 to read as follows:

3 "Section 311. Eligible voters. Every citizen of the
4 Federated States of Micronesia is eligible to vote in the
5 plebiscite, if he has fulfilled the following requirements:

6 (1) Be ~~18~~ 16 years of age or older on the day of the
7 plebiscite;

8 (2) Be a resident or domiciliary of the State of Kosrae,
9 Ponape, Truk, or Yap and a registered voter therein; and

10 (3) Is not currently under a judgment of mental incompetency
11 or insanity; and

12 *(4) Is not currently under parole/probation/ or sentence*
13 *for any felony for which he has been convicted by any court of*
14 *the Federated States of Micronesia, the Trust Territory, or any*
15 *court within the jurisdiction of the United States."*

16 Section 2. Section 331 of Public Law No. 2-54 is hereby amended
17 to read as follows:

18 "Section 331. Eligibility to register; place of registering
19 and voting.

20 (1) Any person who is a citizen of the Federated States
21 of Micronesia, who has reached the age of ~~18~~ 16 years or will
22 have reached the age of ~~18~~ 16 years on or before the date of
23 the plebiscite, who has resided in the Federated States of
24 Micronesia for nine months and in the State of registration
25 three months preceding the date of registration, and who,

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1 except for the requirement of registration, is otherwise
2 eligible to vote in the plebiscite, may register to vote
3 in the State in which he resides.

4 (2) The plebiscite commissioner of each State shall
5 designate such place or places within the State wherein
6 registration of voters may be made.

7 (3) No person shall register to vote or vote in any
8 other State than that in which he resides; PROVIDED that
9 where there is a mistake in placing the name of the voter
10 in the State plebiscite register of a State in which he
11 does not actually reside, such voter shall nevertheless be
12 allowed to vote therein, if otherwise qualified; and the
13 plebiscite board of the State where such voter has voted
14 shall notify the plebiscite commissioner of the other
15 State of the error.

16 (4) If any person resides in more than one State he
17 shall register as a voter of one State only."

18 Section 3. Section 334 of Public Law No. 2-54 is hereby amended to
19 read as follows:

20 "Section 334. Application for registration; Affidavit.

21 (1) Any person eligible to and desiring to register
22 as a voter may present himself any time during business
23 hours to any of the members of the plebiscite board (herein
24 empowered and authorized to administer oaths and take
25 acknowledgements) or persons authorized by law or ~~regulations~~

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1 of the Plebiscite Commission to administer oaths, then
2 and there to be examined under oath as to his qualifi-
3 cation as a voter. Each applicant shall make and
4 subscribe to an application in substantially the
5 following form:

6 AFFIDAVIT ON APPLICATION FOR REGISTRATION

7 Federated States of Micronesia

8State

- 9 1. My full name is.....
- 10 2. I was born aton the
11 day of.....in the year.....
- 12 3. My age is.....
- 13 4. I live at.....
- 14 5. I am a citizen and resident of the Federated States of Micronesia.
- 15 6. I was naturalized as a citizen of the Federated States of Micro-
16 nesia at.....State on the..... day of
17, 19.....
- 18 7. I have resided in the Federated States of Micronesia not less
19 than nine months, and in.....State not less than three months,
20 immediately preceding this date on which I now offer to register, to
21 wit, the.....day of....., 19.....
- 22 8. I am not currently under a judgment of mental incompetency or
23 insanity.
- 24 9. *I am not currently under parole, probation, or sentence for any*
25 *felony for which I have been convicted by any court of the Federated*

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1 States of Micronesia, the Trust Territory, or any court within the
2 jurisdiction of the United States!

3 IØ 9. I solemnly swear that the foregoing statements are true, so
4 help me God.

5 Signature.....

6 Subscribed and sworn to before me this.....day of....,19.....

7 (2) The applicant shall strike out allegations that are
8 inapplicable, and shall swear to the truth of the allegations in
9 his application. In any case where the person who administers the
10 oath shall so desire or believe the same to be expedient he may
11 demand that the applicant produce a witness or witnesses to further
12 substantiate the allegations of his application."

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

16
17 Date: 6/1/83

Introduced by: Elias Thomas
Elias Thomas

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