

100-RICR-10-00-4

TITLE 100 – DEPARTMENT OF STATE

CHAPTER 10 –ADMINISTRATION

SUBCHAPTER 00 – N/A

PART 4 – Conduct of Public Hearings

4.1 Purpose

To establish a defined set of procedures for the Department of State for the conduct of Public Hearings regarding Proposed Rulemaking.

4.2 Authority

This Regulation is promulgated pursuant to the authority granted in R.I. Gen. Laws § 42-35-2(a)(4).

4.3 Definitions

A. For the Purpose of this Regulation:

1. "Department" means the Rhode Island Department of State.
2. "Member of the Public" means any individual, firm, business, corporation, association, partnership or other group.
3. "Presiding Department Official" means the Department of State employee conducting the Public Hearing.
4. "Public Hearing" means the convening of Members of the Public and agency personnel for the purpose of obtaining public comment on a Proposed Rulemaking.
5. "Proposed Rulemaking" means a proposed new Rule, proposed amendment to a Rule or proposed repeal of a Rule as noticed pursuant to R.I. Gen. Laws § 42-35-2.7.

4.4 Procedure for Conduct of Public Hearings

A. Convening of Public Hearing

1. Public Hearings may be held at the election of the agency or as required pursuant to R.I. Gen. Laws § 42-35-2.8(c).

2. Notice of Public Hearings shall be issued in accordance with the provisions of R.I. Gen. Laws §§ 42-35-2.8 and 42-46-6, when applicable.
3. The Public Hearing shall be held at a time and place designated by the Department.

B. Transcription

1. The Public Hearing shall be transcribed by a stenographer or audio recorded.
2. For Public Hearings, any official transcript, recording, or memorandum summarizing presentations prepared by a Department official shall be made part of the rulemaking record in accordance with R.I. Gen. Laws § 42-35-2.3(b)(5).

C. Testimony

1. Oral Testimony

- a. Members of the Public may make oral testimony during the meeting.
- b. Members of the Public who wish to make oral testimony during the meeting must put their name on the speaker list.
- c. Members of the Public will be called to testify in the order which their names appear on the speaker list.

2. Written Testimony

- a. Written testimony must be submitted via e-mail, fax, hand delivery or regular mail to: Administrative Records Office, Division of State Archives, Library, and Public Information, Department of State, 33 Broad Street, Providence, RI 02903.

D. Disruptive Conduct

1. Members of the Public attending the Public Hearing shall not cause disruptions, including but not limited to: screaming, loud noises, and disorderly gesticulations, which interrupt or distract from the testimony of other Members of the Public or from the ability of the Presiding Department Official to conduct the Public Hearing.

100-RICR-10-00-4

TITLE 100 - DEPARTMENT OF STATE

CHAPTER 10 - ADMINISTRATION

SUBCHAPTER 00 - N/A

PART 4 - CONDUCT OF PUBLIC HEARINGS (100-RICR-10-00-4)

Type of Filing: Refile Capabilities

Department of State

Regulation Effective Date

Original Signing Date

Department of State Initials

Department of State Date