TEMPORARY RULE

REQUEST FOR TECHNICAL CHANGE

AGENCY: State Board of Elections

RULE CITATION: All Rules

DEADLINE FOR RECEIPT: Monday, October 14, 2013

***NOTE WELL: This request when viewed on computer extends several pages. Please be sure you have reached the end of the document.***

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*Please indicate in your introductory statements that the rule is adopted under temporary procedures with changes*

*In all History Notes, end the citation with a semicolon, not a period. Hence, “G.S. 163-226.3(a);”*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

TEMPORARY RULE

REQUEST FOR TECHNICAL CHANGE

AGENCY: State Board of Elections

RULE CITATION: 08 NCAC 13 .0201

DEADLINE FOR RECEIPT: Monday, October 14, 2013

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*You begin Paragraph (a) with “For each election” and then you define what you mean by each election in (c). I think the language in (c) should be first and then (a) and (b).*

*In (a), line 10, do you mean “requesting and casting absentee ballots”?*

*Also in (a), line 10, begin the sentence, “For the purposes of this Rule, a covered facility is any facility…”*

*In (b), line 16, don’t put the language in parenthesis. Instead, separate it with a comma.*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

TEMPORARY RULE

REQUEST FOR TECHNICAL CHANGE

AGENCY: State Board of Elections

RULE CITATION: 08 NCAC 13 .0202

DEADLINE FOR RECEIPT: Monday, October 14, 2013

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*Begin the sentence of (a)(1) as “At least two registered voters shall be on each Team.”*

*In (a)(2), replace the “a” on line 12 with “the”, so it reads, “of this Rule, the County Board…”*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

TEMPORARY RULE

REQUEST FOR TECHNICAL CHANGE

AGENCY: State Board of Elections

RULE CITATION: 08 NCAC 13 .0203

DEADLINE FOR RECEIPT: Monday, October 14, 2013

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*In (b)(6), don’t use parenthesis; instead, use commas to separate the language.*

*In (b)(7), “Subparagraph” needs to capitalized on line 26.*

*Insert an “and” at the end of Subparagraph (b)(8), line 29.*

*In this Rule, you are reciting much of the statute, which states who cannot under any circumstances render assistance and thus, clearly cannot serve on the Team. I understand that you are repeating this in the Rule to make sure that the Team members are well aware of what will be in the declaration. But why don’t you include the verbiage from the statute that the individual cannot be an owner, manager, director, or employee of the covered facility where a resident requests assistance?*

*In (c), where you state that the State Board of Elections may require additional training, I’m sure that you intend to put that additional training in rule, correct?*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

TEMPORARY RULE

REQUEST FOR TECHNICAL CHANGE

AGENCY: State Board of Elections

RULE CITATION: 08 NCAC 13 .0204

DEADLINE FOR RECEIPT: Monday, October 14, 2013

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*In Paragraph (b), do you have a deadline for responding to the requests? S.L. 2013-381 Section 4.6(a) states that if the Team is not available to assist within seven calendar days, then someone else can help. Does this need to be reflected in Rule?*

*In Paragraph (c), you are stating that the Team members must comply with Subparagraphs (a)(1) and (a)(2) of Rule .0202 of the Section. But don’t they have to comply with the entire rule, including not accepting reimbursement from political parties for the work? If you mean that the composition of the Team must comply with the Rule, then state that.*

*In (e), why are you repeating the language in (1)(A) and (2)(A)? Do you think it would confuse people to put that language in (e), like this:*

*(e) At each facility visit, the Team shall provide the following assistance to patients or residents who request it. Before providing assistance, the voter must have communicated, either verbally or nonverbally, that he or she requests assistance from the Team:*

 *(1) Assistance in requesting mail-in absentee ballots: The Team shall collect…;*

*(2) Assistance in casting mail-in absentee ballots: Before providing this*

 *assistance, a Team member…*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.

TEMPORARY RULE

REQUEST FOR TECHNICAL CHANGE

AGENCY: State Board of Elections

RULE CITATION: 08 NCAC 13 .0205

DEADLINE FOR RECEIPT: Monday, October 14, 2013

The Rules Review Commission staff has completed its review of this rule prior to the Commission's next meeting. The Commission has not yet reviewed this rule and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

*In Paragraph (a), do you mean “shall revoke”? If not, when may they not revoke?*

*Remove the “this” on line 6 in (a)(1) of the Rule.*

*Add an “or” at the end of (a)(3) on line 8.*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Of course, this will also require conforming changes to the attached copies of the rule. Please check to see that this paperwork is in order and is returned along with the revised rule.