

AN ACT

To amend Truk State Law No. 27-1-6, and for other purposes.

Be it enacted by the Legislature of Truk State.

Section 1. Section 5 of Truk State Law No. 27-1-6 is hereby amended to read as follows:

"Section 5. Municipal Election. Notwithstanding any municipal charter or municipal ordinance to the contrary, the Election Commissioner shall have overall authority and responsibility for the conduct of all municipal elections, the registration of all voters, the tabulations of all votes, and the announcement of the official results of all state and municipal elections in the same manner as provided for state elections in accordance with this act and the rules and regulations promulgated thereunder. If a municipal charter or municipal ordinance is contrary to, inconsistent with, or incompatible with this act or its rules and regulations, the state law shall prevail and be controlling. Provided, that if there is no applicable municipal charter or municipal ordinance provision governing any municipal election or to the extent that such municipal charter or ordinance does not fully provide for the conduct of such election, the registration of voters, the tabulation of votes, or the announcement of official results, the Election Commissioner shall formulate regulations to govern such election which shall be substantially similar to the provisions of this act with due recognition for local conditions, and which regulations shall have the force and effect of law."

Section 2. Section 35 of Truk State Law No. 27-1-6 is hereby amended to read as follows:

"Section 35. Absentee Voter Defined-Absentee Ballot.

1) Any registered voter qualified to vote at any general or special election shall be entitled and enabled to vote by absentee if:

(a) He is confined to his home or hospital by reason of such illness or physical disability as will prevent him from attending the polls; or

(b) he is prevented from voting by reason of being at sea or absent from Truk State or in the case of municipal election absent from the municipality.

2) An absentee ballot is an official ballot which is authorized by this act to be voted outside of any designated polling place or prior to the date of the election."

Section 3. Section 40 of Truk State Law No. 27-1-6 is hereby amended to read as follows:

"Section 40. Voting At Another Polling Place.

1) A voter in a state or municipal election shall have the right to vote on election day at a polling place other than the polling place at which he is legally registered to vote, even a place outside his registered municipality, if the following conditions are met:

(a) He is lawfully registered to vote in his representative or election district; and

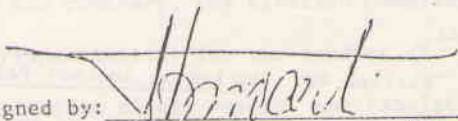
(b) he notifies the Election Commissioner in writing at least seven days before the election that he will not be voting in his proper voting place and that he requests to vote at a specific voting place.


2) Upon receipt of a voter's request for a change in polling place, and no later than five days from such receipt if request is made seven days before the election, the Election Commissioner shall immediately assign and notify the voter by any means of communication, including the use of radio as to the place where the voter may vote. Upon such notification, voter shall be permitted to vote only at that polling place.

3) The Election Commissioner shall cause a mark to be place next to the name of the voter in that part of the general district register for the election precinct or the polling place where the voter would normally cast his ballot.

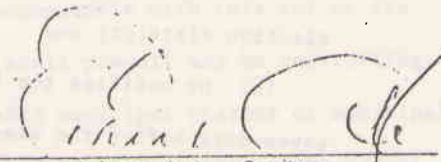
This mark shall indicate that the voter will be casting his ballot at another polling place and that he is prohibited from voting in that election at his usual polling place. The Election Commissioner shall provide the proper ballot at the newly designated polling place for each voter who complies with the provisions of this section."

Section 4. This Act shall take effect upon approval by the Governor, or upon its becoming law without such approval.

Signed by: 
Simeon Innocenti, Speaker
Truk State Legislature

Attested to: 
Datasi Albert
Legislative Chief Clerk
Truk State Legislature

Date: Dec. 18, 1984

Approved by: 
Erhart Aten, Governor
Truk State Government

Date: at execution 26, 1984