

PUBLIC NOTICE OF PROPOSED RULE-MAKING

State of Rhode Island and Providence Plantations

Office of the Secretary of State
Elections Division

Public Notice of Proposed Rule-Making

Pursuant to the provisions of 17-19-23 and 17-11-12.1 of the General Laws of Rhode Island, and in accordance with the Administrative Procedures Act Chapter 42-35 of the General Laws, the Office of the Secretary of State Elections Division hereby gives notice of its intent to repeal Trainee Election Officials.

The purpose of this repeal is in 2008 the General Assembly repealed 17-19-23.3. This site was the site of the law that the Rules and Regulations were adopted. That same year the General Assembly enacted PL 231 and 408. This PL put into place 17-11-12.1, which spells out the qualifications for a High School Polling Official. With the repeal of 17-19-23.3 by the General Assembly it makes these Rules and Regulations not necessary.

This repealed rule is accessible on the R.I. Secretary of State's website (<http://sos.ri.gov/ProposedRules/>) or available in person at Secretary of State Elections Division 148 W. River Street, Providence RI 02904 or requested by email mnarducci@sos.ri.gov or by calling Mike Narducci 222-2340.

In the development of the proposed repeal consideration was given to: (1) alternative approaches; (2) overlap or duplication with other statutory and regulatory provisions; and (3) significant economic impact on small business. No alternative approach, duplication, or overlap was identified based upon available information.

All interested parties are invited to submit written or oral comments concerning the proposed regulations by [end of comment period, usually date of public hearing—*must be at least 30 days from publication of notice*] to Mike Narducci, Secretary of State Elections Division, 148 W. River Street, Providence RI 02904, 401-222-2340, mnarducci@sos.ri.gov. In accordance with RIGL 42-35-3, an oral hearing will be granted if requested by twenty-five (25) persons, by an agency or by an association having at least twenty-five (25) members. A request for an oral hearing must be made within thirty (30) days of this notice. If an oral hearing is held the room will be accessible to the disabled and interpreter services for the hearing impaired will be provided if requested 48 hours prior to the hearing. Requests for this service can be made in writing or by calling 222-2340 or TDD 711

**~~REGULATIONS ADOPTED BY THE
SECRETARY OF STATE FOR TRAINEE ELECTION
OFFICIALS PROMULGATED IN ACCORDANCE
WITH SECTION 17-19-23.3 OF THE RHODE ISLAND
GENERAL LAWS OF 1956, AS AMENDED~~**

The Secretary of State has promulgated the within rules and regulations relative to trainee election officials pursuant to and in accordance with the provisions of section 17-19-23.3 of the Rhode Island General Laws of 1956, as amended.

Said rules and regulations are established pursuant to the Administrative Procedures Act (R.I.G.L. section 42-35-1, et al.) and available for public inspection, submissions or requests at the Office of the Secretary of State, Administrative and Legislative Records Division, State House, Room 43, Providence, Rhode Island.

1. **Qualification for appointment.** Any applicant for appointment as a trainee election official is required to be a student enrolled in high school in the State of Rhode Island and shall have attained the age of sixteen (16) years.
2. **Application process.** All applications for a position as a Trainee Election Official shall be on those forms prescribed by the Office of the Secretary of State and the State Board of Elections. Each application shall include the following:
 - a) a certificate executed by the applicant's parent or guardian allowing the applicant to be excused from attendance at school and allowing him or her to serve as a trainee;
 - b) a certificate executed by the principal or chief administrator of the high school facility, which the applicant attends certifying that the applicant is performing at an academic level acceptable to the principal or chief administrator.
3. **Transmittal of applications.** Upon appointment, the applications of any and all persons designated to serve as trainee election officials shall be transmitted to the Office of the Secretary of State and the state Board of Elections by the applicable local board of canvassers.
4. **Appointment of trainees.** All trainee election officials shall be appointed by the local board of canvassers in the city or town in which the applicant is eligible to serve. All appointments shall be made from the list of persons filing applications as referred to herein.
5. **Instructional classes.** All trainee election officials shall be required to attend instructional classes as determined by the Board of Elections.

6. **Notice of appointment.** The local board of canvassers shall notify the Board of Elections of their intention to utilize trainee election officials at least thirty (30) days prior to the election. The aforestated notice requirements may be waived by the Board of Elections.

7. **Practices and Procedure.** The State Board of Elections may develop and establish practices and procedures for governing the application process for eligible persons seeking appointment to the position as a Trainee Election Official. In this regard, the State Board of Elections may develop and establish forms or documents which it may require in the administration of its functions and duties. A copy of any procedures, practices, forms or documents shall be maintained for public inspection at the offices of the Board of Elections and the Secretary of State.