

RI STATE BOARD OF ELECTIONS

MINUTES OF MEETING

SEPTEMBER 13, 2004

The Rhode Island State Board of Elections met this day at 2:30 p.m.. A quorum included Chair Roger Begin, Vice Chair Thomas Iannitti, Commissioners Judith Bailey, John Daluz, Frank Rego and Raymond Xavier. Acting Executive Director George Bowen, III and Counselor Raymond Marcaccio were in attendance, also.

The purpose of the meeting was to discuss the date of implementation of Advisory Opinion #95-01 "Campaign Finance – Political Action Committees", to approve the minutes from previous Board meetings and to commence certifying the mail ballots cast in the September 14, 2004 primaries.

First Order of Business: Chair Begin asked if any member of the public would like to address the Board with regard to the date of implementation of Advisory Opinion #95-01. (Note: At its meeting of August 11, 2004, the Board voted to reinstate AO #95-01, to rescind AO #96-01 and to rescind any opinion that relies on AO #96-01. Vice Chair Iannitti made the motion, seconded by Commissioner Bailey. The motion carried unanimously.)

The Chair recognized ACLU Executive Director Steven Brown. Mr. Brown remarked that the Board's decision of August 11, 2004 has

serious and direct impact on non-profit organizations and the defeat/advocacy of ballot questions. He asked that the Board revise its decision of August 11, 2004 and to postpone the date of implementation of AO #95-01 until after this election cycle. Mr. Brown added that the implementation of AO #95-0, now, could possibly prompt lawsuits, due to the shortness of notice.

At this time, Chair Begin asked another member of the public, Sheldon Whitehouse, if he wished to address the Board. Mr. Whitehouse responded that he was present “just to listen”.

Chair Begin asked for comments, discussion and recommendations from the Members. To this, Vice Chair Iannitti and Commissioner Rego remarked that all people have the right to know who is behind the issues with regard to ballot questions. However, they added that the decision to reinstate AO #95-01 at this time may be too short of a notice. Having said this, Vice Chair Iannitti made a motion to put a hold on the implementation of AO #95-01 until after January 1, 2005 and to hold public hearings as necessary with regard to the matter. Commissioner Rego seconded the motion. The motion carried without opposition.

Next Order of Business: Vice Chair Iannitti made a motion to approve the minutes of 6/24, 7/6, 7/14, 7/20, 7/26, and 8/11/04 and the minutes from the July 6, 2004 Executive Session. The motion, seconded by Commissioner Xavier, carried unanimously.

Next Order of Business: The Board commenced the certification of 1,713 mail ballots for the September 14, 2004 primaries. (Note: See attached breakdown for Batch #1.)

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At 3:55p.m., Chair Begin asked that a motion be made to adjourn for the day and to reconvene on September 14, 2004 at 7:30 p.m. to continue with the certification of mail ballots. Commissioners Bailey and Xavier made and seconded the motion, respectively. The motion carried without opposition.

ATTEST: Frances A. Keating

Coordinator, Special Projects

9/23/04