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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2013

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A N A C T

RELATING TO ELECTIONS -- BOARD OF ELECTIONS

Introduced By: Representatives Edwards, Gallison, Marshall, Canario, and Keable

Date Introduced: February 28, 2013

Referred To: House Judiciary

(Secretary of State)

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 17-7-5 of the General Laws in Chapter 17-7 entitled "State Board of  
2 Elections" is hereby amended to read as follows:

3 **17-7-5. Powers and duties -- Quorum.** -- (a) The state board shall have those functions,  
4 powers, and duties that are prescribed by this title or otherwise pursuant to law. In the exercise of  
5 these functions, powers, and duties, but without limitation to them, the board shall:

6 (1) Exercise general supervision of the administration of the election law by local  
7 boards;

8 (2) Furnish all binders, forms, cabinets, and other supplies required for the operation of  
9 the system of permanent registration of voters throughout the state, as provided by this title;

10 (3) Require the correction of voting lists by any local board whenever the state board has  
11 information or cause to believe that any error exists in the lists, and shall immediately notify the  
12 secretary of state of any corrections;

13 (4) Have responsibility for supervising the vendor to the extent that services under the  
14 jurisdiction of the state board are performed by the vendor as prescribed by section 17-19-3.

15 (5) Prepare, package, and deliver election supplies to the various cities and towns for  
16 each voting district, except for supplies listed in this title for delivery by the office of the  
17 secretary of state;

18 (6) (i) Appoint, qualify and assign all state inspectors of elections. The state board of  
19 elections shall formulate programs of instruction and shall determine the method and manner of

1 instruction which shall be provided to the local boards and to the vendor providing training  
2 pursuant to any agreement between the state and the vendor for the training of election officials.  
3 The program of instruction shall include familiarization with the election laws and duties of  
4 various election officials, together with the exercise of sample situations which may be  
5 encountered in the process of voting, geographical boundaries of the voting district to which the  
6 official may be assigned, offices and questions which may be on the ballot, and any other  
7 information that the board of elections may deem appropriate. The availability of these programs  
8 of instruction for local boards shall be pursuant to the procedures, rules and regulations adopted  
9 by the board of elections.

10 (ii) The board of elections shall also formulate and provide an informational pamphlet  
11 containing detailed instructions regarding the duties of elections officials and the operation of  
12 polling places. All informational pamphlets shall be distributed to the local boards who shall, in  
13 turn, see to their distribution to all election officials prior to any election;

14 (7) Prior to any election, the state board of elections shall provide at least one training  
15 session to all individuals assigned to work at a poll location. A reasonable portion of the same  
16 training session shall be allocated for the office of the secretary of state to provide the individuals  
17 assigned to work at a poll location with an orientation on the voter identification requirements,  
18 the method on which proof of identification shall be presented and all other issues that may arise  
19 on election day which the secretary of state deems pertinent.

20 ~~(7)~~(8) Canvass and tabulate all votes cast at each state election; and count, canvass, and  
21 tabulate the votes cast by mail voters as provided in this title;

22 ~~(8)~~(9) Select dates for off year and special election primaries, except the dates for any  
23 primaries for local elections that require fixing by the local board pursuant to chapter 15 of this  
24 title;

25 ~~(9)~~(10) Furnish each elected candidate for all state or national offices a certificate of  
26 election;

27 ~~(10)~~(11) Furnish the secretary of state with a certified statement of the number of votes  
28 cast in each voting district for all state and national candidates, the votes cast for and against all  
29 state questions which appeared on the ballot, and a certificate of election for each national  
30 candidate who is elected in this state, and furnish the governor with a certified list of the general  
31 officers elected at each general election;

32 ~~(11)~~(12) Hold hearings relating to recounts or other protests of the results or conduct of  
33 an election;

34 ~~(12)~~(13) Maintain any books and records of the votes cast, and publish any statements

1 and reports, that it may deem to be in the public interest;

2 ~~(13)~~(14) Arrange and make provisions for the registration of voters pursuant to the  
3 National Voter Registration Act (NVRA) of 1993, 42 U.S.C. section 1973gg et seq. The state  
4 board shall formulate programs to assist those persons or organizations desiring to register voters  
5 and shall provide, pursuant to procedures, rules, and regulations it shall adopt, voter registrations  
6 services which may include training sessions, registration materials, manuals and other services  
7 for the purpose of registering to vote eligible Rhode Island citizens;

8 ~~(14)~~(15) Annually conduct a voter registration drive at each institution of higher  
9 education at the level of junior college or above in the state; and

10 (15)(16) Establish and maintain an administrative complaint procedure in accordance  
11 with Section 402 of the Help America Vote Act (P.L. 107-252) [42 U.S.C. section 15512\_.

12 (b) The state board shall also have all of the powers and duties formerly conferred or  
13 imposed by existing law upon the division of elections and the election board, and whenever in  
14 any other general law, public law, act, or resolution of the general assembly, or any document,  
15 record, or proceeding authorized by the general assembly, the phrase "division of elections" or  
16 "election board" or any other word or words used in reference to or descriptive of the division,  
17 board, or any member or employee of the division or board, or to their respective activities or  
18 appointees, or any of them, the word, phrase, or reference shall, unless the context otherwise  
19 requires, be deemed to refer to and describe the state board, its members, appointees, and  
20 activities, as the context may require.

21 (c) The state board shall have power to make any rules, regulations, and directives that it  
22 deems necessary to carry out the objects and purposes of this title not inconsistent with law.

23 (d) The state board shall also have jurisdiction over all election matters on appeal from  
24 any local board and over any other matters pertinent and necessary to the proper supervision of  
25 the election laws.

26 (e) Four (4) members of the state board shall constitute a quorum.

27 (f) Notwithstanding the provisions of section 42-35-18(b)(22), all rules and regulations  
28 implementing and enforcing the provisions of the Help America Vote Act of 2002 (P.L. 107-252)  
29 [42 U.S.C. section 15301 et seq.]shall be promulgated in accordance with the rule-making  
30 provisions contained in sections 42-35-1 -- 42-35-8.

31 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
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1           This act would provide for the secretary of state or his/her designee to work in  
2 conjunction with the state board of elections on poll-worker training regarding voter  
3 identification.

4           This act would take effect upon passage.

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