

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 17-6-1.1 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 Central Voter Registry.

The purpose of this repeal is in 2002 the General Assembly enacted PL 191 and 192. This PL put into place 17-6-1.2, which called for the Secretary of State to implement a real time Statewide Central Voter Registration System. This made the old reporting system that these rules and regulations cover 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This repealed rule is accessible on the R.I. Secretary of State's website (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

**~~RULES AND REGULATIONS
FOR LOCAL BOARDS OF CANVASSERS
IN THE SUBMISSION OF INFORMATION
REQUIRED TO MAINTAIN THE
CENTRAL VOTER REGISTER~~**

**~~Promulgated by order of
the Secretary of State,
James R. Langevin~~**

RULES AND REGULATIONS
FOR LOCAL BOARDS OF CANVASSERS
IN THE SUBMISSION OF INFORMATION
REQUIRED TO MAINTAIN THE
CENTRAL VOTER REGISTER

The Secretary of State has promulgated the within rules and regulations relative to the central voter register of all persons registered to vote in the several cities and towns of the State of Rhode Island. The rules adopted by the Secretary of State are established in accordance with Title 17, Chapter 6 of the Rhode Island General Laws of 1956, as amended.

Said rules and regulations are established in accordance with 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, Documents and Records Division, State House, Providence, Rhode Island. In order to properly administer and to provide uniformity of the central voter register as mandated by Rhode Island law, each of the local canvassing authorities shall be required to submit information in accordance with the following:

1. REPORT DATES

a) **Quarterly reporting.** All of the information supplied to the Secretary of State in accordance with the provisions of Section 17-6-1.1 shall be provided on a quarterly basis and shall be submitted on or before the fifth (5th) day of the new quarter. Each quarterly report shall contain the current list of registered voters as updated by the local canvassing authority through the quarterly period preceding the reporting date.

b) **Special reporting.** In calendar years in which a statewide election is to be held, the secretary of state or his designee may require the local boards to provide any and all of the information referenced herein on a specific date or on a more frequent schedule than set forth in paragraph 1 of these rules and regulations.

a) **Format.** The information supplied by the local board shall be provided in electronic and written format as prescribed by the Secretary of State. The fields contained in the electronic format shall be sized and populated in accordance with the file structure set forth in subsection 2.c) of these rules and regulations. Each local board of canvassers shall provide this information to the Office of the Secretary of State in ASCII format, in either fixed length or comma delimited with a carriage return at the end of each record for either format. Fixed length is

2. REPORT CONTENT

the preferred format. The required medium is 3-1/2 inch floppy disk. The files may be compressed using a zip utility. Those communities sending their files in fixed length must be sure that they export data with field sizes that are equal to the maximum size as listed in the required file structure. Those communities sending their files in comma delimited format must be sure that they export data with field sizes that are not larger than the maximum size as listed in the required field structure and that quotes (“ ”) are used as text qualifiers.

b) Contents. The report provided to the Secretary of State shall contain the information required by Section 17-9.1-6 of the Rhode Island General Laws of 1956, which will include all of the information contained in the file structure.

c) File Structure. The following is a list of mandated fields and their maximum sizes.

FIELD NAME MAXIMUM SIZE FIELD ORDER

city/town code 2 1
local voter identification number 7 2
last name 25 3
first name 20 4
middle name 15 5
title 5 6
street number 6 7
street name 33 8
apartment number 9 9
city/town 17 10
zip 10 11
date of birth 10 12
phone 8 13
representative district 3 14
representative voting district 2 15
ward 2 16
ward district 2 17
senate district 2 18
congressional district 2 19
party affiliation 3 20
registration date 10 21
active/inactive status 1 22
control field 3 23

d) Fields to be included. The exported file structure must contain all fields listed in the required file structure. If you do not have a particular field, you must create it

and then export it as a blank. Control field is for internal use by the Office of the Secretary of State and should be left blank.

e) **Field layout.** Fields must be exported in the order of the required file structure as indicated by the field order listed above. Fields must consist of all capital letters.

f) **Districts included.** The list of registered voters provided by the local authority to the Secretary of State shall reference the congressional district, state senatorial district, state representative district, and state representative voting district. In those municipalities where applicable, the list shall also reference the ward, council or ward district for each voter. With respect to the ward, for those towns using council districts, the field labeled “ward” should be used for your council information. “Ward district” should only be populated in those communities where their wards of councils are further identified by a ward or council district number.

g) **Voting district references.** The information required with regard to voting districts is to be provided for each voter irrespective of any duplication of information in cities or towns which may have identical districting information for all or any of the voters referenced as set forth in file structure contained in these regulations. For example, the congressional district field must be populated with the appropriate district number for your community.

h) **Addresses.** The address provided for each registered voter shall be certified and standardized by the United States Post Office in order to insure uniformity and enable the Secretary of State to effectuate the requirements of Section 17-9.1-27 of the Rhode Island General Laws of 1956, as amended.

3. NON-COMPLIANCE

a) **Non-compliance by local authority.** Pursuant to federal law, i.e. The National Voter Registration Act of 1993 [Public Law 103-31, 42 U.S.C. 1973 gg et seq.] mandates that states shall conduct a general program that makes a reasonable effort to remove the names of ineligible voters from the official lists of eligible voters. Pursuant to state law, section 17-9.1-27, a periodic updating of voter registration records shall occur. Beginning in January, 1997 and in January of each fourth year thereafter, the Secretary of State shall update the central voter register using the United States Postal Service Change of Address (NCOA) Program. State law further provides that the Secretary of State may direct that such updating be performed by each local board. The failure of the local canvassing authority to comply with the regulations set forth herein or any subsequent rules established by the Secretary of State may result in the Office of

~~the Secretary of State directing the non-complying local authority to satisfy the requirements of Section 17 9.1 27 without the assistance of the Office of the Secretary of State with respect to processing their current voting list with the United States Postal Service National Change of Address (NCOA) Program.~~