

## CHAPTER 5

### Procedure for Ballots

#### **SECTIONS**

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**Editor's note:** Chapter 5 of this title on Procedure for Ballots was enacted by section 37 of PL 14-76.

#### **§ 501. Official ballots required; specimen ballots.**

(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 that contains the names of persons to be voted for and the office to be filled, or the constitutional amendments to be voted upon by referendum, and that is issued by the National Election Director.

(2) The National Election Director shall have printed two exact copies of each official ballot which is to be used in the National Election, for each Polling 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 election board at the same time with the official ballots, and the election board members shall post one of each specimen ballot on either side of the entrance of the Polling Place or other places plainly in sight for the general public.

**Source:** PL 14-76 § 38.

#### **§ 502. Contents of ballots.**

(1) A ballot for the election of a Member shall contain the names of the persons and the offices to be voted for, the State and the Congressional Election District in which the election is being held, and the term or terms of the respective offices being voted for.

(2) A ballot for a referendum on a constitutional amendment shall follow the basic guidelines established in section 703 of title 1 of this code. In addition, the referendum ballot may contain a concise, neutral statement regarding the purpose and effect of the constitutional amendment if such purpose and effect is not self-evident from the proposed amendment itself.

**Source:** PL 14-76 § 39.

**Cross-reference:** Chapter 7 of title 1 of this code is on Amendment of the Constitution. Section 703 of chapter 7 is on format of constitutional amendment.

### **§ 503. Printing and distribution of ballots.**

(1) The ballots shall be printed by order of the National Election Director at the expense of the Federated States of Micronesia. The National Election Director shall complete the printing of the official ballots no later than 60 days before a general election, or no later than 35 days before a special election. Ballots shall be consecutively numbered. Under the direction of the National Election Director, the national election commissioners shall deliver adequate numbers of ballots to each polling place.

(2) At least 65 days before a general election, and at least 40 days before a special election, the National Election Director shall print a sample ballot and shall forthwith submit copies of the same to the national election commissioners for distribution to the members of the several election boards and to the several candidates at their addresses as given on their nomination papers, and the national election commissioners and election board member shall post a copy of the same in a conspicuous place in their office or a public place.

**Source:** PL 14-76 § 40; PL 16-31 § 1.

### **§ 504. Amendments to ballots.**

(1) If a candidate is disqualified, dies or, in the case of a general election, withdraws after the printing of the ballots but prior to a National Election, the national election commissioner shall cause the name of the candidate to be stricken from the ballots and in that regard, may require the services of the election board members of the Congressional Election District in which any person was a candidate and shall notify in writing such election board of the withdrawal, disqualification or death, whereupon notice thereof shall, before the opening of the Polls on election day, be posted at the Polling Place and publicly broadcasted over the radio.

(2) If a candidate withdraws his name later than 80 days before a general election, or is disqualified at any time before a National Election, and it becomes necessary, in the opinion of the National Election Director, 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 or disqualified candidate and shall be paid by him or her within 60 days after such withdrawal or disqualification to the National Election Director.

(3) The national election commissioner of the State concerned shall cause the name of the substitute candidate to be placed upon the proper ballots by reprinting, over-printing, or through the use of stamps or such other means as the national election commissioner may deem satisfactory for the purpose and may require the services of election board members who may be in the Congressional Election District in which such person is a candidate. The election board shall post a notice at the Polling Place, and make a public broadcast over the radio, of the name and office sought by any such substitute candidate.

**Source:** PL 14-76 § 41.

**§ 505. Packaging and sealing of ballots; record of distribution.**

When printed, the ballots shall be fastened together in consecutively numbered blocks of 25 each in such manner that each ballot may be detached and removed separately. The National Election Director shall forward the ballots to the national election commissioner of each State who will forward them to the members of the election board in sealed packages, which shall not be opened until the opening of the Polls on Election Day. The national election commissioners shall keep a record of the number of ballots sent to each election board, and on Election Day each election board shall confirm the total number of ballots received from the national election commissioner on their inventory sheet for the Polling Place.

**Source:** PL 14-76 § 42.