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## CHAPTER 1

## General Provisions

## Sections:

- § 101. General elections—When held.
- § 102. Vacancies—Special election.
- § 103. Election to be by secret ballot.
- § 104. Intimidating or bribing voter.
- § 105. Affidavits to be sworn.
- § 106. Expenses.
- § 107. Use of Government facilities prohibited.
- § 108. Prohibited acts.

§ 101. **General elections — When held.** — All general elections for Members of the Congress of the Federated States of Micronesia shall be held biennially in each odd-numbered year on the first Tuesday following the first Monday in March. Accordingly, the second general election for Members of the Congress of the Federated States of Micronesia shall be held Tuesday, March 3, 1981, and all provisions, except section 15, of Public Law No. IC-1, as amended by Public Law No. IC-24 and Public Law No. 1-1 which pertain to the election of Members of the First Congress of the Federated States of Micronesia shall pertain as well to the election of the Members of the Second Congress of the Federated States of Micronesia; provided, that in the event of a natural disaster or other act of God, the effect of which precludes holding the election on the foregoing date, the President of the Federated States of Micronesia may proclaim a later election in the affected State or congressional district or districts. (PL IC-1 § 6; PL 1-144 § 1)

§ 102. **Vacancies — Special election.**

(1) After the election of the President and Vice President, vacancies shall be declared for the seats to which the President and Vice President were originally elected as at-large Members of the Congress of the Federated States of Micronesia. Upon notification by the Presiding Officer of the Congress of the Federated States of Micronesia, the election commissioners of the States so affected shall conduct special elections, thirty days after the vacancies are declared, to fill the vacancies. The nomination procedure for filling subject vacancies shall follow substantially the procedure as set forth in section 202 of this title, as amended; provided, however, that the name of any candidate for such special elections shall be printed on an official ballot to be used for choosing candidates only if, at least

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fourteen days prior to such special elections, a nomination petition shall have been filed in the Office of the Election Commissioners of the States in which vacancies had occurred.

(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 same qualifications as the person he succeeds, and shall serve only for the unexpired term. (PL IC-1 § 13; PL IC-24 § 2; PL 1-1 § 1)

**Editor's Note:** Portions of this section were deleted from the 1982 edition of the Federated States of Micronesia Code as they dealt with specific elections.

§ 103. **Election to be by secret ballot.** — All elections for Members of the Congress of the Federated States of Micronesia shall be by secret ballot. (PL IC-1 § 4)

§ 104. **Intimidating or bribing voter.** — Every person who shall, directly or indirectly, in any manner

(1) intimidate or threaten a voter in order to induce or compel him to vote or refrain from voting at any election, or to vote or refrain from voting for any particular person at any election or

(2) bribe or attempt to bribe any voter in giving his vote, or to deter him from giving it,

shall be fined not more than \$1,000, or imprisoned for not more than one year, or both. Each intimidation, threat, or bribe shall constitute a separate offense. (PL 4C-26 § 1; Code 1980 43 TTC 10)

§ 105. **Affidavits to be sworn.** — The affidavits required pursuant to this title shall be sworn to before any officer or person authorized by law to administer oaths. (Code 1966 § 83; PL 4-12 § 23; Code 1970 43 TTC 8; Code 1980 43 TTC 8)

**Cross-references:** For provisions on the authority of Clerks of Court to administer oaths, see title 4 § 118 and title 5 § 545 of this code; for provisions on notaries public, see title 32 chapter 4 of this code.

§ 106. **Expenses.** — All expenses, including expenses attributable to registration of voters pursuant to section 506 of this title, for elections conducted in accordance with the provisions of this title in any administrative district shall be borne by the Trust Territory Government. (Code 1966 § 89; PL 4-12 § 26; Code 1970 43 TTC 6; Code 1980 43 TTC 6)

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§ 107. **Use of Government facilities prohibited.** — No Government facilities other than broadcast facilities may be made available to candidates. (Code 1966, § 75; Code 1970 43 TTC 7; PL 6-104 § 1; Code 1980 43 TTC 7(2)).

**Cross-reference:** For provisions on candidates' use of broadcast facilities, see title 21 chapter 3 of this code.

§ 108. **Prohibited acts.** — Any person who violates any of the provisions of this title or any rules or regulations promulgated pursuant thereto, for which a penalty is not otherwise provided, who votes or attempts to vote more than one time, or interferes with the orderly process of the election, shall be punished by a fine not to exceed \$500, or imprisonment for not more than one year, or both. (Code 1966 § 90; PL 4-12 § 27; Code 1970 43 TTC 9; PL 4C-26 § 3; Code 1980 43 TTC 9)

## CHAPTER 2

### Candidates

#### Sections:

- § 201. Qualifications of Senators.
- § 202. Nomination by petition.
- § 203. Nomination by political parties.
- § 204. Placing candidate's name on ballot.
- § 205. Time of filing papers; Fee.
- § 206. Candidacy of Government officers and employees.
- § 207. Withdrawal of candidates.
- § 208. Substitute candidates: Amendment of ballots.

§ 201. **Qualifications of Senators.** — To be eligible for election as a Member of the Congress of the Federated States of Micronesia, a person shall:

(1) have attained the age of thirty years on the day of the election;

(2) be a bona fide resident for at least five years of the State from which he is elected;

(3) be a citizen of the Federated States of Micronesia for at least fifteen years. (For the purpose of this subsection, and as provided by article III, section I, of the Constitution of the Federated States of Micronesia, a citizen of the Federated States of Micronesia is a person who has been a citizen of the Trust Territory of the Pacific Islands immediately prior to the effective date of the Constitution and a domiciliary of a State or district ratifying the Constitution of the Federated States of Micronesia.);

(4) not be under a judgment of mental incompetency or insanity; and

(5) not have been convicted of a felony by a State or National Court of the Federated States of Micronesia or its predecessor Government of the Trust Territory of the Pacific Islands. (PL IC-1 § 8)

§ 202. **Nomination by petition.** — Nomination of candidates may be made by petition initiated by a candidate or by any five qualified registered voters to vote for an at-large candidate or a candidate in a single-member congressional district and authorized by such candidate to so initiate a petition; provided that said nomination petition shall specify whether the candidate is seeking a four-year or a two-year term of membership of the Congress. The name of any candidate for election shall be printed on an official ballot to be used for choosing candidates only if, at least thirty days prior to such election, a nomination paper shall have been filed in the Office of the Election Commissioner of the State concerned and signed by at least twenty-five qualified voters of the State or single-member congressional district wherein he seeks election, as the case may be. There shall be deposited with the nomination paper a filing fee of ten dollars, which shall be paid over to the General Fund of the Interim Congress of the Federated States of Micronesia or its successor as a local revenue available for appropriation by the Congress. The ballots for election shall be in substantially the same form as those for the general election for Members of the Congress of Micronesia. The election commissioner shall, upon receipt of the nomination paper, endorse thereon the day, hour, and minute that such nomination paper is received. (PL IC-1 § 10)

**Cross-reference:** For provisions on the form of ballots for congressional elections, see sections 601 and 602 of this title.

§ 203. **Nomination by political parties.**

(1) Political parties having at least fifty members who are registered to vote under the provisions of this title in the administrative district in which the political party is seeking registration and which are registered as such with the election commissioner at least seven days before the termination date set for filing nomination, may nominate candidates for office; provided, however, that no political party shall nominate more than one candidate for any one political office.

(2) Political parties may withdraw the names of their nominees in the same manner that a candidate may withdraw his name under section 604 of this title.

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(3) Nominations of political parties shall be submitted to the election commissioner in writing and attested by at least two officers of the party. (Code 1966 § 70; PL 4-12 § 16(a)(2); Code 1970 43 TTC 104; Code 1980 43 TTC 104)

**§ 204. Placing candidate's name on ballot.** — The elec-  
tion commissioner shall examine the nomination papers of all  
candidates and political parties and investigate all candidates to  
ensure that all the qualifications of office have been met. If a  
prospective candidate has not met the qualifications of office as  
specified in section 201 of this title, if seeking membership in  
the Congress of the Federated States of Micronesia, or in any  
other law or ordinance of the Trust Territory, pertaining to  
qualifications for such office sought, then the name of the can-  
didate shall not be placed on the ballot. All signatures on the  
nomination papers shall be verified. All nomination papers shall  
be reviewed by the election commissioner and if not in order,  
the nomination papers shall be rejected. (Code 1966 § 70; PL  
4-12 § 16(b); Code 1970 43 TTC 105; PL 6-104 § 3; Code 1980  
43 TTC 105)

**Editor's Note:** In previous editions, this section referred to former 43 TTC 101,  
which prescribed the qualifications of membership in the Congress of Micronesia. The  
reference has been changed to the Congress of the Federated States of Micronesia  
and to section 201 of this title, which prescribes the qualifications of membership  
therein.

**§ 205. Time of filing papers; Fee.** — Nomination papers  
shall be filed as follows:

(1) Filing shall be not more than one hundred eighty  
days nor less than sixty days prior to the day for holding the  
election except as provided in section 208 of this title.

(2) There shall be deposited with each nomination for  
Congress a fee of ten dollars. The election commissioner shall  
pay over all such nomination fees to the treasurer of the Trust  
Territory as a local revenue general realization, available for  
appropriation by the Congress of Micronesia.

(3) Upon the receipt at the Office of the Election Com-  
missioner or appointee or appointees of a nomination of a  
candidate, the day, hour, and minute when it was received shall  
be endorsed thereon. (Code 1966 § 70; PL 4-12 § 16(c); Code  
1970 43 TTC 106; PL 6-104 § 4; Code 1980 43 TTC 106)

**§ 206. Candidacy of Government officers and em-  
ployees.**

(1) Any person employed by any branch of the Govern-  
ment of the Trust Territory, or any political subdivision  
thereof, shall be accorded leave without pay, for a period not to

exceed thirty days prior to and including the day of the election, for the purpose of seeking election to the Congress. If any such person is elected, he shall resign from his employment with the Government of the Trust Territory, or any political subdivision thereof, prior to the date upon which his term of office commences.

(2) No person serving as a member of a legislative body of any political subdivision of the Government of the Trust Territory shall be eligible, while so serving, to serve as a Member of the Congress of Micronesia.

(3) No Member of the Congress shall receive any compensation, other than that provided for in this chapter, from the Government of the Trust Territory or any political subdivision thereof. (Code 1970 2 TTC 107)

Editor's Note: Based on Department of Interior Order No. 2918, December 27, 1968, part III, section 10.

§ 207. **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 or to the election commissioner, whichever is more practical, in the election district or administrative district in which such candidate was seeking nomination or election. If a candidate withdraws or dies after the printing of the ballots, the election commissioner shall cause the name of the candidate so withdrawing or the name of any candidate who may have died to be stricken from the ballots and, in that regard, may require the services of the election board of the district or precinct in which any person was a candidate and shall notify in writing such election board 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 twelve 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 election commissioner or the election board for a reprinting of the ballots or a striking out of a candidate's name by a reprint block-out, 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 election commissioner. Moneys so received shall be deposited into the Trust Territory Treasury, as a local revenue general realization, available for appropriation by the Congress of Micronesia.

(3) Any person who shall, directly or indirectly,

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physically threaten or intimidate any candidate so as to cause or attempt to cause the candidate to withdraw from an election shall upon conviction be fined not more than \$2,000, or imprisoned for not more than five years, or both. (Code 1966 § 66; Code 1970 43 TTC 304; PL 4C-26 § 2; Code 1980 43 TTC 304)

**§ 208. Substitute candidates; Amendment of ballots.**

(1) In the case of the death, withdrawal, or disqualification of candidates after the deadline for filing nominations, substitute candidates may be nominated prior to ten days before the date of an election. A person nominated as a substitute for a candidate nominated by petition must be nominated by petition in the same manner as the candidate who has died, withdrawn, or been disqualified. A substitute candidate nominated by a political party must be nominated by the same political party which nominated the candidate for whom he is a substitute.

(2) The election commissioner in the case of any substitute candidate filling a vacancy caused by death, withdrawal, or disqualification of a candidate shall cause the name of any substitute candidate to be placed upon the proper ballots by reprinting, overprinting, or through the use of stamps or such other means as the election commissioner may deem satisfactory for the purpose and may require the services of members of the election board who may be in the election district or precinct in which such a person is a candidate. The election board shall post a notice at the polling place of the name and office sought by any such substitute candidate. (Code 1966 § 67; PL 4-12 § 15 Code 1970 43 TTC 305; Code 1980 43 TTC 305)

CHAPTER 3

Election Commissioner

Sections:

§ 301. Appointment; Designation as chief election official.

§ 302. Powers and duties.

§ 301. Appointment; Designation as chief election official.

(1) The Governors of Kosrae, Truk, Yap, and Ponape, or their designees, are hereby designated as election commissioners



for their respective states and shall assume all powers and perform the duties of election commissioners as prescribed in this chapter, for the purpose of carrying out the intent and purpose of this title.

(2) The election commissioner shall be the chief election officer of the administrative district wherein he resides, with such powers and duties relating to the registration of voters and the conduct of the election as prescribed in this title. (Code 1966 § 52; Code 1970 43 TTC 151; PL IC-1 § 9; Code 1980 43 TTC 151)

Editor's Note: Former 43 TTC 151(1) was not repealed by PL IC-1. It states: "The district administrator of each administrative district is hereby appointed as the election commissioner of that district."

§ 302. Powers and duties. — Without additional compensation, the election commissioner shall have the overall supervision and administration of the election and shall perform such duties as are prescribed by law, which shall include, but not be limited to the following:

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

(2) to prescribe and promulgate rules, regulations, and instructions, including rules, regulations, and instructions for absentee ballots, for the conduct of the election;

(3) to determine, and prescribe forms of ballots and the forms of all blanks, cards of instructions, 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 boards of election;

(4) to require such reports from the several boards as may be required by law or regulation or as he may deem necessary;

(5) to review and examine voting irregularities or violation of any election laws in accordance with the provisions of chapter 6 of this title;

(6) 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;

(7) to receive nomination petitions and list of all candidates for election in alphabetical order on the ballots for each election district;

(8) to register or cause to be registered all the voters in his administrative district and to maintain the general district register as provided in this title; and

(9) to prepare from the general district register a registered

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## CHAPTER 4

### Election Boards

Sections:

- § 401. Appointment, terms, and qualifications of members.
- § 402. Powers and duties.

**§ 401. Appointment, terms, and qualifications of members.** — The election commissioner shall appoint a board of election for each election district on or before November 1st of each election year whose members shall serve until resignation or until their successors are appointed. The members shall be citizens of the Trust Territory registered to vote under the provisions of this title 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. (Code 1966 § 53; PL 4-12 § 5; Code 1970 43 TTC 201; Code 1980 43 TTC 201)

**§ 402. Powers and duties.** — Each board of election member shall have the powers and duties as follows:

- (1) to perform all duties prescribed by laws;
- (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 election commissioner designates the board to act in his stead;
- (7) to receive and transmit all ballot boxes, locked and sealed, to the election commissioner;
- (8) to receive, investigate, and decide complaints concerning election irregularities and determine the residence qualifications of voters, subject to review according to section 619 of this title;
- (9) to recommend to the 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 election commissioner; and

(11) to register electors. (Code 1966 § 54; PL 4-12 § 6; Code 1970 43 TTC 202; Code 1980 43 TTC 202)

CHAPTER 5

Franchise and Voter Registration

Sections:

- § 501. Eligible voters.
- § 502. Eligibility to register: Place of registering and voting.
- § 503. Official register—Maintenance: Form: Public inspection.
- § 504. Official register—Striking names of disqualified voters.
- § 505. Registration required for voting.
- § 506. Application for registration: Affidavit.
- § 507. Submission of affidavit to examiner of qualifications.
- § 508. Entry of a voter's name in the general district register—Filing of affidavits.
- § 509. Reregistration.
- § 510. Voters at previous elections deemed registered.
- § 511. Registration of voters.
- § 512. Exception to requirement.

§ 501. **Eligible voters.** — Every citizen of the Trust Territory of the Pacific Islands is eligible to vote for Members of the First Congress of the Federated States of Micronesia, if he has fulfilled the following requirements:

- (1) be eighteen years of age or older on the day of the election;
- (2) be a bona fide resident or domiciliary of the State of Kosrae, Ponape, Truk, 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; and
- (4) is not currently under parole, probation, or sentence for any felony for which he has been convicted by any court of the Trust Territory or any court within the jurisdiction of the United States. (PL IC-1 § 2)

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§ 502. Eligibility to register; Place of registering and voting.

(1) Every person 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 Trust Territory for nine months and in the representative district of registration three months preceding the date of registration, and who, except for the requirement of registration, is otherwise entitled to vote may register to vote in the administrative district in which he resides.

(2) The election commissioner 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 voters 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 election commissioner 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. (Code 1966 § 56; PL 4-12 § 8; Code 1970 43 TTC 251; Code 1980 43 TTC 251)

§ 503. Official register - Maintenance; Form; Public inspection. - The election commissioner of each administrative district shall register or cause to be registered all voters in his administrative district in the general district register. The register shall consist of one or more volumes for each election district with a general alphabetical index of the voters. The general district register shall be divided into as many parts as there are election precincts in the election districts in the administrative district and shall have an index of precincts. The general district register shall be maintained by the election commissioner and shall, at all times during business hours, be open to public inspection, and shall be a public record. The register shall be ruled and printed in such forms as the election commissioner of each administrative district may direct. The complete general district register shall be published and made available for public inspection at least sixty days prior to any election.

(Code 1966 § 55; PL 4-12 § 7; Code 1970 43 TTC 153; PL 6-104 § 5; Code 1980 43 TTC 153)

**§ 504. Official register – Striking names of disqualified voters.**

(1) The election commissioner shall ascertain, not less than six months before each election, from the department of public health, or any informing department, information of the death, adjudication of insanity or feeble-mindedness, loss of citizenship, or any other disqualification to vote, of any person registered to vote in each of his election districts or who he has reason to believe may be registered to vote therein. He shall thereupon make such investigation as he may deem necessary to prove or disprove such information, giving the person concerned, if available, notice and an opportunity to be heard. If after such investigation he finds that such person is dead, incompetent, has lost his citizenship, or is disqualified for any reason to vote, he shall strike or direct that the name of such person be stricken from the official registry.

(2) The election commissioner shall make and keep an index of all information furnished to him under any requirements of law concerning any of the matters mentioned in this section and shall provide any person authorized to receive affidavits on application for registration with any information the latter may need to ascertain whether or not any applicant is in any manner disqualified to vote.

(3) Any person whose name is stricken from the register of voters under this title may appeal in the manner provided by subchapter IV of chapter 6 of this title. (Code 1966 § 62; Code 1970 43 TTC 154; Code 1980 43 TTC 154)

**Editor's Note:** In the 1970 and 1980 editions of the Trust Territory Code, the phrase "in his district" was substituted by the editor for the phrase "in each of his election districts," which had been contained in the 1966 edition. The text of the 1966 edition has been restored in this edition.

**§ 505. Registration required for voting. –** No person shall be entitled to vote in any election for Members of the Congress of Micronesia, or to be listed upon any general district register, or upon any precinct list, who fails to register with the formalities and subject to the restrictions and qualifications required by this title. (Code 1966 § 57; PL 4-12; Code 1970 43 TTC 252; Code 1980 43 TTC 252)

**§ 506. Application for registration; Affidavit.**

(1) Any person qualified to and desiring to register as a voter in any election district, may present himself at any time

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during business hours to any of the members of the election board (herein empowered and authorized to administer oaths and take acknowledgments) or persons authorized by law to administer oaths, then and there to be examined under oath as to his qualification as an elector. Each applicant shall make and subscribe to an application in substantially the following form:

AFFIDAVIT ON APPLICATION FOR REGISTRATION

Trust Territory )  
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..... District )

1. My full name is .....
2. I was born at ..... on the ..... day of ..... in the year .....
3. My age is ..... 4. I live at .....
5. My occupation is .....
6. I am a citizen and resident of the Trust Territory.
7. I was naturalized as a citizen of the Trust Territory at ..... District on the ..... day of ..... 19.....
8. I have resided in the Trust Territory not less than nine months, and in Representative District No. .... not less than three months, immediately preceding this date on which I now offer to register, to wit, the ..... date of ..... 19.....
9. I am not currently under parole, probation, or sentence for any felony for which I have been convicted by any court of the Trust Territory or any court within the jurisdiction of the United States.
10. I am not currently under a judgment of mental incompetency or insanity.
11. I solemnly swear that the foregoing statements are true, so help me God.

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

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

1966 § 58; PL 4-12 9A; Code 1970 43 TTC 253; Code 1980 43 TTC 253)

**§ 507. Submission of affidavit to examiner of qualifications.** — Every affidavit on application for registration shall be submitted to the persons authorized to examine the qualifications of electors in section 503 of this chapter, not less than ninety days before an election. (Code 1966 § 59; PL 4-12 § 10; Code 1970 43 TTC 254; PL 6-104 § 6; Code 1980 43 TTC 254)

**§ 508. Entry of a voter's name in the general district register — Filing of affidavits.**

(1) If the person authorized to receive an affidavit of application for registration is satisfied that the applicant is entitled to be registered as a voter, he shall number the affidavit consecutively as approved by him, and shall transmit the affidavit to the election commissioner. The election commissioner shall thereupon enter or cause to be entered in the general district register the following facts:

- (a) number of affidavit;
- (b) date of registration;
- (c) name of applicant in full;
- (d) occupation of applicant;
- (e) age of applicant;
- (f) if naturalized, the date of such naturalization;
- (g) residence of applicant; and,
- (h) any other information which the election commissioner may deem necessary.

(2) The election commissioner shall also forthwith enter or cause to be entered the name so registered in its proper place in the general alphabetical index, together with a reference to the page on which the registration appears. A voter having once been registered shall not be required to register again for any succeeding election, except in case of change of name or residence as specified in section 507 of this chapter or intervening disqualification as specified in section 504 of this title; provided, that in the event the voting records are destroyed or lost, the election commissioner may require the reregistration of voters.

(3) The election commissioner shall file the accepted affidavits in consecutive numbers, and keep the same in some convenient place so as to be open to public inspection and examination. (Code 1966 § 60; PL 4-12 § 11; Code 1970 43 TTC 255; Code 1980 43 TTC 255)

**§ 509. Reregistration.** — Any voter who changes his

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for who changes his

residence from one voting precinct to another, or who changes his name, after registration in any general district register, may register again in such general district register under the proper voting precinct or the proper name and the election commissioner or his authorized representative shall cancel the former registration by drawing one or more lines through the name of such voter as previously registered and enter or cause to be entered his own signature and the date of such cancellation with ink on the same line; provided that no such registration shall be allowed on account of any change of residence or name made within ninety days before an election. (Code 1966 § 61; PL 4-12 § 12; Code 1970 43 TTC 256; PL 6-104 § 7; Code 1980 43 TTC 256)

**§ 510. Voters at previous elections deemed registered.**

— Notwithstanding any requirements of registration provided by this title, all voters who registered and voted in the first election of the Members of the Congress of Micronesia held before, on or after January 19, 1965, shall not be required to register again except where reregistration has become necessitated because of change of name or residency and except where disqualifications enumerated by section 504 of this title have intervened; provided that in the event voting records have been destroyed or lost, the election commissioner may require reregistration of voters. (Code 1966 § 63; PL 4-12 § 12A; Code 1970 43 TTC 257; Code 1980 43 TTC 257)

**Cross-reference:** For provisions on new registration of voters see section 511 of this chapter.

**§ 511. Registration of voters.** — New registration of voters for the election of Members of the First Congress of the Federated States of Micronesia shall not be required; provided the following are complied with:

(1) that the general district registers maintained heretofore by the election commissioners of Kosrae, Ponape, Truk, and Yap shall be used to determine registered voters for the purpose of election of at-large Members therefrom; provided that those voters from Kosrae and Yap, whose names appear on their respective general district registers, shall be entitled to also elect a Member of the Congress for a two-year term; and

(2) that for the purpose of election of Members for two-year terms from Ponape and Truk, 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. (PL IC-1 § 3)

**Cross-reference:** For provisions on registration of persons voting at previous elections, see section 510 of this chapter.



§ 512. **Exception to requirement.** — No registration in person shall be required of a full-time student at any institution of learning, but such person shall make and subscribe to an affidavit substantially similar to the form set forth in section 506 of this chapter and as the election commissioner may prescribe, to establish fully such person's right to vote. Any duly qualified elector may challenge the acceptance of the voted ballot at the time of casting of the ballot under the provisions provided by law. (Code 1966 § 82; Code 1970 43 TTC 258; Code 1980.43 TTC 258)

§ 641.  
§ 642  
§ 643  
§ 644  
§ 645  
§ 646  
§ 647  
§ 648  
§ 649

CHAPTER 6

Procedure

Sections:

§ 65  
§ 65.  
§ 65.

Subchapter I

*Ballots*

- § 611. Official ballots required—Specimen ballots—Imitating.
- § 612. Contents.
- § 613. Printing and distributing.
- § 614. Packaging—Sealing—Record of distribution.

§ 65  
§ 65  
§ 66

Subchapter II

*Absentee Voting*

- § 621. Absentee voters—Eligibility; Absentee ballot.
- § 622. Voting by confined persons.
- § 623. Request for absentee ballot.
- § 624. Marking and return of absentee ballot; Voting at polls.
- § 625. Disposition of absentee ballots.
- § 626. Voting at another polling place.

§ 61  
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Subchapter III

*Conduct of Voting*

- § 631. Supervision of polling places.
- § 632. Equipping and supplying polling places.
- § 633. Opening and closing of polls.
- § 634. Checking of register.
- § 635. Spoiled ballot.
- § 636. Campaigning restrictions.
- § 637. Poll watchers.
- § 638. Election irregularities.
- § 639. Disposition of ballot boxes after completion of voting.