

| G.S. 150B-21.3A Report for 08 NCAC 10, BALLOT ROTATION RULES FOR PRIMARY ELECTION BALLOTS | | | | | | | | | | | | |
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| Agency - State Board of Elections | | | | | | | | | | | | |
| Comment Period - 8/11/2025 - 10/17/2025 | | | | | | | | | | | | |
| Date Submitted to APO - Filed in by RRC staff | | | | | | | | | | | | |
| Subchapter | Rule Section | Rule Citation | Rule Name | Date and Last Agency Action on the Rule | Agency Determination [150B-21.3A(c)(1)a] | Required to Implement or Conform to Federal Regulation [150B-21.3A(d1)] | Federal Regulation Citation | Public Comment Received [150B-21.3A(c)(1)] | Agency Determination Following Public Comment [150B-21.3A(c)(1)] | RRC Determination of Public Comments [150B-21.3A(c)(2)] | RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)] | OAH Next Steps |
| SUBCHAPTER 10B – VOTING, VOTING PLACES AND PRECINCT OFFICIALS' DUTIES AND TASKS | | 08 NCAC 10B .0101 | TASKS AND DUTIES OF PRECINCT OFFICIALS AT VOTING PLACES | Readopted Eff. September 1, 2019 | Necessary | No | | Yes | Necessary | One or more comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 08 NCAC 10B .0102 | SETTING UP POLLING PLACE PRIOR TO VOTING | Amended Eff. September 1, 2019 | Necessary | No | | Yes | Necessary | One or more comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 08 NCAC 10B .0103 | VOTING PROCEDURES | Readopted Eff. June 1, 2020 | Necessary | Yes If yes, include the citation to the federal law | 52 USC 21082 | Yes | Necessary | One or more comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 08 NCAC 10B .0104 | LEAVING THE VOTING ENCLOSURE, SPOILED OR INCOMPLETE BALLOTS | Readopted Eff. September 1, 2019 | Necessary | No | | Yes | Necessary | One or more comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 08 NCAC 10B .0105 | PROCEDURES AT THE CLOSE OF VOTING | Readopted Eff. September 1, 2019 | Necessary | No | | Yes | Necessary | One or more comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 08 NCAC 10B .0106 | ELECTION SUPPLIES RETURN | Readopted Eff. September 1, 2019 | Necessary | No | | Yes | Necessary | One or more comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 08 NCAC 10B .0107 | ASSISTANCE TO VOTERS IN PRIMARIES AND GENERAL ELECTIONS | Readopted Eff. September 1, 2019 | Necessary | No | | Yes | Necessary | One or more comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 08 NCAC 10B .0108 | CURBSIDE VOTING | Readopted Eff. October 1, 2018 | Necessary | No | | Yes | Necessary | One or more comments with merit | Necessary and must be readopted | Agency must readopt |
| | | 08 NCAC 10B .0109 | VOTING SITE UNIFORMITY | Eff. October 1, 2018 | Necessary | No | | Yes | Necessary | One or more comments with merit | Necessary and must be readopted | Agency must readopt |

| Agency | Rule | Name | Type of Comment | Comment | Agency Response | RRC Staff Recommendation | RRC Determination [150B-21.3A(c)(2)] |
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| State Board of Elections | 08 NCAC 10B .0107 | ASSISTANCE TO VOTERS IN PRIMARIES AND GENERAL ELECTIONS | Public Comment as defined in G.S. 150B-21.3A(a)(5) | <p>klandgren3333@protonmail.com: log2.png DONATE Post</p> <p>All Posts Administrative Code: Comment on Assistance to Voters in Primaries & General Elections 2 days ago NC Administrative Code: Fixing the Rules</p> <p>Members of the public may comment on the State Board's initial determination that the rules are necessary in any of the following ways through October 17, 2025.</p> <p>References: Administrative Procedures Act OAH RRC Rules Review NCSBE 2025 Plan of Review Administrative Code: Is The Rule Necessary or Unnecessary? This is what happens next. Go to the portal Online: https://www.ncsbe.gov/about-elections/legal-resources/rulemaking/public-comment-portal-2025-periodic-review-existing-rules Or Email: rulemaking.sboe@ncsbe.gov (Commenter must identify the specific rule being commented on.)</p> <p>Please comment on these rules. Click the above link for info on comments.</p> <p>Each rule submission is separate.</p> | We agree there is statutory authority for the rule and that the rule is necessary. Thank you for your suggested revisions for later consideration. To the extent you contend the rule was adopted in violation of the APA, we disagree. | Select One | Select One |
| State Board of Elections | 08 NCAC 10B .0107 | ASSISTANCE TO VOTERS IN PRIMARIES AND GENERAL ELECTIONS | Public Comment as defined in G.S. 150B-21.3A(a)(5) | <p>08 NCAC 10B .0107 ASSISTANCE TO VOTERS IN PRIMARIES AND GENERAL ELECTIONS Necessary Ruth Englram: Rule does not contain specific instructions regarding the ability of Precinct Officials to assist an unlimited number of Voters within the Voting Enclosure</p> <p>Rule IS authorized by NC Statutes but does NOT clearly give procedures for carrying out the intent and directives of the Statutes</p> <p>Rule is necessary to serve the public interest of those voters who may require assistance to easily and accurately cast their ballots at the voting place and enclosure but does NOT do so in a clear and unambiguous manner</p> <p>Rule DOES NOT seek to reduce the burden on those Election Officials and Precinct Officials who are charged with assisting voters within the Voting Site or without the Voting Site at Curbside</p> <p>Rule is repetitive with Statutes directly quoted instead of providing an organized and methodical list of instructions with which to accomplish the intent of the Statutes to which the Rule applies</p> <p>Rule is not based on relevant information available as given in Statutes to which the Rule is intended to implement</p> <p>Rule is NOT designed to achieve the regulatory objective of the Statutes referenced and does not give a timely list of instructions as is indicated in a procedure to carry out the task at hand</p> <p>Rule includes parts of Statutes and policies that do not directly pertain to the Rule as titled which makes parts of the Rule UNNECESSARY</p> <p>Rule OMITS information regarding specific record keeping of the LOG of persons within the Voting Enclosure assisting a voter, creating unsound information and minimizing relevance of the Rule.</p> | We agree there is statutory authority for the rule and that the rule is necessary. Thank you for your suggested revisions for later consideration. | Select One | Select One |
| State Board of Elections | 08 NCAC 10B .0107 | ASSISTANCE TO VOTERS IN PRIMARIES AND GENERAL ELECTIONS | Public Comment as defined in G.S. 150B-21.3A(a)(5) | <p>Glen Englam: v Rule IS authorized by NC Statutes but does NOT clearly give procedures for carrying out the intent and directives of the Statutes</p> <p>v Rule is necessary to serve the public interest of those voters who may require assistance to easily and accurately cast their ballots at the voting place and enclosure but does NOT do so in a clear and unambiguous manner</p> <p>v Rule DOES NOT seek to reduce the burden on those Election Officials and Precinct Officials who are charged with assisting voters within the Voting Site or without the Voting Site at Curbside</p> <p>v Rule is repetitive with Statutes directly quoted instead of providing an organized and methodical list of instructions with which to accomplish the intent of the Statutes to which the Rule applies</p> <p>v Rule is not based on relevant information available as given in Statutes to which the Rule is intended to implement</p> <p>v Rule is NOT designed to achieve the regulatory objective of the Statutes referenced and does not give a timely list of instructions as is indicated in a procedure to carry out the task at hand</p> <p>v Rule includes parts of Statutes and policies that do not directly pertain to the Rule as titled which makes parts of the Rule UNNECESSARY</p> <p>v Rule does not contain specific instructions regarding the ability of Precinct Officials to assist an unlimited number of Voters within the Voting Enclosure</p> <p>v Rule OMITS information regarding specific record keeping of the LOG of persons within the Voting Enclosure assisting a voter, creating unsound information and minimizing relevance of the Rule.</p> | We agree there is statutory authority for the rule and that the rule is necessary. Thank you for your suggested revisions for later consideration. | Select One | Select One |
| State Board of Elections | 08 NCAC 10B .0107 | ASSISTANCE TO VOTERS IN PRIMARIES AND GENERAL ELECTIONS | Public Comment as defined in G.S. 150B-21.3A(a)(5) | <p>Linda Rebuck: Necessary The Rule is disordered in structure, opening with Curbside Voting, without actual instructions for performance of the Tasks as titled, but repeating language of the Statute only, which violates the requirements under 150B in creating a Rule.</p> | We agree that the rule is necessary. Thank you for your suggested revisions for later consideration. To the extent you contend the rule was adopted in violation of the APA, we disagree. | Select One | Select One |
| State Board of Elections | 08 NCAC 10B .0107 | ASSISTANCE TO VOTERS IN PRIMARIES AND GENERAL ELECTIONS | Public Comment as defined in G.S. 150B-21.3A(a)(5) | <p>Don Brown: Rule is necessary to serve the public interest of those voters who may require assistance to easily and accurately cast their ballots at the voting place and enclosure but does NOT do so in a clear and unambiguous manner</p> <p>Rule DOES NOT seek to reduce the burden on those Election Officials and Precinct Officials who are charged with assisting voters within the Voting Site or without the Voting Site at Curbside</p> <p>Rule is not based on relevant information available as given in Statutes to which the Rule is intended to implement</p> <p>Rule does not give a timely list of instructions as is indicated in a procedure to carry out the task at hand</p> <p>Rule lacks specific instructions regarding the ability of Precinct Officials to assist an unlimited number of Voters within the Voting Enclosure</p> | We agree that the rule is necessary. Thank you for your suggested revisions for later consideration. | Select One | Select One |

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| State Board of Elections | 08 NCAC 10B .0107 | ASSISTANCE TO VOTERS IN PRIMARIES AND GENERAL ELECTIONS | Public Comment as defined in G.S. 150B-21.3A(a)(5) | <p>Jane Billello: The Rule is necessary. v The Rule IS authorized by NC Statutes but does NOT give clear procedures for carrying out the intent and directives of the referenced Statutes.</p> <p>v The Rule includes parts of Statutes and policies that do not directly pertain to the Rule as titled, which makes parts of the Rule Unnecessary.</p> <p>v The Rule also contains information that is NOT contained in the referenced Statute § 163-166.8: specifically the direction of "no limitation" on the number of voters a person can assist within the Voting Enclosure. The term "person" does NOT specify the limitations of the "person" allowed to assist another voter. An unacceptable oversight. Incomplete and incorrect information invalidating the Rule per the 150B APA.</p> <p>v The Rule OMITS information regarding specific record keeping of the LOG of persons within the Voting Enclosure assisting a voter, creating unsound information and minimizing the relevance of the Rule.</p> | We agree there is statutory authority for the rule and that the rule is necessary. Thank you for your suggested revisions for later consideration. To the extent you contend the rule was adopted in violation of the APA, we disagree. | Select One | Select One |
| State Board of Elections | 08 NCAC 10B .0107 | ASSISTANCE TO VOTERS IN PRIMARIES AND GENERAL ELECTIONS | Public Comment as defined in G.S. 150B-21.3A(a)(5) | <p>Jane Billello: The Rule is disordered in structure, opening with Curbside Voting, without actual instructions for performance of the Tasks as titled, but repeating language of the Statute only, which violates the requirements under 150B in creating a Rule.</p> | Thank you for your suggested revisions for later consideration. It does not appear you disagree with the agency's initial determination that the rule is necessary, but to the extent you contend the rule was adopted in violation of the APA, we disagree. | Select One | Select One |
| State Board of Elections | 08 NCAC 10B .0107 | ASSISTANCE TO VOTERS IN PRIMARIES AND GENERAL ELECTIONS | Public Comment as defined in G.S. 150B-21.3A(a)(5) | <p>Karen Raines: This rule is necessary, yet it contains information that is NOT contained in the referenced Statute § 163-166.8: specifically the direction of "no limitation" on the number of voters a person can assist within the Voting Enclosure; moreover, that contains an unacceptable oversight, in that the term "person" does NOT specify the limitations of the "person" allowed to assist another voter. As such, it reflects incomplete and incorrect information invalidating the Rule per the 150B APA.</p> | We agree that the rule is necessary. Thank you for your suggested revisions for later consideration. To the extent you contend the rule was adopted in violation of the APA, we disagree. | Select One | Select One |
| State Board of Elections | 08 NCAC 10B .0107 | ASSISTANCE TO VOTERS IN PRIMARIES AND GENERAL ELECTIONS | Public Comment as defined in G.S. 150B-21.3A(a)(5) | <p>Kenneth Harden: v The Rule IS necessary and authorized by NC Statutes but does NOT give clear procedures for carrying out the intent and directives of the referenced Statutes.</p> <p>v The Rule includes parts of Statutes and policies that do not directly pertain to the Rule as titled, which makes parts of the Rule Unnecessary.</p> <p>v The Rule also contains information that is NOT contained in the referenced Statute § 163-166.8: specifically the direction of "no limitation" on the number of voters a person can assist within the Voting Enclosure. The term "person" does NOT specify the limitations of the "person" allowed to assist another voter. An unacceptable oversight. Incomplete and incorrect information invalidating the Rule per the 150B APA.</p> <p>v The Rule OMITS information regarding specific record keeping of the LOG of persons within the Voting Enclosure assisting a voter, creating unsound information and minimizing the relevance of the Rule.</p> <p>v § 163-166.8. Assistance to voters. (d) Precinct officials shall maintain a log of any individual, other than a minor child under the age of 18 in the care of a voter, who enters the voting place pursuant to this section and is not seeking to vote in that voting place.</p> <p>v The Rule is disordered in structure, opening with Curbside Voting, without actual instructions for performance of the Tasks as titled, but repeating language of the Statute only, which violates the requirements under 150B in creating a Rule.</p> <p>v Rule IS authorized by NC Statutes but does NOT clearly give procedures for carrying out the intent and directives of the Statutes, and although NECESSARY for the Poll Workers, Precinct Officials and Voters to understand the Election Processes, fails to give adequate instructions, the requirement of a Rule.</p> | We agree there is statutory authority for the rule and that the rule is necessary. Thank you for your suggested revisions for later consideration. To the extent you contend the rule was adopted in violation of the APA, we disagree. | Select One | Select One |
| State Board of Elections | 08 NCAC 10B .0107 | ASSISTANCE TO VOTERS IN PRIMARIES AND GENERAL ELECTIONS | Public Comment as defined in G.S. 150B-21.3A(a)(5) | Pamela Riley: Necessary | We agree. | Select One | Select One |
| State Board of Elections | 08 NCAC 10B .0107 | ASSISTANCE TO VOTERS IN PRIMARIES AND GENERAL ELECTIONS | Public Comment as defined in G.S. 150B-21.3A(a)(5) | <p>Debbie Dante: Rule IS authorized by NC Statutes but does NOT clearly give procedures for carrying out the intent and directives of the Statutes.</p> <p>Rule is repetitive with Statutes directly quoted instead of providing an organized and methodical list of instructions with which to accomplish the intent of the Statutes to which the Rule applies.</p> <p>Rule includes parts of Statutes and policies that do not directly pertain to the Rule as titled which makes parts of the Rule UNNECESSARY.</p> <p>Rule does not contain specific instructions regarding the ability of Precinct Officials to assist an unlimited number of Voters within the Voting Enclosure.</p> <p>Rule OMITS information regarding specific record keeping of the LOG of persons within the Voting Enclosure assisting a voter, creating unsound information and minimizing relevance of the Rule.</p> | We agree there is statutory authority for the rule, but we disagree to the extent you say that the rule is unnecessary. Thank you for your suggested revisions for later consideration. | Select One | Select One |
| State Board of Elections | 08 NCAC 10B .0107 | ASSISTANCE TO VOTERS IN PRIMARIES AND GENERAL ELECTIONS | Public Comment as defined in G.S. 150B-21.3A(a)(5) | <p>JOAN BROOKS: The Rule is authorized by NC Statutes but does NOT give clear procedures for carrying out the intent and directives of the referenced Statutes.</p> <p>The Rule includes parts of Statutes and policies that do not directly pertain to the Rule as titled, which makes parts of the Rule Unnecessary.</p> <p>The Rule also contains information that is NOT contained in the referenced Statute § 163-166.8: specifically the direction of "no limitation" on the number of voters a person can assist within the Voting Enclosure. The term "person" does NOT specify the limitations of the "person" allowed to assist another voter. An unacceptable oversight. Incomplete and incorrect information invalidating the Rule per the 150B APA.</p> <p>The Rule OMITS information regarding specific record keeping of the LOG of persons within the Voting Enclosure assisting a voter, creating unsound information and minimizing the relevance of the Rule.</p> <p>§ 163-166.8. Assistance to voters. (d) Precinct officials shall maintain a log of any individual, other than a minor child under the age of 18 in the care of a voter, who enters the voting place pursuant to this section and is not seeking to vote in that voting place.</p> <p>The Rule is disordered in structure, opening with Curbside Voting, without actual instructions for performance of the Tasks as titled, but repeating language of the Statute only, which violates the requirements under 150B in creating a Rule.</p> <p>Rule IS authorized by NC Statutes but does NOT clearly give procedures for carrying out the intent and directives of the Statutes, and although NECESSARY for the Poll Workers, Precinct Officials and Voters to understand the Election Processes, fails to give adequate instructions, the requirement of a Rule.</p> <p>Rule is necessary to serve the public interest of those voters who may require assistance to easily and accurately cast their ballots at the voting place and enclosure but does NOT do so in a clear and unambiguous manner.</p> <p>The Rule is NOT ordered chronologically based on the tasks within the Statute, 163-166.8 Assistance to voters, from which the Rule acquires its authority. Devoid of actual instructions that are necessary to understand the legal and orderly process of Assisting Voters, the Rule requires revision and restructuring to legally comply.</p> | We agree there is statutory authority for the rule and that the rule is necessary. Thank you for your suggested revisions for later consideration. To the extent you contend the rule was adopted in violation of the APA, we disagree. | Select One | Select One |
| State Board of Elections | 08 NCAC 10B .0107 | ASSISTANCE TO VOTERS IN PRIMARIES AND GENERAL ELECTIONS | Public Comment as defined in G.S. 150B-21.3A(a)(5) | Agnes Puzak: Add the requirement that any person in the voting enclosure who is there solely to provide assistance to a voter must sign the Non-Voter Log. Any non-voter, other than poll workers and poll observers, in the polling enclosure, such as media personnel, must sign the Non-Voter Log. It is the duty of the election official to request the assistant and other non-voters to sign the log. | Thank you for your suggested revisions for later consideration. It does not appear you disagree with the agency's initial determination that the rule is necessary. | Select One | Select One |

| Agency | Rule | Name | Type of Comment | Comment | Agency Response | RRC Staff Recommendation | RRC Determination [150B-21.3A(c)(2)] |
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| State Board of Elections | 08 NCAC 10B .0101 | TASKS AND DUTIES OF PRECINCT OFFICIALS AT VOTING PLACES | Public Comment as defined in G.S. 150B-21.3A(a)(5) | Jennifer Cocklin, Vance County, NC: Provide greater clarification as to how the buffer zone described in (18) impacts (19), specifically the definition of the at the voting place versus in the voting place. Provide greater guidance on how (19) is to be done regarding keeping order while the voting locations are open. | Thank you for your suggestions for a future revision of this rule. It does not appear you disagree with the agency's initial determination that the rule is necessary. | Select One | Select One |
| State Board of Elections | 08 NCAC 10B .0101 | TASKS AND DUTIES OF PRECINCT OFFICIALS AT VOTING PLACES | Public Comment as defined in G.S. 150B-21.3A(a)(5) | Klandgren3333@protonmail.com: logo2.png DONATE Post All Posts Administrative Code: Comment on Tasks & Duties of Precinct Officials at Voting Places 2 days ago NC Administrative Code: Fixing the Rules Members of the public may comment on the State Board's initial determination that the rules are necessary in any of the following ways through October 17, 2025. References: Administrative Procedures Act OAH RRC Rules Review NCSBE 2025 Plan of Review Administrative Code: Is The Rule Necessary or Unnecessary? This is what happens next. Go to the portal Online: https://www.ncsbe.gov/about-elections/legal-resources/rulemaking/public-comment-portal-2025-periodic-review-existing-rules Or Email: rulemaking.sboe@ncsbe.gov (Commenter must identify the specific rule being commented on.) | We agree there is statutory authority for the rule and that the rule is necessary. Thank you for your suggested revisions for later consideration. To the extent you state that the agency was not authorized to adopt this rule pursuant to NCGS 163-22, we disagree. | Select One | Select One |
| State Board of Elections | 08 NCAC 10B .0101 | TASKS AND DUTIES OF PRECINCT OFFICIALS AT VOTING PLACES | Public Comment as defined in G.S. 150B-21.3A(a)(5) | Ruth Engram: Rule DOES NOT have a "cumulative effect" "related to the specific purpose for which the rule is proposed." The cumulative effect of the Rule is a poorly researched and structured document that does NOT function as Procedure to carry out the tasks for which the Rule is required. Rule IS authorized by State Law § 163-166.6. Designation of tasks. Rule IS NOT authorized by State Law § 163-22. Powers and duties of State Board of Elections EXCEPT by § 163-22 (m) The State Board shall provide specific training to county boards of elections regarding rules for registering students. Which requirement is NOT included in the Rule. Rule IS necessary to serve the public interest AND persons who choose to exercise their Civic Duty to participate in the Election Processes of NC Rule DOES NOT "seek to reduce the burden upon those persons or entities who must comply with the rule" BUT IT SHOULD! Rule IS repetitive, poorly structured, difficult to follow in sequence, and does not follow a logical order. Rule IS NOT "written in a clear and unambiguous manner." Rule is CONFUSING and covers multiple different duties and requirements of Precinct Officials and Election Processes NOT included in the referenced Statute § 163-166.6. Designation of tasks. | We agree there is statutory authority for the rule and that the rule is necessary. Thank you for your suggested revisions for later consideration. To the extent you state that the agency was not authorized to adopt this rule pursuant to NCGS 163-22, we disagree. | Select One | Select One |
| State Board of Elections | 08 NCAC 10B .0101 | TASKS AND DUTIES OF PRECINCT OFFICIALS AT VOTING PLACES | Public Comment as defined in G.S. 150B-21.3A(a)(5) | Glen Engram: v Rule IS authorized by State Law § 163-166.6. Designation of tasks. v Rule IS NOT authorized by State Law § 163-22. Powers and duties of State Board of Elections EXCEPT by § 163-22 (m) The State Board shall provide specific training to county boards of elections regarding rules for registering students. Which requirement is NOT included in the Rule. v Rule IS necessary to serve the public interest AND persons who choose to exercise their Civic Duty to participate in the Election Processes of NC v Rule DOES NOT "seek to reduce the burden upon those persons or entities who must comply with the rule" BUT IT SHOULD! v Rule IS repetitive, poorly structured, difficult to follow in sequence, and does not follow a logical order. v Rule IS NOT "written in a clear and unambiguous manner." v Rule is CONFUSING and covers multiple different duties and requirements of Precinct Officials and Election Processes NOT included in the referenced Statute § 163-166.6. Designation of tasks. v Rule IS reasonably necessary to implement or interpret federal or State law but fails to provide clear procedures to perform the requirements of the Law. | We agree there is statutory authority for the rule and that the rule is necessary. Thank you for your suggested revisions for later consideration. To the extent you state that the agency was not authorized to adopt this rule pursuant to NCGS 163-22, we disagree. | Select One | Select One |
| State Board of Elections | 08 NCAC 10B .0101 | TASKS AND DUTIES OF PRECINCT OFFICIALS AT VOTING PLACES | Public Comment as defined in G.S. 150B-21.3A(a)(5) | Deanna Cheatham: Rule IS permitted by Federal and State law but does not comply with section 301 of the Help America Vote Act of 2002, as it lacks details on compliance requirements. | We agree there is statutory authority for the rule. We disagree that the rule somehow violates HAVA. It does not appear you disagree with the agency's initial determination that the rule is necessary. | Select One | Select One |
| State Board of Elections | 08 NCAC 10B .0101 | TASKS AND DUTIES OF PRECINCT OFFICIALS AT VOTING PLACES | Public Comment as defined in G.S. 150B-21.3A(a)(5) | Linda Rebuck: Rule is CONFUSING and covers multiple different duties and requirements of Precinct Officials and Election Processes NOT included in the referenced Statute § 163-166.6. Designation of tasks. | Thank you for your suggested revisions for later consideration. It does not appear you disagree with the agency's initial determination that the rule is necessary. | Select One | Select One |

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| State Board of Elections | 08 NCAC 10B .0101 | TASKS AND DUTIES OF PRECINCT OFFICIALS AT VOTING PLACES | Public Comment as defined in G.S. 150B-21.3A(a)(5) | Doug Brown: <input type="checkbox"/> Rule IS authorized by State Law § 163-166.6. Designation of tasks. <input type="checkbox"/> Rule IS NOT authorized by State Law § 163-22. Powers and duties of State Board of Elections EXCEPT by § 163-22 (m) The State Board shall provide specific training to county boards of elections regarding rules for registering students. Which requirement is NOT included in the Rule. <input type="checkbox"/> Rule IS repetitive, poorly structured, difficult to follow in sequence, and does not follow a logical order. <input type="checkbox"/> Rule covers multiple different duties and requirements of Precinct Officials and Election Processes NOT included in the referenced Statute § 163-166.6. Designation of tasks. <input type="checkbox"/> Rule is NECESSARY for the stated purpose, but as it is written is UNNECESSARY because it DOES NOT achieve the requirements set forth in § 150B-2. Definitions. (8a) Rule "that describes the procedure or practice requirements of an agency. <input type="checkbox"/> Rule requires revision due to failure to comply with the specified requirements of a Rule under 150B-19 and 150B-21.9 NOT providing | We agree there is statutory authority for the rule and that the rule is necessary. Thank you for your suggested revisions for later consideration. To the extent you state that the agency was not authorized to adopt this rule pursuant to NCGS 163-22, we disagree. | Select One | Select One |
| State Board of Elections | 08 NCAC 10B .0101 | TASKS AND DUTIES OF PRECINCT OFFICIALS AT VOTING PLACES | Public Comment as defined in G.S. 150B-21.3A(a)(5) | Jane Bilelo: <input type="checkbox"/> Rule IS reasonably necessary to implement or interpret federal or State law but fails to provide clear procedures to perform the requirements of the Law. <input type="checkbox"/> Rule includes requirements of MULTIPLE NC State Statutes which are NOT referenced in the primary Rule History. Only two NC General Statutes are referenced in the History Note. There are at least EIGHTEEN Statutes from which parts of this Rule are acquired. <input type="checkbox"/> Rule DOES NOT have a "cumulative effect" "related to the specific purpose for which the rule is proposed." The cumulative effect of the Rule is a poorly researched and structured document that does NOT function as Procedure to carry out the tasks for which the Rule is required. | We agree that the rule is necessary. Thank you for your suggested revisions for later consideration. | Select One | Select One |
| State Board of Elections | 08 NCAC 10B .0101 | TASKS AND DUTIES OF PRECINCT OFFICIALS AT VOTING PLACES | Public Comment as defined in G.S. 150B-21.3A(a)(5) | Jane Bilelo: The Rule is necessary but ... Rule is CONFUSING and covers multiple different duties and requirements of Precinct Officials and Election Processes NOT included in the referenced Statute § 163-166.6. Designation of tasks. | We agree that the rule is necessary. Thank you for your suggested revisions for later consideration. | Select One | Select One |
| State Board of Elections | 08 NCAC 10B .0101 | TASKS AND DUTIES OF PRECINCT OFFICIALS AT VOTING PLACES | Public Comment as defined in G.S. 150B-21.3A(a)(5) | Karen Raines: The rule is necessary but it IS NOT authorized by State Law § 163-22. Powers and duties of State Board of Elections EXCEPT by § 163-22 (m) The State Board shall provide specific training to county boards of elections regarding rules for registering students, which requirement is NOT included in the Rule. | We agree that the rule is necessary. To the extent you state that the agency was not authorized to adopt this rule pursuant to NCGS 163-22, we disagree. | Select One | Select One |
| State Board of Elections | 08 NCAC 10B .0101 | TASKS AND DUTIES OF PRECINCT OFFICIALS AT VOTING PLACES | Public Comment as defined in G.S. 150B-21.3A(a)(5) | K: Rule IS necessary to serve the public interest AND persons who choose to exercise their Civic Duty to participate in the Election Processes of NC <input type="checkbox"/> Rule DOES NOT "seek to reduce the burden upon those persons or entities who must comply with the rule" BUT IT SHOULD! | We agree that the rule is necessary. | Select One | Select One |
| State Board of Elections | 08 NCAC 10B .0101 | TASKS AND DUTIES OF PRECINCT OFFICIALS AT VOTING PLACES | Public Comment as defined in G.S. 150B-21.3A(a)(5) | Debbie Dante: Rule IS NOT authorized by State Law § 163-22. Powers and duties of State Board of Elections EXCEPT by § 163-22 (m) The State Board shall provide specific training to county boards of elections regarding rules for registering students. Which requirement is NOT included in the Rule. Rule is CONFUSING and covers multiple different duties and requirements of Precinct Officials and Election Processes NOT included in the referenced Statute § 163-166.6. Designation of tasks. Rule includes requirements of MULTIPLE NC State Statutes which are NOT referenced in the primary Rule History. Only two NC General Statutes are referenced in the History Note. There are at least EIGHTEEN Statutes from which parts of this Rule are acquired. Rule requires revision due to failure to comply with the specified requirements of a Rule under 150B-19 and 150B-21.9 NOT providing clear instructions, being ambiguous, and containing multiple Statutes within the Rule that need SEPARATE clarification. | Thank you for your suggested revisions for later consideration. It does not appear you disagree with the agency's initial determination that the rule is necessary. To the extent you state that the agency was not authorized to adopt this rule pursuant to NCGS 163-22, we disagree. | Select One | Select One |

JOAN BROOKS:
This Rule is determined to be Necessary, but as currently written is UNNECESSARY as it does not meet the objectives required under § 150B-2. Definitions. (8a) Rule "that describes the procedure or practice requirements of an agency."
The Rule as a whole is repetitive, poorly structured, difficult to follow in sequence and does NOT follow a logical order. For example, the requirements of Precinct Officials prior to the opening of the Polls are haphazardly listed among the duties required at the closing of the Polls and among the duties at other times of the Elections Process. The Instructions should be in a Chronological Order.
Likewise, the Rule DOES NOT "seek to reduce the burden upon those persons or entities who must comply with the rule" BUT IT SHOULD.
The Rule is NOT written in a clear and unambiguous manner as is required in 150B Administrative Procedures Act.
The Statutory Authority referenced, § 163-166.6. Designation of tasks, does NOT cover the multiple different duties and requirements of Precinct Official and Election Processes given in the Rule, but additional Statutes are NOT referenced for Statutory Authority, § 163-47. Powers and duties of chief judges and judges of election, in addition to multiple other Statutes were omitted as references in the Authority History and more significant, within the Rule itself. As many as 18 Statutes were identified as being applicable to this Rule.
The Rule requires revision due to failure to comply with the specified requirements of a Rule under 150B-19 and 150B-21.9 NOT providing clear instructions, being ambiguous, and containing multiple Statutes within the Rule that need SEPARATE clarification.

| Agency | Rule | Name | Type of Comment | Comment | Agency Response | RRC Staff Recommendation | RRC Determination [150B-21.3A(c)(2)] |
|--------------------------|-------------------|--|--|---|---|--------------------------|--------------------------------------|
| State Board of Elections | 08 NCAC 10B .0102 | SETTING UP POLLING PLACE PRIOR TO VOTING | Public Comment as defined in G.S. 150B-21.3A(a)(5) | Agnes Puzak: Add the requirement that the Chief Judge should open the Emergency Bin on all tabulators to ensure they contain no ballots at the start of each voting day. | Thank you for your suggested revisions for later consideration. It does not appear you disagree with the agency's initial determination that the rule is necessary. | Select One | Select One |

| Agency | Rule | Name | Type of Comment | Comment | Agency Response | RRC Staff Recommendation | RRC Determination [150B-21.3A(c)(2)] | |
|--------------------------|-------------------|-------------------|--|---|---|--------------------------|--------------------------------------|------------|
| State Board of Elections | 08 NCAC 10B .0103 | VOTING PROCEDURES | Public Comment as defined in G.S. 150B-21.3A(a)(5) | <p>Karl Landgren : 08 NCAC 10B .0103 VOTING PROCEDURES Necessary (4/10)</p> <p>Rule is redundant in that it repeats Statutes verbatim instead of formulating an ordered organized list of procedures and instructions for conducting elections in violation of requirements of § 150B-19.(4) Repeats the content of a law, rule, federal regulation....</p> <p>v Rule IS expressly authorized by Federal and State Law</p> <p>v Rule is VERY NECESSARY to serve the Public Interest in the process of conducting legal and accurate Elections in North Carolina however, the Rule fails the requirements of implementing the Statutes as intended</p> <p>v Rule DOES NOT seek to reduce the burden on those Election Officials as the Rule is NOT written in clear and unambiguous manner § 150B-19.1.(a)(2) and § 150B-19.1.(a)(3)</p> <p>v Rule does NOT provide clear, orderly instructions to carry out the legal requirements of the Statutes applicable to the Rules defined in § 150B 2. Definitions (8a) Rule "...describes the procedure or practice requirements of an agency."</p> <p>v Rule is NOT cumulatively effective in relation to the specific purpose for which the Rule is proposed, which are critical processes in conducting elections at every county, every municipality and every precinct</p> <p>v Rule is redundant in that it repeats Statutes verbatim instead of formulating an ordered organized list of procedures and instructions for conducting elections in violation of requirements of § 150B-19.(4) Repeats the content of a law, rule, federal regulation....</p> <p>Rule IS expressly authorized by Federal and State Law</p> <p>Rule is VERY NECESSARY to serve the Public Interest in the process of conducting legal and accurate Elections in North Carolina however, the Rule fails the requirements of implementing the Statutes as intended</p> <p>Rule DOES NOT seek to reduce the burden on those Election Officials as the Rule is NOT written in clear and unambiguous manner § 150B-19.1.(a)(2) and § 150B-19.1.(a)(3)</p> <p>Rule does NOT provide clear, orderly instructions to carry out the legal requirements of the Statutes applicable to the Rules defined in § 150B2. Definitions (8a) Rule "...describes the procedure or practice requirements of an agency."</p> <p>Rule is NOT cumulatively effective in relation to the specific purpose for which the Rule is proposed, which are critical processes in conducting elections at every county, every municipality and every precinct</p> <p>Rule is redundant in that it repeats Statutes verbatim instead of formulating an ordered organized list of procedures and instructions for conducting elections in violation of requirements of § 150B-19.(4) Repeats the content of a law, rule, federal regulation....</p> <p>JOAN BROOKS: This Rule is expressly authorized by Federal and State law and is most necessary to serve the public interest to conduct legal and accurate Elections in North Carolina, however the Rule fails the requirements of implementing the Law on multiple points. Statutes are repeated verbatim, as well as other rules referenced, without giving an ordered, organized list of procedures and declarative statements that describe the practice requirements of those Election Officials and Voters participating in election processes as required by §150B-19.(4) and §150B 2. Definitions (8a) Rule. The Rule contains relevant information for the creation of the Rule without the required citation of multiple Statutes that give the Statutory Authority for the establishment of the Rule in violation of § 150B-21.2.(c)(3) and § 150B-19.(1) likewise. Information from multiple Statutes pertinent to the Voting Procedures is omitted from the Rule including Photo Identification § 163-166.16, and Provisional Voting under §2 U.S. Code § 21082 - Provisional voting and voting information requirements. At least SIX Statutes and TWO Rules are relevant in the construction of the Rule with ALL omitted in the Authority History violating § 150B-21.2.(c)(3) A citation to the law... The Rule is NOT written in a clear and unambiguous manner, DOES NOT seek to reduce the burden on those Election Officials who are compelled to follow procedures in their official capacity. § 150B-19.1.(a)(2) and § 150B-19.1.(a)(3). Section (d) regarding Provisional Voting does NOT give accurate or complete information from § 163 166.11. Provisional voting requirements but rather is an interpretive statement, NOT a statement of procedure to implement the legal requirements of the Statute. This as other parts of the rule do not comply with</p> <p>Linda Rebuck: Rule is redundant in that it repeats Statutes verbatim instead of formulating an ordered organized list of procedures and instructions for conducting elections in violation of requirements of § 150B-19.(4) Repeats the content of a law, rule, federal regulation....</p> | We agree there is statutory authority for the rule and that the rule is necessary. Thank you for your suggested revisions for later consideration. | Select One | Select One | |
| State Board of Elections | 08 NCAC 10B .0103 | VOTING PROCEDURES | Public Comment as defined in G.S. 150B-21.3A(a)(5) | <p>Ruth Engram: Rule is redundant in that it repeats Statutes verbatim instead of formulating an ordered organized list of procedures and instructions for conducting elections in violation of requirements of § 150B-19.(4) Repeats the content of a law, rule, federal regulation....</p> <p>Rule IS expressly authorized by Federal and State Law</p> <p>Rule is VERY NECESSARY to serve the Public Interest in the process of conducting legal and accurate Elections in North Carolina however, the Rule fails the requirements of implementing the Statutes as intended</p> <p>Rule DOES NOT seek to reduce the burden on those Election Officials as the Rule is NOT written in clear and unambiguous manner § 150B-19.1.(a)(2) and § 150B-19.1.(a)(3)</p> <p>Rule does NOT provide clear, orderly instructions to carry out the legal requirements of the Statutes applicable to the Rules defined in § 150B2. Definitions (8a) Rule "...describes the procedure or practice requirements of an agency."</p> <p>Rule is NOT cumulatively effective in relation to the specific purpose for which the Rule is proposed, which are critical processes in conducting elections at every county, every municipality and every precinct</p> <p>Rule is redundant in that it repeats Statutes verbatim instead of formulating an ordered organized list of procedures and instructions for conducting elections in violation of requirements of § 150B-19.(4) Repeats the content of a law, rule, federal regulation....</p> <p>JOAN BROOKS: This Rule is expressly authorized by Federal and State law and is most necessary to serve the public interest to conduct legal and accurate Elections in North Carolina, however the Rule fails the requirements of implementing the Law on multiple points. Statutes are repeated verbatim, as well as other rules referenced, without giving an ordered, organized list of procedures and declarative statements that describe the practice requirements of those Election Officials and Voters participating in election processes as required by §150B-19.(4) and §150B 2. Definitions (8a) Rule. The Rule contains relevant information for the creation of the Rule without the required citation of multiple Statutes that give the Statutory Authority for the establishment of the Rule in violation of § 150B-21.2.(c)(3) and § 150B-19.(1) likewise. Information from multiple Statutes pertinent to the Voting Procedures is omitted from the Rule including Photo Identification § 163-166.16, and Provisional Voting under §2 U.S. Code § 21082 - Provisional voting and voting information requirements. At least SIX Statutes and TWO Rules are relevant in the construction of the Rule with ALL omitted in the Authority History violating § 150B-21.2.(c)(3) A citation to the law... The Rule is NOT written in a clear and unambiguous manner, DOES NOT seek to reduce the burden on those Election Officials who are compelled to follow procedures in their official capacity. § 150B-19.1.(a)(2) and § 150B-19.1.(a)(3). Section (d) regarding Provisional Voting does NOT give accurate or complete information from § 163 166.11. Provisional voting requirements but rather is an interpretive statement, NOT a statement of procedure to implement the legal requirements of the Statute. This as other parts of the rule do not comply with</p> <p>Linda Rebuck: Rule is redundant in that it repeats Statutes verbatim instead of formulating an ordered organized list of procedures and instructions for conducting elections in violation of requirements of § 150B-19.(4) Repeats the content of a law, rule, federal regulation....</p> | We agree there is statutory authority for the rule and that the rule is necessary. Thank you for your suggested revisions for later consideration. | Select One | Select One | Select One |
| State Board of Elections | 08 NCAC 10B .0103 | VOTING PROCEDURES | Public Comment as defined in G.S. 150B-21.3A(a)(5) | <p>JOAN BROOKS: This Rule is expressly authorized by Federal and State law and is most necessary to serve the public interest to conduct legal and accurate Elections in North Carolina, however the Rule fails the requirements of implementing the Law on multiple points. Statutes are repeated verbatim, as well as other rules referenced, without giving an ordered, organized list of procedures and declarative statements that describe the practice requirements of those Election Officials and Voters participating in election processes as required by §150B-19.(4) and §150B 2. Definitions (8a) Rule. The Rule contains relevant information for the creation of the Rule without the required citation of multiple Statutes that give the Statutory Authority for the establishment of the Rule in violation of § 150B-21.2.(c)(3) and § 150B-19.(1) likewise. Information from multiple Statutes pertinent to the Voting Procedures is omitted from the Rule including Photo Identification § 163-166.16, and Provisional Voting under §2 U.S. Code § 21082 - Provisional voting and voting information requirements. At least SIX Statutes and TWO Rules are relevant in the construction of the Rule with ALL omitted in the Authority History violating § 150B-21.2.(c)(3) A citation to the law... The Rule is NOT written in a clear and unambiguous manner, DOES NOT seek to reduce the burden on those Election Officials who are compelled to follow procedures in their official capacity. § 150B-19.1.(a)(2) and § 150B-19.1.(a)(3). Section (d) regarding Provisional Voting does NOT give accurate or complete information from § 163 166.11. Provisional voting requirements but rather is an interpretive statement, NOT a statement of procedure to implement the legal requirements of the Statute. This as other parts of the rule do not comply with</p> <p>Linda Rebuck: Rule is redundant in that it repeats Statutes verbatim instead of formulating an ordered organized list of procedures and instructions for conducting elections in violation of requirements of § 150B-19.(4) Repeats the content of a law, rule, federal regulation....</p> | We agree there is statutory authority for the rule and that the rule is necessary. Thank you for your suggested revisions for later consideration. To the extent you contend the rule was adopted in violation of the APA, we disagree. | Select One | Select One | Select One |
| State Board of Elections | 08 NCAC 10B .0103 | VOTING PROCEDURES | Public Comment as defined in G.S. 150B-21.3A(a)(5) | <p>Thank you for your suggested revisions for later consideration. It does not appear you disagree with the agency's initial determination that the rule is necessary.</p> | Select One | Select One | Select One | |

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| State Board of Elections | 08 NCAC 10B .0103 | VOTING PROCEDURES | Public Comment as defined in G.S. 150B-21.3A(a)(5) | <p>Doug Brown: <input type="checkbox"/> Rule omits ANY reference to Voter Identification as part of the Voting Procedure <input type="checkbox"/> Rule DOES NOT seek to reduce the burden on those Election Officials as the Rule is NOT written in clear and unambiguous manner <input type="checkbox"/> § 150B-19.1.(a)(2) and § 150B-19.1.(a)(3)</p> <p><input type="checkbox"/> Rule is NOT cumulatively effective in relation to the specific purpose for which the Rule is proposed, which are critical processes in conducting elections at every county, every municipality and every precinct.</p> <p><input type="checkbox"/> Rule is redundant in that it repeats Statutes verbatim instead of formulating an ordered organized list of procedures and instructions for conducting elections in violation of requirements of § 150B-19.(4) Repeats the content of a law, rule, federal regulation....</p> <p><input type="checkbox"/> Rule is not designed to achieve the regulatory objective in a timely manner as the Rule is repetitive without a clear order of duties and requirements specified within the Rule required by § 150B-19.1.(a)(6)</p> <p><input type="checkbox"/> Rule is incomplete regarding Federal Statute 52 USC 21082(a)</p> | <p>Thank you for your suggested revisions for later consideration. It does not appear you disagree with the agency's initial determination that the rule is necessary, but to the extent your comment implies that the rule is unnecessary, we disagree.</p> | Select One | Select One |
| State Board of Elections | 08 NCAC 10B .0103 | VOTING PROCEDURES | Public Comment as defined in G.S. 150B-21.3A(a)(5) | <p>Jane Bilello: <input type="checkbox"/> Rule is necessary. <input type="checkbox"/> Rule is not based on relevant information as multiple Statute requirements are included within the Rule WITHOUT any reference to the said Statutes. At least SIX Statutes and TWO Rules are relevant in the construction of the Rule. ALL were omitted in the Authority History violating § 150B-21.2.(c)(3) A citation to the law...</p> <p><input type="checkbox"/> Rule is not designed to achieve the regulatory objective in a timely manner as the Rule is repetitive without a clear order of duties and requirements specified within the Rule required by § 150B-19.1.(a)(6)</p> <p><input type="checkbox"/> Rule omits ANY reference to Voter Identification as part of the Voting Procedure</p> <p><input type="checkbox"/> Rule repeats the contents of multiple Statutes rather than clearly giving an instruction to carry forth the intent of the Statutes</p> <p><input type="checkbox"/> Rule is incomplete regarding Federal Statute 52 USC 21082(a) Provisional Voting</p> <p><input type="checkbox"/> Rule combines multiple processes that require individual categories of instruction to clearly and unambiguously give procedures to Elections Officials and Precinct Officials for conducting Elections</p> <p><input type="checkbox"/> Rule is poorly documented regarding the Statutes to which it applies and omits multiple Statutes the Rule actually addresses</p> | <p>We agree that the rule is necessary. Thank you for your suggested revisions for later consideration.</p> | Select One | Select One |
| State Board of Elections | 08 NCAC 10B .0103 | VOTING PROCEDURES | Public Comment as defined in G.S. 150B-21.3A(a)(5) | <p>Jane Bilello: <input type="checkbox"/> Rule is necessary. <input type="checkbox"/> Rule is redundant in that it repeats Statutes verbatim instead of formulating an ordered organized list of procedures and instructions for conducting elections in violation of requirements of § 150B-19.(4) Repeats the content of a law, rule, federal regulation....</p> | <p>We agree that the rule is necessary. Thank you for your suggested revisions for later consideration.</p> | Select One | Select One |
| State Board of Elections | 08 NCAC 10B .0103 | VOTING PROCEDURES | Public Comment as defined in G.S. 150B-21.3A(a)(5) | <p>Glen Engram: <input type="checkbox"/> Rule is redundant in that it repeats Statutes verbatim instead of formulating an ordered organized list of procedures and instructions for conducting elections in violation of requirements of § 150B-19.(4) Repeats the content of a law, rule, federal regulation.... <input type="checkbox"/> Rule IS expressly authorized by Federal and State Law <input type="checkbox"/> Rule is VERY NECESSARY to serve the Public Interest in the process of conducting legal and accurate Elections in North Carolina however, the Rule fails the requirements of implementing the Statutes as intended <input type="checkbox"/> Rule DOES NOT seek to reduce the burden on those Election Officials as the Rule is NOT written in clear and unambiguous manner § 150B-19.1.(a)(2) and § 150B-19.1.(a)(3) <input type="checkbox"/> Rule does NOT provide clear, orderly instructions to carry out the legal requirements of the Statute applicable to the Rules defined in § 150B2. Definitions (8a) Rule "...describes the procedure or practice requirements of an agency." <input type="checkbox"/> Rule is NOT cumulatively effective in relation to the specific purpose for which the Rule is proposed, which are critical processes in conducting elections at every county, every municipality and every precinct <input type="checkbox"/> Rule is redundant in that it repeats Statutes verbatim instead of formulating an ordered organized list of procedures and instructions for conducting elections in violation of requirements of § 150B-19.(4) Repeats the content of a law, rule, federal regulation.... <input type="checkbox"/> Rule is not based on relevant information as multiple Statute requirements are included within the Rule WITHOUT any reference to the said Statutes. At least SIX Statutes and TWO Rules are relevant in the construction of the Rule. ALL were omitted in the Authority History violating § 150B-21.2.(c)(3) A citation to the law...</p> | <p>We agree there is statutory authority for the rule and that the rule is necessary. Thank you for your suggested revisions for later consideration.</p> | Select One | Select One |
| State Board of Elections | 08 NCAC 10B .0103 | VOTING PROCEDURES | Public Comment as defined in G.S. 150B-21.3A(a)(5) | <p>Karen Raines: <input type="checkbox"/> Although this rule is VERY NECESSARY to serve the public interest in the process of conducting legal and accurate elections in North Carolina, it nonetheless fails the requirements of implementing the statutes as intended by not being based on relevant information. Multiple Statute requirements are included within the Rule WITHOUT any reference to the said Statutes. At least SIX Statutes and TWO Rules are relevant in the construction of the Rule. ALL were omitted in the Authority History violating § 150B-21.2.(c)(3) A citation to the law...</p> | <p>We agree that the rule is necessary. To the extent you contend the rule was adopted in violation of the APA, we disagree.</p> | Select One | Select One |

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|--------------------------|-------------------|-------------------|--|---|---|------------|------------|
| State Board of Elections | 08 NCAC 10B .0103 | VOTING PROCEDURES | Public Comment as defined in G.S. 150B-21.3A(a)(5) | Debbie Dante: Rule omits ANY reference to Voter Identification as part of the Voting Procedure. Rule is redundant in that it repeats Statutes verbatim instead of formulating an ordered organized list of procedures and instructions for conducting elections in violation of requirements of § 150B-19.(4) Repeats the content of a law, rule, federal regulation.... Rule does NOT provide clear, orderly instructions to carry out the legal requirements of the Statutes applicable to the Rules defined in § 150B 2. Definitions (8a) Rule. "...describes the procedure or practice requirements of an agency." Rule combines multiple processes that require individual categories of instruction to clearly and unambiguously give procedures to Elections Officials and Precinct Officials for conducting Elections Rule is poorly documented regarding the Statutes to which it applies and omits multiple Statutes the Rule actually addresses | Thank you for your suggested revisions for later consideration. It does not appear you disagree with the agency's initial determination that the rule is necessary, but to the extent your comment implies that the rule is unnecessary, we disagree. | Select One | Select One |
| State Board of Elections | 08 NCAC 10B .0103 | VOTING PROCEDURES | Public Comment as defined in G.S. 150B-21.3A(a)(5) | Pamela Riley: Necessary | We agree. | Select One | Select One |
| State Board of Elections | 08 NCAC 10B .0103 | VOTING PROCEDURES | Public Comment as defined in G.S. 150B-21.3A(a)(5) | Agnes Puzak: Bullet (e) Add the statement that it is the duty of the election official to gather driver's license or social security number or state assigned voter id for individuals lacking both a driver's license and social security number and to update the voter records accordingly. Add the statement that the election official may correct invalid data, such as birth date or full legal name of the voter, if the voter provides proof of the correct data. | Thank you for your suggested revisions for later consideration. It does not appear you disagree with the agency's initial determination that the rule is necessary. | Select One | Select One |

| Agency | Rule | Name | Type of Comment | Comment | Agency Response | RRC Staff Recommendation | RRC Determination [150B-21.3A(c)(2)] |
|--------------------------|-------------------|---|--|---|--|--------------------------|--------------------------------------|
| State Board of Elections | 08 NCAC 10B .0104 | LEAVING THE VOTING ENCLOSURE, SPOILED OR INCOMPLETE BALLOTS | Public Comment as defined in G.S. 150B-21.3A(a)(5) | JOAN BROOKS: The Rule is NECESSARY. The Rule has appropriately documented Statutes. The Rule structure does NOT comply with the requirements of Rule under G.S 150B-2(ba) as declarative sentences, i.e. actual instructions to complete the process of the voter leaving the Voting Enclosure which necessary to implement the Statute. What directives exist are mingled among other separate processes creating confusing and ambiguous statements. The rule requires modification as currently written as it does not clearly achieve the purpose for which it was written. The Rule repeats the Statutes without providing procedures for accomplishing the of the law. G.S 150B-19.(4) | We agree that the rule is necessary. Thank you for your suggested revisions for later consideration. | Select One | Select One |
| State Board of Elections | 08 NCAC 10B .0104 | LEAVING THE VOTING ENCLOSURE, SPOILED OR INCOMPLETE BALLOTS | Public Comment as defined in G.S. 150B-21.3A(a)(5) | Pamela Riley: Necessary | We agree. | Select One | Select One |

| Agency | Rule | Name | Type of Comment | Comment | Agency Response | RRC Staff Recommendation | RRC Determination [150B-21.3A(c)(2)] |
|--------------------------|-------------------|-----------------------------------|--|---|---|--------------------------|--------------------------------------|
| State Board of Elections | 08 NCAC 10B .0105 | PROCEDURES AT THE CLOSE OF VOTING | Public Comment as defined in G.S. 150B-21.3A(a)(5) | JOAN BROOKS: The Rule is Necessary but is poorly referenced as the Statutes in the Authority History are incomplete. The content of the Rule as written is NOT found within the Statutes and additional references are not given within the body of the Rule for clarification. In contradistinction to the requirements of GS 150B-19.(4) the Rule repeats the Statutes referenced verbatim. The Rule is not clear and unambiguous although reasonably necessary to implement State law.GS 150B-19.1(a)(3). With minimal clear procedures provided, the Rule does not reduce the on those required to comply with the Rule. GS150B-19.1(a)(2). Rule requires significant modification and rewriting in order to comply with the requirements of GS 10B-2(8a). | We agree that the rule is necessary. Thank you for your suggested revisions for later consideration. It does not appear you disagree with the agency's initial determination. | Select One | Select One |
| State Board of Elections | 08 NCAC 10B .0105 | PROCEDURES AT THE CLOSE OF VOTING | Public Comment as defined in G.S. 150B-21.3A(a)(5) | Agnes Puzak: Add the requirement that the Chief Judge open the Emergency Bin on each tabulator to ensure it is empty. | Thank you for your suggested revisions for later consideration. It does not appear you disagree with the agency's initial determination that the rule is necessary. | Select One | Select One |

| Agency | Rule | Name | Type of Comment | Comment | Agency Response | RRC Staff Recommendation | RRC Determination [150B-21.3A(c)(2)] |
|--------------------------|-------------------|--------------------------|--|---|---|--------------------------|--------------------------------------|
| State Board of Elections | 08 NCAC 10B .0106 | ELECTION SUPPLIES RETURN | Public Comment as defined in G.S. 150B-21.3A(a)(5) | JOAN BROOKS: Rule is NECESSARY. The Rule is partially referenced in the History Note but is incomplete as the Rule includes information not found in the Statutes quoted. The Rule merely quotes parts of Statutes giving POLICY but not actual directives of procedures to implement the intent of the Law, which is not allowed in 150B-19.(4) for the adoption of a Rule. The Rule also is unclear and ambiguous as it provides information not in the Statutes quoted and applies to parts of 163 15A regarding responsibilities of Precinct Officials. The Rule needs modification, clarification and revision to be considered implementing State Law. | We agree that the rule is necessary. Thank you for your suggested revisions for later consideration. To the extent you contend the rule was adopted in violation of the APA, we disagree. | Select One | Select One |
| State Board of Elections | 08 NCAC 10B .0106 | ELECTION SUPPLIES RETURN | Public Comment as defined in G.S. 150B-21.3A(a)(5) | Pamela Riley: Necessary | We agree. | Select One | Select One |

| Agency | Rule | Name | Type of Comment | Comment | Agency Response | RRC Staff Recommendation | RRC Determination [1508-21.3A(c)(2)] |
|--------------------------|-------------------|-----------------|--|--|--|--------------------------|--------------------------------------|
| State Board of Elections | 08 NCAC 10B .0108 | CURBSIDE VOTING | Public Comment as defined in G.S. 150B-21.3A(a)(5) | <p>Karl Landgren : log2.png DONATE Post</p> <p>All Posts Administrative Code: Comment on Curbside Voting 2 days ago NC Administrative Code: Fixing the Rules</p> <p>Members of the public may comment on the State Board's initial determination that the rules are necessary in any of the following ways through October 17, 2025.</p> <p>References:</p> <p>Administrative Procedures Act</p> <p>OAH RRC Rules Review NCSBE 2025 Plan of Review</p> <p>Administrative Code: Is The Rule Necessary or Unnecessary? This is what happens next.</p> <p>Go to the portal Online: https://www.ncsbe.gov/about-elections/legal-resources/rulemaking/public-comment-portal-2025-periodic-review-existing-rules</p> <p>Or Email: rulemaking.sboe@ncsbe.gov (Commenter must identify the specific rule being commented on.)</p> <p>Please comment on these rules. Click the above link for info on comments.</p> <p>Each rule submission is separate.</p> | Thank you for your suggested revisions for later consideration. It is unclear whether you disagree with the agency's initial determination that the rule is necessary. | Select One | Select One |
| State Board of Elections | 08 NCAC 10B .0108 | CURBSIDE VOTING | Public Comment as defined in G.S. 150B-21.3A(a)(5) | <p>08 NCAC 10B .0108 CURBSIDE VOTING NECESSARY</p> <p>Ruth Englim:</p> <p>Rule contains instructions unrelated to Curbside Voting inappropriately confusing the context of the Rule, and as such does not achieve the primary purpose of the Rule, minimizing its relevance. § 150B-19.1.(a)(5)</p> <p>v In section (6), the use of "may" and "shall" are ambiguous. The section should read "... shall provide for all such paper ballots to be transported upon closing of the polls by a bi-partisan team to the county board..." and include by a bi-partisan team. The Rule is NOT written in a clear and unambiguous manner</p> <p>Rule does not seek to reduce the burden on those persons or entities who must comply with the Rule according to 150B-19.1(a)(2). For example: The Rule lacks explicit instruction on how many affidavits and ballots may be permitted to be distributed to one car at one time.</p> <p>Rule does not seek to reduce the burden on those persons or entities who must comply with the Rule according to 150B-19.1(a)(2). For example: The Rule lacks explicit instruction on how many affidavits and ballots may be permitted to be distributed to one car at one time</p> <p>Rule is NOT clear and unambiguous as required by § 150B-19.1.(a)(3): In section (2), "...the voter shall execute the affidavit after being sworn by a precinct election official..." Clarification is needed for what "sworn by a precinct election official" entails.</p> <p>Rule does not contain correct Authority History of Statutes applicable to the Rule as required § 150B-21.2(c)(3) A citation to the law that gives the agency the authority to adopt the rule. The first line of the Rule misstates statute GS 163A-11400. Recodified as Chapters 120C, 138A, and 163, by Session Laws 2018146, s. 3.1(a), (b).</p> <p>Rule requires further investigation and MODIFICATION as the procedures are expressly authorized by State law and are necessary to serve the public interest. § 150B-19.1.(a)(1)</p> <p>Rule contains a Form of the Affidavit in violation of § 150B 2. Definitions (8a) Rule. Indicating a form does not meet the term Rule.</p> | Thank you for your suggested revisions for later consideration. It is unclear whether you disagree with the agency's initial determination that the rule is necessary. | Select One | Select One |
| State Board of Elections | 08 NCAC 10B .0108 | CURBSIDE VOTING | Public Comment as defined in G.S. 150B-21.3A(a)(5) | <p>Linda Rebuck:</p> <p>Rule does not seek to reduce the burden on those persons or entities who must comply with the Rule according to 150B-19.1(a)(2). For example: The Rule lacks explicit instruction on how many affidavits and ballots may be permitted to be distributed to one car at one time.</p> | Thank you for your suggested revisions for later consideration. It does not appear you disagree with the agency's initial determination that the rule is necessary. | Select One | Select One |
| State Board of Elections | 08 NCAC 10B .0108 | CURBSIDE VOTING | Public Comment as defined in G.S. 150B-21.3A(a)(5) | <p>Doug Brown:</p> <p>¶ The Rule lacks explicit instruction on how many affidavits and ballots may be permitted to be distributed to one car at one time. Therefore, the Rule does not seek to reduce the burden on those persons or entities who must comply with the Rule according to 150B-19.1(a)(2).</p> <p>¶ Rule is NOT clear and unambiguous as required by § 150B-19.1.(a)(3): In section (2), "...the voter shall execute the affidavit after being sworn by a precinct election official..." Clarification is needed for what "sworn by a precinct election official" entails.</p> <p>¶ Rule contains a Form of the Affidavit in violation of § 150B 2. Definitions (8a) Rule. Indicating a form does not meet the term Rule.</p> <p>¶ In section (6), the use of "may" and "shall" are ambiguous. The section should read "... shall provide for all such paper ballots to be transported upon closing of the polls by a bi-partisan team to the county board..." and include by a bi-partisan team. The Rule is NOT written in a clear and unambiguous manner.</p> | Thank you for your suggested revisions for later consideration. It is unclear whether you disagree with the agency's initial determination that the rule is necessary. | Select One | Select One |
| State Board of Elections | 08 NCAC 10B .0108 | CURBSIDE VOTING | Public Comment as defined in G.S. 150B-21.3A(a)(5) | <p>Jane Billelio:</p> <p>Rule is necessary.</p> <p>v Rule is NOT clear and unambiguous as required by § 150B-19.1.(a)(3): In section (2), "...the voter shall execute the affidavit after being sworn by a precinct election official..." Clarification is needed for what "sworn by a precinct election official" entails.</p> <p>v Rule does not contain correct Authority History of Statutes applicable to the Rule as required § 150B-21.2(c)(3) A citation to the law that gives the agency the authority to adopt the rule. The first line of the Rule misstates statute GS 163A-11400. Recodified as Chapters 120C, 138A, and 163, by Session Laws 2018 146, s. 3.1(a), (b).</p> <p>v Rule requires further investigation and MODIFICATION as the procedures are expressly authorized by State law and are necessary to serve the public interest. § 150B-19.1.(a)(1)</p> <p>v Rule contains a Form of the Affidavit in violation of § 150B 2. Definitions (8a) Rule. Indicating a form does not meet the term Rule.</p> <p>v Rule contains instructions unrelated to Curbside Voting inappropriately confusing the context of the Rule, and as such does not achieve the primary purpose of the Rule, minimizing its relevance. § 150B-19.1.(a)(5)</p> <p>v In section (6), the use of "may" and "shall" are ambiguous. The section should read "... shall provide for all such paper ballots to be transported upon closing of the polls by a bi-partisan team to the county board..." and include by a bi-partisan team. The Rule is NOT written in a clear and unambiguous manner.</p> | We agree that the rule is necessary. Thank you for your suggested revisions for later consideration. | Select One | Select One |
| State Board of Elections | 08 NCAC 10B .0108 | CURBSIDE VOTING | Public Comment as defined in G.S. 150B-21.3A(a)(5) | <p>Jane Billelio:</p> <p>Rule is necessary.</p> <p>Rule does not seek to reduce the burden on those persons or entities who must comply with the Rule according to 150B-19.1(a)(2). For example: The Rule lacks explicit instruction on how many affidavits and ballots may be permitted to be distributed to one car at one time.</p> | We agree that the rule is necessary. Thank you for your suggested revisions for later consideration. | Select One | Select One |

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| State Board of Elections | 08 NCAC 10B .0108 | CURBSIDE VOTING | Public Comment as defined in G.S. 150B-21.3A(a)(5) | Glen Englram: Rule does not seek to reduce the burden on those persons or entities who must comply with the Rule according to 150B-19.1(a)(2). For example: The Rule lacks explicit instruction on how many affidavits and ballots may be permitted to be distributed to one car at one time. Rule does not seek to reduce the burden on those persons or entities who must comply with the Rule according to 150B-19.1(a)(2). For example: The Rule lacks explicit instruction on how many affidavits and ballots may be permitted to be distributed to one car at one time Rule is NOT clear and unambiguous as required by § 150B-19.1(a)(3); In section (2), "...the voter shall execute the affidavit after being sworn by a precinct election official..." Clarification is needed for what "sworn by a precinct election official" entails. Rule does not contain correct Authority History of Statutes applicable to the the Rule as required § 150B-21.2(c)(3) A citation to the law that gives the agency the authority to adopt the rule. The first line of the Rule mistakes statute GS 163A-11400. Recodified as Chapters 120C, 138A, and 163, by Session Laws 2018146, s. 3.1(a), (b). Rule requires further investigation and MODIFICATION as the procedures are expressly authorized by State law and are necessary to serve the public interest. § 150B-19.1(a)(1) Rule contains a Form of the Affidavit in violation of § 150B2. Definitions (8a) Rule. Indicating a form does not meet the term Rule. Rule contains instructions unrelated to Curbside Voting inappropriately confusing the context of the Rule, and as such does not achieve the primary purpose of the Rule, minimizing its relevance. § 150B-19.1.(a)(5) | Thank you for your suggested revisions for later consideration. It is unclear whether you disagree with the agency's initial determination that the rule is necessary. | Select One | Select One |
| State Board of Elections | 08 NCAC 10B .0108 | CURBSIDE VOTING | Public Comment as defined in G.S. 150B-21.3A(a)(5) | Karen Raines: This rule, though necessary, is NOT written in a clear and unambiguous manner. In section (6), the use of "may" and "shall" are ambiguous. The section should read "... shall provide for all such paper ballots to be transported upon closing of the polls by a bi-partisan team to the county board..." and include "by a bi-partisan team." | We agree that the rule is necessary. Thank you for your suggested revisions for later consideration. | Select One | Select One |
| State Board of Elections | 08 NCAC 10B .0108 | CURBSIDE VOTING | Public Comment as defined in G.S. 150B-21.3A(a)(5) | Debbie Dante: Rule does not seek to reduce the burden on those persons or entities who must comply with the Rule according to 150B-19.1(a)(2). For example: The Rule lacks explicit instruction on how many affidavits and ballots may be permitted to be distributed to one car at one time. For example: The Rule lacks explicit instruction on how many affidavits and ballots may be permitted to be distributed to one car at one time. Rule does not contain correct Authority History of Statutes applicable to the Rule as required § 150B-21.2(c)(3) A citation to the law that gives the agency the authority to adopt the rule. The first line of the Rule mistakes statute GS 163A-11400. Recodified as Chapters 120C, 138A, and 163, by Session Laws 2018146, s. 3.1(a), (b). Rule contains a Form of the Affidavit in violation of § 150B2. Definitions (8a) Rule. Indicating a form does not meet the term Rule. Rule contains instructions unrelated to Curbside Voting inappropriately confusing the context of the Rule, and as such does not achieve the primary purpose of the Rule, minimizing its relevance. § 150B-19.1.(a)(5) In section (6), the use of "may" and "shall" are ambiguous. The section should read "... shall provide for all such paper ballots to be transported upon closing of the polls by a bi-partisan team to the county board..." and include by a bi-partisan team. The Rule is NOT written in a clear and unambiguous manner. | Thank you for your suggested revisions for later consideration. It is unclear whether you disagree with the agency's initial determination that the rule is necessary. | Select One | Select One |
| State Board of Elections | 08 NCAC 10B .0108 | CURBSIDE VOTING | Public Comment as defined in G.S. 150B-21.3A(a)(5) | Kenneth Harden: The rule is necessary. Rule does not seek to reduce the burden on those persons or entities who must comply with the Rule according to 150B-19.1(a)(2). For example: The Rule lacks explicit instruction on how many affidavits and ballots may be permitted to be distributed to one car at one time. | We agree that the rule is necessary. Thank you for your suggested revisions for later consideration. | Select One | Select One |
| State Board of Elections | 08 NCAC 10B .0108 | CURBSIDE VOTING | Public Comment as defined in G.S. 150B-21.3A(a)(5) | Pamela Riley: Necessary | We agree. | Select One | Select One |
| State Board of Elections | 08 NCAC 10B .0108 | CURBSIDE VOTING | Other Statement | Anne Matalka: As a poll observer, I didn't see anyone turned away from curbside, both passenger and driver voted. | Thank you for your interest in elections and curbside voting. | Select One | Select One |
| State Board of Elections | 08 NCAC 10B .0108 | CURBSIDE VOTING | Public Comment as defined in G.S. 150B-21.3A(a)(5) | JOAN BROOKS: The Rule lacks explicit instruction on how many affidavits and ballots may be permitted to be distributed to one car at one time. This creates confusion and an undue burden on those Precinct Officials who must comply with the Rule which is in conflict with 150B-19.1(a)(2). The Rule is NOT clear and unambiguous as required by § 150B-19.1(a)(3) e.g., relating to a sworn affidavit of the Voter by a precinct election official without specifying the procedure for same. The Rule does not contain correct Authority History of Statutes applicable to the Rule as required by § 150B-21.2(c)(3) which requires a citation to the law giving the agency the authority to adopt the Rule. The opening sentence of the Rule references a Statute that has been Re-coded. NO current statutes that apply to the Rule are documented. This alone makes the Rule OBSOLETE. The Rule contains a Form of the Affidavit in violation of § 150B2. Definitions (8a) Rule. Indicating a form does not meet the term Rule. The Rule contains topics that are not related to Curbside Voting, making the Rule irrelevant and confusing the primary purpose of the Rule. § 150B-19.1(a)(5). The Curbside Voting Rule is definitely a Necessary Rule, but is poorly constructed, does not contain explicit instructions or an orderly list of procedures that is required for the Precinct Officials, and the Voters, to legally, accurately and timely conduct the election process. | We agree that the rule is necessary. Thank you for your suggested revisions for later consideration. To the extent you contend the rule is obsolete, we disagree. | Select One | Select One |
| State Board of Elections | 08 NCAC 10B .0108 | CURBSIDE VOTING | Public Comment as defined in G.S. 150B-21.3A(a)(5) | Agnes Puzak: Clarify whether curbside voting must be 1-1 (one poll worker to one voter with one ballot) or 1-N (one poll worker to multiple voters with multiple ballots- one for each voter) is allowable. If 1-N-N is allowable, identify restrictions, such as all voters in the vehicle must be voting the same ballot. Clarify whether the vehicle driver, who is not requesting curbside voting, can remain in the vehicle or should they leave the vehicle while the voter has his/her ballot. | Thank you for your suggested revisions for later consideration. It does not appear you disagree with the agency's initial determination that the rule is necessary. | Select One | Select One |

| Agency | Rule | Name | Type of Comment | Comment | Agency Response | RRC Staff Recommendation | RRC Determination [150B-21.3A(c)(2)] |
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| State Board of Elections | 08 NCAC 10B .0109 | VOTING SITE UNIFORMITY | Public Comment as defined in G.S. 150B-21.3A(a)(5) | <p>Ruth Engram:</p> <p>Rule is NECESSARY for the stated purpose.</p> <p>Rule IS NOT authorized by State Law G.S. 163A-741; 163A-1137; 163A-1168 and no current statutes are cited as authority for this Rule.</p> <p>Rule IS authorized by State Law § 163-22. Powers and duties of State Board of Elections § 163-22 grants NCSBE rulemaking authority for election administration.</p> <p>Rule IS necessary to serve the public interest by having set standards for site uniformity.</p> <p>Rule DOES NOT "seek to reduce the burden upon those persons or entities who must comply with the rule"</p> <p>Rule IS NOT repetitive and follows a logical order.</p> <p>Rule IS "written in a clear and unambiguous manner."</p> <p>Rule covers multiple different duties and set-up requirements of Precinct Officials and Election Processes NOT included in the un-referenced Statutes. Rule cites all three (3) statutes in History Note have been Re-recognized and no current statute cited as authority other than § 163-22.</p> <p>Rule IS reasonably necessary to implement or interpret State law.</p> <p>Rule DOES have a "cumulative effect" "related to the specific purpose for which the rule is proposed."</p> <p>Rule is intended to provide specific operational guidelines not detailed in the statutes.</p> <p>Rule repeats voting procedures outlined in § 163-166.7 Voting procedures.</p> | <p>We agree that there is statutory authority for the rule and that the rule is necessary. Thank you for your suggested revisions for later consideration. To the extent you state that the rule is without statutory authority because it contains citations to Chapter 163A instead of the corresponding statutes in Chapter 163, we disagree.</p> | Select One | Select One |
| State Board of Elections | 08 NCAC 10B .0109 | VOTING SITE UNIFORMITY | Public Comment as defined in G.S. 150B-21.3A(a)(5) | <p>Glen Engram:</p> <p>v Rule IS NOT authorized by State Law G.S. 163A-741; 163A-1137; 163A-1168 and no current statutes are cited as authority for this Rule.</p> <p>v Rule IS authorized by State Law § 163-22. Powers and duties of State Board of Elections § 163-22 grants NCSBE rulemaking authority for election administration.</p> <p>v Rule IS necessary to serve the public interest by having set standards for site uniformity.</p> <p>v Rule DOES NOT "seek to reduce the burden upon those persons or entities who must comply with the rule"</p> <p>v Rule IS NOT repetitive and follows a logical order.</p> <p>v Rule IS "written in a clear and unambiguous manner."</p> <p>v Rule covers multiple different duties and set-up requirements of Precinct Officials and Election Processes NOT included in the un-referenced Statutes. Rule cites all three (3) statutes in History Note have been Re-recognized and no current statute cited as authority other than § 163-22.</p> <p>v Rule IS reasonably necessary to implement or interpret State law.</p> <p>v Rule DOES have a "cumulative effect" "related to the specific purpose for which the rule is proposed."</p> <p>v Rule is NECESSARY for the stated purpose.</p> <p>v Rule is intended to provide specific operational guidelines not detailed in the statutes.</p> | <p>We agree that there is statutory authority for the rule and that the rule is necessary. Thank you for your suggested revisions for later consideration. To the extent you state that the rule is without statutory authority because it contains citations to Chapter 163A instead of the corresponding statutes in Chapter 163, we disagree.</p> | Select One | Select One |
| State Board of Elections | 08 NCAC 10B .0109 | VOTING SITE UNIFORMITY | Public Comment as defined in G.S. 150B-21.3A(a)(5) | <p>doug14brown@gmail.com</p> <p>* Rule IS NOT authorized by State Law G.S. 163A-741; 163A-1137; 163A-1168 and no current statutes are cited as authority for this Rule.</p> <p>☐ Rule IS authorized by State Law § 163-22. Powers and duties of State Board of Elections § 163-22 grants NCSBE rulemaking authority for election administration.</p> <p>☐ Rule repeats voting procedures outlined in § 163-166.7 Voting procedures.</p> | <p>We agree that there is statutory authority for the rule but to the extent you state that the rule is without statutory authority because it contains citations to Chapter 163A instead of the corresponding statutes in Chapter 163, we disagree. It is unclear whether you disagree with the agency's initial determination that the rule is necessary.</p> | Select One | Select One |
| State Board of Elections | 08 NCAC 10B .0109 | VOTING SITE UNIFORMITY | Public Comment as defined in G.S. 150B-21.3A(a)(5) | <p>Linda Rebuck:</p> <p>Rule DOES have a "cumulative effect" "related to the specific purpose for which the rule is proposed."</p> <p>v Rule is NECESSARY for the stated purpose.</p> <p>v Rule is intended to provide specific operational guidelines not detailed in the statutes.</p> <p>v Rule repeats voting procedures outlined in § 163-166.7 Voting procedures.</p> | <p>We agree that the rule is necessary. Thank you for your suggested revisions for later consideration.</p> | Select One | Select One |
| State Board of Elections | 08 NCAC 10B .0109 | VOTING SITE UNIFORMITY | Public Comment as defined in G.S. 150B-21.3A(a)(5) | <p>Jane Billelo:</p> <p>v Rule is necessary.</p> <p>Rule IS authorized by State Law § 163-22. Powers and duties of State Board of Elections § 163-22 grants NCSBE rulemaking authority for election administration.</p> <p>v Rule IS necessary to serve the public interest by having set standards for site uniformity.</p> <p>v Rule DOES NOT "seek to reduce the burden upon those persons or entities who must comply with the rule"</p> <p>v Rule IS NOT repetitive and follows a logical order.</p> <p>v Rule IS "written in a clear and unambiguous manner."</p> <p>v Rule covers multiple different duties and set-up requirements of Precinct Officials and Election Processes NOT included in the un-referenced Statutes. Rule cites all three (3) statutes in History Note have been Re-recognized and no current statute cited as authority other than § 163-22.</p> <p>v Rule IS reasonably necessary to implement or interpret State law.</p> <p>v Rule DOES have a "cumulative effect" "related to the specific purpose for which the rule is proposed."</p> <p>v Rule is NECESSARY for the stated purpose.</p> <p>v Rule is intended to provide specific operational guidelines not detailed in the statutes.</p> <p>v Rule repeats voting procedures outlined in § 163-166.7 Voting procedures.</p> | <p>We agree there is statutory authority for the rule and that the rule is necessary. Thank you for your suggested revisions for later consideration.</p> | Select One | Select One |
| State Board of Elections | 08 NCAC 10B .0109 | VOTING SITE UNIFORMITY | Public Comment as defined in G.S. 150B-21.3A(a)(5) | <p>cory.winn:</p> <p>Rule covers multiple different duties and set-up requirements of Precinct Officials and Election Processes NOT included in the un-referenced Statutes. Rule cites all three (3) statutes in History Note have been Re-recognized and no current statute cited as authority other than § 163-22.</p> | <p>Thank you for noting that the authority for this rule has since been re-recognized from Chapter 163A to Chapter 163. It is unclear whether you disagree with the agency's initial determination that the rule is necessary.</p> | Select One | Select One |

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| State Board of Elections | 08 NCAC 10B .0109 | VOTING SITE UNIFORMITY | Public Comment as defined in G.S. 150B-21.3A(a)(5) | Jane Billelo: Rule covers multiple different duties and set-up requirements of Precinct Officials and Election Processes NOT included in the un-referenced Statutes. Rule cites all three (3) statutes in History Note have been Re codified and no current statute cited as authority other than § 163-22. | Thank you for noting that the authority for this rule has since been recodified from Chapter 163A to Chapter 163. It is unclear whether you disagree with the agency's initial determination that the rule is necessary. | Select One | Select One |
| State Board of Elections | 08 NCAC 10B .0109 | VOTING SITE UNIFORMITY | Public Comment as defined in G.S. 150B-21.3A(a)(5) | Chiprie Mecklenburg: Rule IS NOT authorized by State Law G.S. 163A-741; 163A-1137; 163A-1168 and no current statutes are cited as authority for this Rule. | Thank you for noting that the authority for this rule has since been recodified from Chapter 163A to Chapter 163. To the extent you state this means the rule is not an authorized rule, we disagree. It is unclear whether you disagree with the agency's initial determination that the rule is necessary. | Select One | Select One |
| State Board of Elections | 08 NCAC 10B .0109 | VOTING SITE UNIFORMITY | Public Comment as defined in G.S. 150B-21.3A(a)(5) | Suzanne Tzareff : Rule covers multiple different duties and set-up requirements of Precinct Officials and Election Processes NOT included in the un-referenced Statutes. Rule cites all three (3) statutes in History Note have been Re codified and no current statute cited as authority other than § 163-22. | Thank you for noting that the authority for this rule has since been recodified from Chapter 163A to Chapter 163. It is unclear whether you disagree with the agency's initial determination that the rule is necessary. | Select One | Select One |
| State Board of Elections | 08 NCAC 10B .0109 | VOTING SITE UNIFORMITY | Public Comment as defined in G.S. 150B-21.3A(a)(5) | Karen Raines: While being necessary in order to serve the public interest by having set standards for site uniformity, it is nevertheless incomplete and poorly cited in that the rule IS NOT authorized by State Law G.S. 163A-741; 163A-1137; 163A-1168 and no current statutes are cited as authority for this Rule. | We agree the rule is necessary. Thank you for noting that the authority for this rule has since been recodified from Chapter 163A to Chapter 163. To the extent you state this means the rule is not an authorized rule because of those citations, we disagree. | Select One | Select One |
| State Board of Elections | 08 NCAC 10B .0109 | VOTING SITE UNIFORMITY | Public Comment as defined in G.S. 150B-21.3A(a)(5) | JOAN BROOKS: This Rule is Necessary but is INCOMPLETE and Poorly Cited, in addition to be structured in an improper way that violates the basic term "RULE" and the requirements under § 150B .2, stating a RULE describes the procedure or practice requirements of an agency. The entire Rule could be considered OBSOLETE as there are NO accurate Statute references as required in the basic requirements for the creation of a Rule described in § 150B-21.2.(c)(3) that give the NCSBE the authority to adopt the Rule. ALL Statute references listed have been re-coded. Rule IS required by NC § 163-166.7. Voting procedures and multiple other Statutes not referenced. Multiple Statutes cross the information required in this Rule. Because of its poor construction, the Rule could easily be considered Unnecessary. Rule does NOT seek to reduce the burden on those required to comply with the Rule due to the poorly structured instructions and lack of clear procedures within the Rule. Voting Site Uniformity contains mixed POLICY statements and repetition of Statutes, both which are disallowed under § 150B-19 (4). With the omission of applicable Statutes, the Rule has no designated authority under § 150B-21.2.(c)(3). As written the Rule does not achieve purpose in cost-effective and timely manner. The Rule is VERY NECESSARY and requires major modification and updating. | We agree that the rule is necessary. Thank you for your suggested revisions for later consideration. To the extent you contend the rule is obsolete, was not adopted in conformity with the APA, or somehow is without statutory authority, we disagree. | Select One | Select One |
| State Board of Elections | 08 NCAC 10B .0109 | VOTING SITE UNIFORMITY | Public Comment as defined in G.S. 150B-21.3A(a)(5) | Kenneth Harden: Rule IS expressly authorized by Federal and State Law | We agree there is statutory authority for the rule and that the rule is necessary. Thank you for your suggested revisions for later consideration. | Select One | Select One |
| State Board of Elections | 08 NCAC 10B .0109 | VOTING SITE UNIFORMITY | Public Comment as defined in G.S. 150B-21.3A(a)(5) | v Rule is VERY NECESSARY to serve the Public Interest in the process of conducting legal and accurate Elections in North Carolina however, the Rule fails the requirements of implementing the Statutes as intended | | | |
| State Board of Elections | 08 NCAC 10B .0109 | VOTING SITE UNIFORMITY | Public Comment as defined in G.S. 150B-21.3A(a)(5) | Pamela Riley: Necessary | We agree. | Select One | Select One |
| State Board of Elections | 08 NCAC 10B .0109 | VOTING SITE UNIFORMITY | Public Comment as defined in G.S. 150B-21.3A(a)(5) | Kenneth Harden: 08 NCAC 10B .0109 VOTING SITE UNIFORMITY | We agree that the rule is necessary. Thank you for your suggested revisions for later consideration. | Select One | Select One |
| | | | | Rule IS necessary to serve the public interest by having set standards for site uniformity. | | | |
| | | | | v Rule DOES NOT "seek to reduce the burden upon those persons or entities who must comply with the rule" | | | |
| | | | | v Rule IS NOT repetitive and follows a logical order. | | | |
| | | | | v Rule IS "written in a clear and unambiguous manner." | | | |
| | | | | v Rule covers multiple different duties and set-up requirements of Precinct Officials and Election Processes NOT included in the un-referenced Statutes. Rule cites all three (3) statutes in History Note have been Re codified and no current statute cited as authority other than § 163-22. | | | |
| | | | | v Rule IS reasonably necessary to implement or interpret State law. | | | |
| | | | | v Rule DOES have a "cumulative effect" "related to the specific purpose for which the rule is proposed." | | | |
| | | | | v Rule is intended to provide specific operational guidelines not detailed in the statutes. | | | |
| | | | | v Rule repeats voting procedures outlined in § 163 166.7 Voting procedures. | | | |
| State Board of Elections | 08 NCAC 10B .0109 | VOTING SITE UNIFORMITY | Public Comment as defined in G.S. 150B-21.3A(a)(5) | Debbie Dante: Rule IS NOT authorized by State Law G.S. 163A-741; 163A-1137; 163A-1168 and no current statutes are cited as authority for this Rule. | Thank you for noting that the authority for this rule has since been recodified from Chapter 163A to Chapter 163. To the extent you state this means the rule is not an authorized rule, we disagree. It is unclear whether you disagree with the agency's initial determination that the rule is necessary. | Select One | Select One |
| State Board of Elections | 08 NCAC 10B .0109 | VOTING SITE UNIFORMITY | Public Comment as defined in G.S. 150B-21.3A(a)(5) | Agnes Puzak: Add the requirement that the election official should update missing driver's license, social security number or state-assigned voter id if that information is missing from the voter's record. | Thank you for your suggested revisions for later consideration. It does not appear you disagree with the agency's initial determination that the rule is necessary. | Select One | Select One |
| | | | | Add the requirement that the election official should correct invalid data, such as voter's birth date, if proof of correct data is supplied by the voter. | | | |
| | | | | Bullet (d) mentions "the precinct official ". For consistency in terminology with the rest of the rules, change to "the election official ". | | | |