To further amend title 9 of the Code of the Federated States of Micronesia, as amended by Public Laws Nos. 5-70, 5-95, 5-96, 5-103, and 7-122, by repealing section 109 in its entirety, by amending sections 102, 105, 301, 302, 401, 402, 501, 502, 601, 603, 604, 606, 704, 705, 801, 804, 807, 810, 811, 812, 901, 902, 903, 904, and 905, by renumbering sections 110, 303 and 304, and by adding new sections 302, 306, and 509, to create a new position of National Election Director, and for other purposes.

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

Section 1. Section 109 of title 9 of the Code of the Federated States of Micronesia is hereby repealed in its entirety.

Section 2. Section 102 of title 9 of the Code of the Federated States of Micronesia is hereby amended to read as follows:

"Section 102. Eligible voters. Every citizen of the Federated States of Micronesia is eligible to vote for Members of the Congress of the Federated States of Micronesia, if he or she has fulfilled the following requirements:

(1) be eighteen years of age or older on the day of the election;

(2) be a resident or domiciliary of the State of Kosrae, Pohnpei, Chuuk, or Yap and a registered voter therein for at least thirty days immediately preceding the election;

(3) is not currently under a judgment of mental incompetency or insanity;

(4) is not currently under parole, probation, or sentence for any felony for which he or she has been convicted by any court of the Federated States of Micronesia, the Trust Territory, or any court within the jurisdiction of the United States; and
(5) is not currently disqualified to vote under section 305 of this title."

Section 3. Section 105 of title 9 of the Code of the Federated States of Micronesia is hereby amended to read as follows:

"Section 105. Vacancies - Special election.

(1) After the election of the President and Vice President, vacancies shall be declared by the Speaker of Congress for the seats to which the President and Vice President were originally elected as Members-at-large of the Congress of the Federated States of Micronesia. Upon notification by the Speaker, the national election commissioner of the affected State shall schedule a special election to occur fifty days after receipt of notification. A candidate for the special election must submit a petition for candidacy within twenty days after the national election commissioner schedules the special election. After all candidates are registered, the National Election Director shall cause the ballots to be produced. Absentee ballots are to be available from the National Election Director up to five days before the election date.

(2) Any other vacancy in the Congress shall be filled for the unexpired term by special election, except that an unexpired term of one year or less shall be filled by appointment by the chief executive of the State affected. The appointee shall possess the qualifications required by
section 201 of this title and shall serve only for the
unexpired term."

Section 4. Section 301 of title 9 of the Code of the Federated
States of Micronesia, as amended by Public Law No. 7-122, is hereby
further amended to read as follows:

"Section 301. Appointment of National Election Officials.

(1) The President shall appoint one National Election
Director with the advice and consent of the Congress. The
National Election Director shall be a citizen of the
Federated States of Micronesia.

(2) The President shall appoint a national election
commissioner for each of the four States with the advice
and consent of the Congress. National election commissioners
shall not concurrently serve as State election commissioners;
provided, however, that if any current National election
commissioner is also serving as a State election commissioner,
he or she may continue to serve as National election
commissioner until such time as a new appointment by the
President becomes effective. Each national election
commissioner shall be a citizen of the State for which he
is appointed to serve as national election commissioner;
provided, that national election commissioners may be
appointed by the President for the national elections
occurring in March 1993, and special elections resulting
therefrom, and may serve without advice-and-consent
confirmation for those elections. All appointments made prior hereto shall expire 45 days after the effective date of this act, unless the names of said Commissioners are resubmitted to Congress and approved prior thereto."

Section 5. Title 9 of the Code of the Federated States of Micronesia is hereby further amended by adding a new section 302 to read as follows:

"Section 302. Powers and duties of the National Election Director. The National Election Director shall have responsibility for the overall supervision and administration of all National elections, and shall perform such duties as are prescribed by law, which include, but are not limited to the following:

(1) to supervise and direct the four national election commissioners in their administration of all national and special elections and performances of all duties pursuant to section 303 of chapter 3 of this title;

(2) to approve the appointment by the four national election commissioners of all election board members pursuant to section 303 of chapter 3 of this title;

(3) to request such reports from election board or national election commissioners as may be required by law or regulation or as the National Election Director may deem necessary;

(4) to review all nomination petitions received by
the four national election commissioners pursuant to section
303 of chapter 3 of this title;

(5) to maintain a national election register;

(6) to review and investigate all voting and
registration irregularities, and any other alleged
violations of this title;

(7) to implement rules and regulations for absentee
ballots for conduct of all national elections;

(8) to issue in accordance with chapter 1 of title
17 of this code regulations not inconsistent with law to
implement this title;

(9) to certify the results of all national elections;

(10) to rule on petitions for recount pursuant to
chapter 9 of this title; and

(11) to determine and prescribe forms of ballots and
the forms of all blanks, cards of instruction, pollbooks,
tally sheets, and all forms and blanks required by the
provisions of this title for use by candidates, boards,
committees, and voters, and supply the same to the national
election commissioners and boards of elections."

Section 6. Section 302 of title 9 of the Code of the Federated
States of Micronesia, as amended by Public Law No. 5-70, is hereby
further amended to read as follows:

"Section 303. Powers and duties of national election
commissioner. A national election commissioner shall have
responsibility for the overall supervision and
administration of the election within his State and shall
perform such duties as are prescribed by law, which
include, but are not limited to the following:

(1) to appoint all members of the several boards
of election in his or her State as provided for in this
title;

(2) to require such reports from the several boards
as may be required by law or regulation or as the national
election commissioner may deem necessary;

(3) to establish voting precincts within each
election district and designate appropriate polling places
within each voting precinct, upon recommendations of the
members of the board of election of the particular election
district;

(4) to receive nomination petitions;

(5) to list all candidates for election on the ballot
for each election district in alphabetical order;

(6) to register or cause to be registered all the
voters in his State and to maintain the General State
Register as provided in this title;

(7) to prepare from the General State Register a
registered voters list for each voting precinct prior to
any election;

(8) to promulgate in accordance with chapter 1 of
title 17 of this code local rules and regulations which
are consistent with rules and regulations promulgated by
the National Election Director pursuant to section 302 of
chapter 3 of this title; and
(9) to assist the National Election Director in
maintaining the national election register."

Section 7. Title 9 of the Code of the Federated States of
Micronesia is hereby further amended by adding a new section 306 to
read as follows:

"Section 306. National Election Register. The National
Election Director shall maintain a national election
register comprised of the updated General State Register
from each of the four States as provided for in section 304
of chapter 3 of this title."

Section 8. Section 401 of title 9 of the Code of the Federated
States of Micronesia is hereby amended to read as follows:

"Section 401. Creation, appointment, terms, and
qualifications of members. The national election
commissioner of each State, with the approval of the
National Election Director, shall appoint a board of
election for each election district on or before January
2nd of each election year whose members shall serve until
resignation or until their successors are appointed. The
members shall be citizens of the Federated States of
Micronesia registered to vote under the provisions of this
act and be of such numbers as are necessary to have at
least one board member present at each polling place. No
board member shall participate in an election campaign
during his appointment."

Section 9. Section 402 of title 9 of the Code of the Federated
States of Micronesia is hereby amended to read as follows:

"Section 402. Powers and duties. Each board of election
member shall have the following powers and duties:
(1) to perform all duties prescribed by law;
(2) to supervise and manage each polling place;
(3) to receive, preserve, and maintain ballot boxes,
locks, maps, cards of instructions, and other supplies and
equipment necessary to conduct the election;
(4) to give such instruction deemed necessary for the
orderly conduct of the election;
(5) to provide for the issuance of all notices and
publications concerning the election;
(6) to review and examine the sufficiency and
validity of nominating petitions and other documents where
the national election commissioner or National Election
Director designates the board to act in his stead;
(7) to receive and transmit all ballot boxes, locked
and sealed, to the national election commissioner;
(8) to receive, investigate, and decide complaints
concerning election irregularities and determine the
residence qualifications of voters, subject to review
according to chapter 9 of this title;

(9) to recommend to the national election
commissioner designation of appropriate polling places
within each voting precinct or election district, as may be
deemed suitable and convenient to the public;

(10) to perform such other duties as are prescribed by
law or rules issued by the national election commissioner
or National Election Director; and

(11) to register electors."

Section 10. Section 501 of title 9 of the Code of the Federated
States of Micronesia, as amended by Public Laws Nos. 5-70 and 5-96,
is hereby further amended to read as follows:

"Section 501. When required. New registration of voters
for election of Members of the Congress of the Federated
States of Micronesia shall not be required; provided, that
the following are complied with:

(1) that the General State Registers maintained
heretofore by the four national election commissioners of
Kosrae, Pohnpei, Chuuk, and Yap shall be used to
determine registered voters for the purpose of election of
Members-at-large therefrom; provided, that those voters
from Kosrae and Yap, whose names appear on their respective
registers, shall be entitled to also elect a Member of the
Congress for a two-year term;
(2) that for the purpose of election of Members
for two-year terms from Pohnpei and Chuuk, only those
registered voters of a municipality which has been
apportioned as part of a single-member congressional
district shall be entitled to elect one Member therefrom;

(3) that unregistered persons eligible to vote,
including those attaining legal voting age, shall be able
to register; and

(4) registration conducted under subsection (3) of
this section shall conform to sections 502 through 508 of
this title.”

Section 11. Section 502 of title 9 of the Code of the Federated
States of Micronesia is hereby amended to read as follows:

“Section 502. Eligibility to register, place of
registering and voting.

(1) Every citizen who has reached the age of eighteen
years, or who will have reached the age of eighteen years
on or before the date of the next election, and who has
resided in the Federated States of Micronesia for nine
months and in the congressional election district of
registration three months preceding the date of
registration, and who, except for the requirements of
registration, is otherwise entitled to vote may register to
vote in the State in which he resides.

(2) The national election commissioner of each State
shall designate such place or places within each election
district wherein registration of voters may be made.

(3) No person shall register to vote or vote as an
elector of any other precinct than that in which he
resides; provided, that where there is a mistake in placing
the name of the voter on the list of voters of a precinct,
in which he does not actually reside, such voter shall
nevertheless be allowed to vote therein, if otherwise
qualified; and the member of the board of election of the
particular election district and precinct where such voter
has voted shall notify the National election commissioner
of the affected State of the error in order that the name
of such voter may be placed on the next succeeding list of
voters of the precinct where he actually resides.

(4) If any person resides in more than one precinct,
he may choose which precinct as an elector of which he will
register, but he shall register as an elector of one
precinct only."

Section 12. Title 9 of the Code of the Federated States of
Micronesia is hereby further amended by adding a new section 509 to
read as follows:

"Section 509. National Election Register. All changes or
additions to the General State Register must also be made in
the National Election Register."

Section 13. Section 601 of title 9 of the Code of the Federated
States of Micronesia is hereby amended to read as follows:

"Section 601. Official ballots required - Specimen ballots

- Imitating.

(1) All elections held in accordance with the provisions of this title shall be held by official ballot only. An official ballot is a written or printed, or partly written and partly printed paper, designated as an official ballot and containing the names of persons to be voted for and the office to be filled, and issued by the National Election Director and the national election commissioner of each State. The National Election Director shall have printed two exact copies of each official ballot which is to be used in the general election, for each voting place, such copies to have printed thereon, in large bold letters, and with ink of a color plainly contrasting to the color of the paper used, the word 'Specimen.' Two copies of each such specimen ballot shall be forwarded to the national election commissioner of each State and the members of the board of election at the same time with the official ballots, and the member or members of the board of election shall post one of each such specimen ballot on either side of the entrance of the voting place or other places plainly in sight for the general public.

(2) Any person who knowingly, willfully, and unlawfully
prints, copies, imitates, or distributes, or causes to be
displayed, copied, imitated, or distributed any official
ballot or any document that is so substantially similar in
style or content to the official ballot as to cause the
likelihood of confusion with the official ballot without
the authorization of the national election commissioner or
the National Election Director is guilty of a national
crime and punishable by a fine of not more than $500."

Section 14. Section 603 of title 9 of the Code of the Federated
States of Micronesia, as amended by Public Law No. 5-70, is hereby
further amended to read as follows:

"Section 603. Printing and distributing.

(1) The ballots shall be printed by order of the
National Election Director at Government expense. Under
the direction of the National Election Director, the national
election commissioner shall deliver an adequate amount of
ballots to each election precinct.

(2) At least 35 days before the election the National
Election Director shall print a sample ballot and shall
forthwith submit copies of the same to the National Election
Commissioner for distribution to the members of the several
boards of election and to the several candidates at their
addresses as given on their nomination papers, and the
members of the boards shall post a copy of the same in a
conspicuous place in their office or a public place."
Section 15. Section 604 of title 9 of the Code of the Federated States of Micronesia, as amended by Public Law No. 5-70, is hereby further amended to read as follows:

"Section 604. Withdrawal of candidates.

(1) Any candidate may withdraw before an election by giving notice in writing to the member or members of the board of election, to the national election commissioner or to the National Election Director, whichever is more practical, in the election district or State in which such candidate was seeking nomination or election. If a candidate withdraws or dies after the printing of the ballots, the national election commissioner shall cause the name of the candidate so withdrawing, or the name of any candidate who has died, to be stricken from the ballots and in that regard, may require the services of the board of election of the district or precinct in which any person was a candidate and shall notify in writing such board of election of the withdrawal or death, whereupon notice thereof shall, before the opening of the polls on election day, be posted at the polling place.

(2) If a candidate withdraws his name later than 30 days before an election and the ballots are in the process of or have been printed, and it becomes necessary in the opinion of the National Election Director or national election commissioner or the board of election for a
reprinting of ballots or a striking out of the candidate’s
name by a reprint blockout, all expenses thereof, except in
case of a withdrawal necessitated for medical cause and so
certified by a physician, shall be a charge against the
withdrawing candidate and shall be paid by him within sixty
days after such withdrawal to the national election
commissioner. Monies so received shall be deposited in the
General Fund of the Federated States of Micronesia, as a
local revenue general realization, available for
appropriation by the Congress of the Federated States of
Micronesia.

(3) Any person who, directly or indirectly,
physically threatens or intimidates any candidate so as to
cause or attempt to cause the candidate to withdraw from an
election is guilty of a national offense and upon
conviction shall be fined not more than $2,000, or
imprisoned for not more than five years, or both."

Section 16. Section 606 of title 9 of the Code of the Federated
States of Micronesia, as amended by Public Law No. 5-70, is hereby
further amended to read as follows:

"Section 606. Packaging - Sealing - Record of distribution.
When printed, the ballots shall be fastened together in
blocks of 25 each in such manner that each ballot may be
detached and removed separately. They shall be forwarded
by the National Election Director to the national election
commissioner of each State who will forward them to the
member or members of the board of election in sealed
packages, which shall not be opened until the opening of
the polls. A record of the number of ballots sent to each
board of election member shall be kept by the national
election commissioner."

Section 17. Section 704 of title 9 of the Code of the Federated
States of Micronesia, as amended by Public Law No. 5-70, is hereby
further amended to read as follows:

"Section 704. Marking and return of ballot - Voting at
polls.

(1) The national election commissioner of each State
or the board of election, as the case may be, shall, at
least 30 days prior to an election, provide to any person
who may be entitled to vote by absentee ballot, and who
requests the same, an official ballot, a ballot envelope,
an affidavit prescribed by the national election
commissioner, and a covering reply envelope. If a request
for an absentee ballot is made 30 days or less prior to an
election, the national election commissioner or board shall
provide the materials to the person making the request as
soon as is practicable. The absentee voter shall mark the
ballot in the usual manner provided by law and in such
manner that no person can see or know how the ballot is
marked except as provided in section 702 of this title.
The absentee voter shall then deposit the ballot in the envelope and securely seal the same. The absentee voter shall then complete and execute the affidavit. The ballot envelope and the affidavit shall then be enclosed and sealed in the covering reply envelope and shall be mailed or delivered to reach the national election commissioner of the State issuing the absentee ballot not later than the established closing hour of the polls on the day of the election except as provided in section 702 of this title.

(2) It is unlawful for persons having voted an absentee ballot to cast a ballot at the polls on election day."

Section 18. Section 705 of title 9 of the Code of the Federated States of Micronesia is hereby amended to read as follows:

"Section 705. Disposition of ballots.

(1) Upon the receipt of the envelope marked 'Absentee ballot enclosed' within the period prescribed in section 704 of this title from any person voting under the provisions of this title, the national election commissioner, or his appointee, shall open it, remove the ballot envelope, and examine the statement as to its proper execution, the person's qualifications to register as an elector, and to vote. If the national election commissioner determines that the person is qualified to vote by absentee ballot, the ballot envelope shall be deposited unopened in a container retained for that
purpose. The container shall be securely sealed except for an opening sufficient to permit deposit of ballot envelopes and shall be marked with the name and official title of the National election commissioner or his appointee, and the words, 'This container holds absentee ballots and must be opened only pursuant to law.' The national election commissioner or his appointee shall safely keep each container in his office until the day of election and at such time he shall publicly open the container, extract and segregate the ballot envelopes, and deliver such envelopes to the counting and tabulation committee.

(2) In case the statement is found to be insufficient or in case the signatures do not correspond, or in case the voter has not complied with the requirements of section 704 of this title or is not a duly qualified elector or the ballot envelope is open or has been opened and resealed, the ballot envelope shall not be opened and the national election commissioner or his appointee shall mark across its face 'Rejected,' giving the reason therefor, and shall preserve the same in the manner provided by law.

(3) If the ballot is received after the time fixed in section 704 of this title, the ballot envelope shall be endorsed by the national election commissioner or his appointee for the period of time required for the preservation of ballots used at such election, and shall then, without being opened,
be destroyed in accordance with applicable law.

(4) If upon receiving the ballot envelope from the
national election commissioner or his appointee it is found
that the voter has already voted, the election inspectors
shall immediately cancel the ballot envelope and write
'Rejected' across its face, giving the reason therefor, and
shall preserve the same in the manner provided by law."

Section 19. Section 801 of title 9 of the Code of the Federated

States of Micronesia is hereby amended to read as follows:

"Section 801. Supervision of polling places. The National
Election Director or the national election commissioner of
each State shall ensure that polling places are supervised
by the board of election and such other officials as the
National Election Director or the national election
commissioner shall deem necessary, who must be present at
the designated polling places during the election. Public
schools and other public places shall be utilized insofar
as practicable as polling places. Rent shall not be
charged or paid for the use thereof."

Section 20. Section 804 of title 9 of the Code of the Federated
States of Micronesia is hereby amended to read as follows:

"Section 804. Checking of register. Any person appearing
in the polling place shall report his name in full and his
address to the election officials. An election official
shall then check the register of voters as to whether or
not the person appearing is a registered voter and if so,
shall announce the name and address appearing in the
register. At this point a challenge may be interposed on
the grounds that the ballot is subject to challenge under
law or rules or regulations issued by the national
election commissioner or the National Election Director.
Voting shall then proceed in accordance with procedures
prescribed by the national election commissioner; however,
all voting shall be by secret ballot."

Section 21. Section 807 of title 9 of the Code of the Federated
States of Micronesia, as amended by Public Law No. 5-70, is hereby
further amended to read as follows:

"Section 807. Election irregularities. Any person may
file an oral or written complaint of any election
irregularity with a member of the board of election present
at the polling place. The board member shall give any
individual against whom the complaint is made time to
present witnesses and an explanation, if any, but in no
event shall time be granted so as to prevent the board of
election from making a decision prior to the time for the
closing of the polls. The complainant, or the individual
against whom the complaint is made, may appeal the decision
to the national election commissioner of the State
concerned or his designated representative. The national
election commissioner, or his said representative, shall,
as soon as possible, examine the findings of the board of
election and may hear witnesses, if he deems necessary.
The national election commissioner, or his representative,
shall make his decision prior to the time of the closing of
the polls or as soon as practicable, and the aggrieved
party may appeal the decision in accordance with section
903 of this title. In the event the decision of the
national election commissioner, or his designated
representative, cannot be obtained as heretofore provided,
the aggrieved party may file a petition with the National
Election Director prior to certification of the results of
the election or within 1 week of the election, whichever
occurs first. A candidate may appeal a decision of the
National Election Director or national election commissioner
or of the election board in accordance with section 903 of
this title."

Section 22. Section 810 of title 9 of the Code of the Federated
States of Micronesia is hereby amended to read as follows:

"Section 810. Certification of election results. Upon
completion of the counting and tabulation of election
results by the national election commissioners, the National
Election Director shall certify the results and shall declare
as the winning candidates for the Congress of the Federated
States of Micronesia from each election district the candidates
receiving the plurality of votes cast in each election."
Section 23. Section 811 of title 9 of the Code of the Federated States of Micronesia is hereby amended to read as follows:

"Section 811. Resolution of ties. After all votes have been tabulated by the national election commissioner and his or her designees and certified to by the national election commissioner of the State concerned, if two or more candidates shall have received an equal number of votes, such tie shall be resolved by a runoff election between those candidates held within thirty days. The candidate receiving the plurality of votes in the runoff shall be declared the winner, and the result shall be certified under the procedures of section 810 of this title."

Section 24. Section 812 of title 9 of the Code of the Federated States of Micronesia is hereby amended to read as follows:

"Section 812. Local counting and tabulating committee. In precincts or other areas where the national election commissioner of the State concerned deems it impracticable that ballot boxes be delivered to a central place for counting and tabulating, the national election commissioner shall appoint a local committee to count, tabulate, certify, and report votes in such manner and according to such rules as the national election commissioner and the National Election Director shall establish."

Section 25. Section 901 of title 9 of the Code of the Federated States of Micronesia, as amended by Public Law No. 5-70, is hereby
further amended to read as follows:

"Section 901. Petition for recount."

(1) A petition for recount may be filed by any candidate in an election who believes that there was fraud or error committed in the casting, canvassing, or return of the votes cast at said election. The petition shall be filed with the National Election Director. Such petition shall contain a statement that the petitioner has reason to believe and does believe that the records or copies of records made by the board of election of such district are erroneous, specifying wherein he or she deems such records or copies thereof to be in error, or that votes were cast by persons not entitled to vote therein, and that he or she believes that a recount of the ballots cast in the district will affect the election of one or more candidates voted for at such election.

(2) A petition for a recount must be granted if the difference between the number of votes cast for the winning candidate and the next highest candidate is one-half of one percent or less of the total votes cast for all of the candidates for that particular seat."

Section 26. Section 902 of title 9 of the Code of the Federated States of Micronesia, as amended by Public Law No. 5-70, is hereby further amended to read as follows:

"Section 902. Filing timeframes. A petition for a recount
must be filed within 1 week of certification of the results
of the election. Any other petition challenging the
acceptability of a vote or votes must be filed prior to
certification of the results of the election or within 1 week
of the election, whichever occurs first. The winning
candidate shall have 1 week to respond to the petition. The
National Election Director shall then have 10 days to decide
whether to approve the petition. If the National Election
Director decides not to approve the petition, he shall record
the reasons for such decision."

Section 27. Section 903 of title 9 of the Code of the Federated
States of Micronesia, as amended by Public Law No. 5-70, is hereby
further amended to read as follows:

"Section 903. Denial of petition – Appeal to Supreme Court.
(1) The aggrieved candidate may, within five days after
receipt of the decision of the National Election Director,
appeal his case to the Appellate Division of the Supreme
Court. The Appellate Division of the Supreme Court shall
review the appeal to determine if the decision by the
National Election Director was:
(a) Arbitrary, capricious, an abuse of discretion,
or otherwise not in accordance with law;
(b) In excess of statutory jurisdiction, authority,
or limitations, or a denial of legal rights;
(c) Without substantial compliance with the
procedures required by law; or

(d) Unwarranted by the facts.

If the decision is in favor of a recount, the National
Election Director shall be so notified and shall proceed
as provided in sections 904 and 905 of this title.

(2) Appeals may be had in the manner prescribed in
section 902 and subsection (1) of this section from any
decision of the National Election Director with respect to
a challenge affecting the acceptability of a vote or votes.
A petition under this section for appeal shall contain the
information specified in section 901 of this title for a
petition for a recount. A decision of the Appellate
Division of the Supreme Court in favor of the petitioner may
have the effect of disallowing the challenged votes but shall
not halt or delay balloting or counting and tabulating."

Section 28. Section 904 of title 9 of the Code of the Federated
States of Micronesia, as amended by Public Law No. 5-70, is hereby
further amended to read as follows:

"Section 904. Approval of petition - Notice of recount. If
the National Election Director determines that there is a
substantial question of fraud or error and that there is a
substantial possibility that the outcome of the election
would be affected by a recount, he or she shall cause
notice of the recount to be given in an appropriate manner."

Section 29. Section 905 of title 9 of the Code of the Federated
States of Micronesia is hereby amended to read as follows:

"Section 905. Recount by counting and tabulating committee.

The recount shall be held by the counting and tabulating committee within ten days after the decision of the National Election Director. The counting and tabulating committee shall make certificates of such determination under oath showing the result of the election and what persons were declared elected to fill office, one of which shall be filed with the National Election Director, one with each board of election concerned, and one with the person filing the petition for recount. The person receiving the greatest number of votes shall be deemed to have been elected, but if two or more candidates shall receive an equal number of votes for the office, the tie vote shall be resolved in accordance with section 811 of this title."

Section 30. Sections 110, 303 and 304 of title 9 of the Code of the Federated States of Micronesia are hereby renumbered as sections 109, 304 and 305, respectively.
Section 31. This act shall become law upon approval by the President of the Federated States of Micronesia or upon its becoming law without such approval.

_________________________, 1994

Bailey Olter
President
Federated States of Micronesia