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Department of Justice
Federated States of Micronesia

Joses R. Gallen, Sr., Secretary

(691) 320-2608


November 19, 2020

RECEIVED
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FSDM
of Justice

MEMORANDUM

TO: President

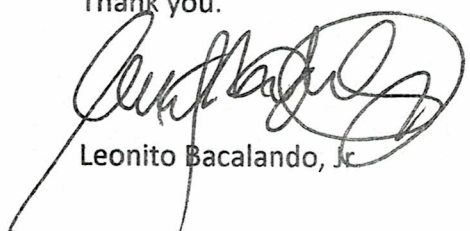
FROM: Chief of Law

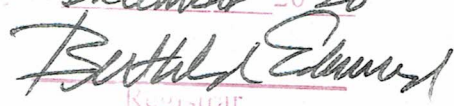
THROUGH: DOJ Secretary Joses R. Gallen, Sr. 

SUBJECT: Proposed amendment of regulation

Per the request of the Acting Election Director, we respectfully endorse, for your consideration and signature, the enclosed amendment of regulation adjusting the compensation of election workers.

Thank you.


Leonito Bacalando, Jr.

Federated States of Micronesia
Office of the Registrar of Corporations
Department of Justice
Filed on this 9th day of December 2020

Registrar



Department of Justice
Federated States of Micronesia

Federated States of Micronesia
Office of the Registrar of Corporations

Department of Justice

Filed on this 9th day of December 2020

Bethel Edmund
Registrar

Joses R. Gallen, Sr., Secretary

(691) 320-2608

November 9, 2020

MEMORANDUM

TO: Acting National Election Director

FROM: Chief of Law

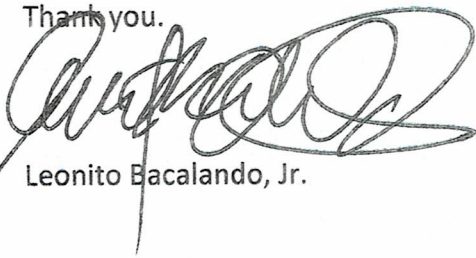
THROUGH: DOJ Secretary Joses R. Gallen, Sr. 

SUBJECT: Draft amendment of regulation

Per your request to the President regarding amendment of regulation to increase the compensation for election workers.

Once this is signed by you, DOJ and President, this amendment shall be posted for 30 days for public comment. Thereafter, it shall be deposited with the Office of the Registrar of Corporation according to title 17 of the FSM Code.

Thank you.



Leonito Bacalando, Jr.

NOTICE OF PROPOSED AMENDMENT OF REGULATION

UNDER THE MANDATE OF THE NATIONAL ELECTION DIRECTOR

Pursuant to the authority vested upon the Office of the National Election Director, I am proposing the enclosed amendment of regulation to implement Title 9 of the Code of the Federated States of Micronesia (Annotated) according to the procedures set forth in Chapter 1 of Title 17 of the FSM Code (Administrative Procedures Act).

Extra copies of the proposed regulation can be obtained from the office of the National Election Director in Palikir, Pohnpei. Any person interested in commenting on the proposed regulation may do so by written submission to:

Mr. Ioanis Sahn
Acting National Election Director
Palikir, Pohnpei
Federated States of Micronesia 96941

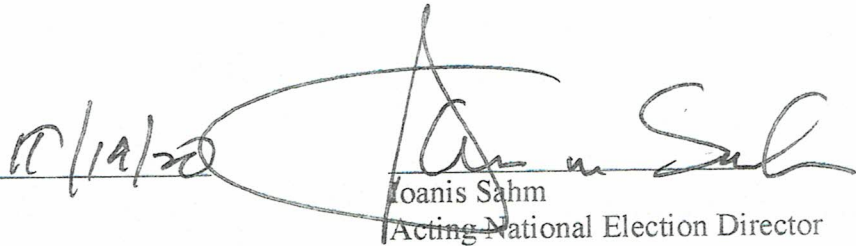
All written submissions must be received by the Office of the National Election Director within thirty (30) days of the posting of this notice, or no later than December 9, 2020.

This proposed regulation shall take effect on the fortieth day from the date of its posting. Persons affected should assume that this proposed regulation became effective on that date unless they learn otherwise. The actual date of effectiveness will be noted on the certified copy of the permanent regulation to be filed pursuant to 17 F.S.M.C. §103(1).

The proposed effective date of this amendment of regulation shall be on December 11, 2020.

Date:

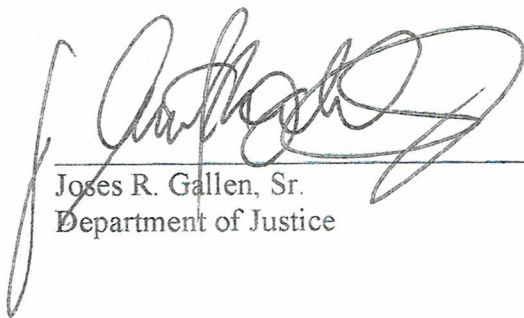
12/19/20


Ioanis Sahn

Acting National Election Director

Approved as to legal sufficiency:


Date: 11/19/20



José R. Gallen, Sr.
Department of Justice

Approved by the President:

Date: 12/01/20



H.E. David W. Panuelo
FSM President

AMENDMENT TO SUBPART 3.6 OF THE NATIONAL ELECTION REGULATION

This proposal is to increase the compensation several election workers as stated below:

3.6 Compensation of Election Workers

The uniform rate of compensation for all FSM election workers shall be as follows:

- | | |
|--|---|
| (a) Local Election Board Members ----- | [\$35] <u>\$60</u> per day |
| (b) Central Counting and Tabulating Committee Members----- | [\$50] <u>\$75</u> per day |
| (c) Local Counting and Tabulating Committee Members----- | [\$35] <u>\$60</u> per day |
| (d) Short Term Staff----- | [\$20] <u>\$50</u> per day |
| (e) Boat Drivers and Vehicle Drivers----- | [\$35] <u>\$60</u> per day |
| (f) Clerk Typist in each State----- | [\$250 biweekly]
<u>subject to contract</u> |
| (g) Electoral Aides in each State----- | [\$350] <u>\$375</u> biweekly |
| (h) Administrative Assistant/Electoral Aide to
National Election Director----- | [\$576 biweekly]
<u>subject to contract</u> |
| (i) Overseas Election Board Members----- | [\$75] <u>\$100</u> per day |
| (j) FSM National Government Employees Assisting with
Elections After Regular Working Hours----- | \$20 per day |
| (k) Rental of boat (excluding fuel) - maximum----- | \$55 per day |
| (l) Rental of vehicle (excluding fuel) - maximum----- | \$55 per day |

Federated States of Micronesia
Office of the Registrar of Corporations
Department of Justice

Filed on this 9th day of December 20
Butch Edwards
Registrar



Director's Office

Office of the National Election Director

P.O. Box PS 156

Federated States of Micronesia

Palikir Pohnpei, FM 96941

Phone: (691) 320-7805; Fax: (691) 320-7534; Email: ned@fsmned.fm

JP

October 14, 2020

His Excellency David W. Panuelo
President
Federated States of Micronesia
Palikir, FM 96941

REC
OCT 15 2020
FSM Department
of Justice

Re: Request for Amendment to FSM Rules and Regulations Governing National Elections and PL 14-76 Section 605

Dear President Panuelo:

This is to follow up and confirm our current meeting regarding the need to amend the existing FSM Rules and Regulations Governing National Elections. Additionally, I am requesting the assistance of the Department of Justice to review Public Law No. 14-76, Section 605 relating to the possibility of terminating special polling places in Guam and Honolulu due to COVID-19 pandemic.

The FSM Permanent Rules and Regulations Governing National Elections was promulgated in 2009. The current rules and regulations is 11 years old, thus, necessary to align compensation of election workers to the current cost of living. Therefore, we are requesting the following amendments:

Section 3.6: Compensation of Election Workers:

The uniform rate of compensation for all FSM election workers shall be as follows:

- (a) Local Election Board Members \$35 per day to \$60 per day
- (b) Central Counting and Tabulating Committee members \$50 per day to \$75 per day
- (c) Local Counting and Tabulating Committee Members \$35 per day to \$60 per day
- (d) Short Term Staff \$20 per day to \$50 per day
- (e) Boat Drivers and Vehicle Drivers \$35 per day to \$60 per day
- (f) Clerk Typist in each State (Delete as they are now on contract)
- (g) Electoral Aides in each State \$350 biweekly to \$375 biweekly
- (h) Administrative Assistant/Clerk (Delete as they are now on contract)
Electoral Aide to National Election Director –Off island \$576 biweekly to \$775 bi-weekly
- (i) Overseas Election Board Members and Counting and Tabulating Committee \$75 per day to \$100 per day

Note: Other sections remain the same

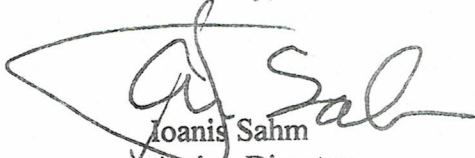
Regarding Public Law No. 14-76, Section 605: *Voting absentee ballot at a special Polling Place*, I would like to request your assistance in reviewing the language of this public law and make necessary recommendations consistent with Guam and Honolulu orders on social distancing due to COVID-19. Section 605, Subsection (2) states:

(2) Not less than 60 days prior to a general election, or 45 days prior to a special election, the National Election Director shall designate the locations of the special Polling Places provided that, there shall be one special Polling Place in Guam and one special Polling Place in Honolulu and that these shall be the only special Polling Places located outside the Federated States of Micronesia”

My office's recommendation would be to exempt this section of the Public Law during this time of COVID-19. Voters will be required to request absentee filing by mail.

Thank you for your consideration. If you have any questions or need additional information, please advise. Kalahngan.

Sincerely,


Ioanis Sahm
Acting Director
National Election Office

Cc: 21st FSM Congress
Department of Justice
File