

**State of Rhode Island and Providence Plantations  
Rhode Island Board of Elections**

**Public Notice of Proposed Rule-Making**

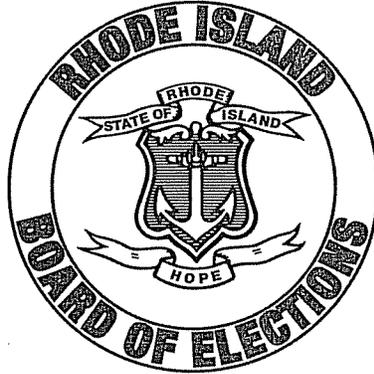
Pursuant to the provisions of Title 17 of the General Laws of Rhode Island, and in accordance with the Administrative Procedures Act Chapter 42-35 of the General Laws, the Rhode Island Board of Elections hereby gives notice of its intent to adopt the following; **Rules and Regulations for Local Canvassing Authorities – Party Affiliation.**

The purpose of this adoption is to ensure that all Local Canvassing Authorities are bipartisan in composition, and to enforce the provisions of Rhode Island General Law § 17-8-1 et seq.

The proposed Rules and Regulations are available for public inspection online at [www.elections.ri.gov](http://www.elections.ri.gov), in person at the Rhode Island Board of Elections, 50 Branch Ave. Providence, R.I. 02904, requested by email at [GMcBurney@elections.ri.gov](mailto:GMcBurney@elections.ri.gov) or by calling Gregory McBurney at 401-222-1914.

In the development of the proposed adoption 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 **1/11/2012** to Robert Kando, Rhode Island Board of Elections, 50 Branch Ave. Providence, R.I. 02904, 401-222-2345, [Feedback@elections.ri.gov](mailto:Feedback@elections.ri.gov). A public hearing to consider the proposed adoption shall be held on **1/11/2012 at 3:30 P.M.** at 50 Branch Ave. Providence, R.I. 02904 at which time and place all persons interested will be heard. The room is 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 401-222-2345.



**RULES AND REGULATIONS FOR LOCAL CANVASSING  
AUTHORITIES – PARTY AFFILIATION**

**DRAFT**

**PROPOSED**

**Promulgated by order of  
The Rhode Island State Board of Elections  
Frank J. Rego, Chairman**

**RULES & REGULATIONS FOR LOCAL CANVASSING AUTHORITIES –  
PARTY AFFILIATION ADOPTED BY THE RHODE ISLAND BOARD OF  
ELECTIONS**

*The Rhode Island Board of Elections hereby adopts rules and regulations for local canvassing authorities – party affiliation pursuant to and in accordance with R.I. Gen. Laws §§ 17-8-1 et seq., 17-9.1-23 and 17-9.1-24 .*

*Said rules and regulations are adopted pursuant to the Administrative Procedures Act (R.I.G.L. § 42-35-1 et seq.) and are available for public inspection at the offices of the Rhode Island Board of Elections, 50 Branch Avenue, Providence, Rhode Island.*

**Section 1. Purpose**

This rule is adopted by the Board of Elections to ensure that all Local Canvassing Authorities are bipartisan in composition, and to enforce the provisions of Rhode Island General Law § 17-8-1 et seq.

**Section 2. Definitions**

**Party Member/Affiliation** means any person who is a member of a designated political party pursuant to § 17-9.1-23.

**Section 3. Appointment and Composition of Local Canvassing Authorities**

The legislative body of each city and town shall appoint a bipartisan canvassing authority of three (3) qualified electors of the city or town, not more than two (2) of whom shall belong to the same political party, and may appoint two (2) alternate members, not more than one of whom shall belong to the same political party. At any meeting of the canvassing authority at which a member is to be absent, the member may request that an alternate replace him or her for that meeting; provided that the alternate member must be of the same political party as the member. The mayor or the president of the town council shall nominate the members of the canvassing authority from lists of party voters submitted by the respective chairpersons of the city or town political committee, which lists shall contain the names of five (5) times the number of persons to be appointed. If the legislative body refuses to approve the nomination of any person to the canvassing authority, the mayor or the president shall submit to the legislative body another person named on one of the lists, and so on until a person is appointed. If the chairperson of the city or town committee of a political party entitled to an appointment fails or refuses to submit a list, the mayor or the president shall nominate any party voter of the political party entitled to the appointment.

**Section 4. Term and Qualifications for Office.**

Each member of a local canvassing authority shall be appointed to serve for a term of six (6) years beginning on the first Monday of March succeeding the date of his or her appointment and until his or her successor is elected and qualified. No person shall be appointed or serve as a member of the authority who is an officer or employee of the United States or of this state, or who is an officer or employee of the authority's city or town. The disqualification of a member shall take effect immediately, upon commencing employment or office with the United States, this state or the authority's city or town, provided that in any city a member of the authority may be employed as its clerk.

**Section 5. Party Affiliation of Members Appointed to the Local Canvassing Authority**

Members of the Local Canvassing Authority must maintain their party affiliation for the duration of their membership. If a member changes party affiliation during his or her tenure, he or she shall be disqualified from holding membership upon the authority and his or her successor shall be immediately elected. The disqualification of the member shall take effect immediately, upon the filing of the papers changing his or her party affiliation. No further action is required to effectuate the disqualification from holding membership upon the authority.

**Section 6. Authority Member becoming a Candidate for Public Office**

Any member of the authority who becomes a candidate for election to any public office and who fails to file a declination of the candidacy within the time allowed by law shall be disqualified from holding membership upon the authority and his or her successor shall be immediately elected.

**Section 7. Implementation**

The Board of Elections may promulgate procedures and forms necessary to implement the within rules and regulations required under the Rhode Island General Laws.

These rules and regulations were adopted at a meeting of the State Board of Elections held on the Eleventh day of January, 2012 pursuant to the Administrative Procedures Act (R.I.G.L. 42-35-1, *et seq.*).

By Order of the Rhode Island Board of Elections

\_\_\_\_\_  
Frank J. Rego, Chairman

\_\_\_\_\_  
Date

Witnessed by

Robert Kando, Executive Director

Date

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