

**RI STATE BOARD OF ELECTIONS
MINUTES OF MEETING (HEARING)
AUGUST 24, 2004**

The Rhode Island State Board of Elections met at 9:50 a.m.. Chair Begin commenced the meeting with a roll call. A quorum included Chair Roger Begin, Vice Chair Thomas Iannitti, Commissioners Judith Bailey, John Daluz, Florence Johnson and Frank Rego. Executive Director Robert J. Fontaine and Counselor Raymond Marcaccio were in attendance, also.

The “Minutes of the Meeting” contain a brief summary of today’s proceedings. The complete audio and written transcript are made a part of these minutes. Copies of same may be obtained at the Board of Elections.

Purpose of the meeting: To continue the hearing of August 20, 2004 when the Board took up the appeal brought on by Gary Vierra, an elector in the City of Cranston. The matter concerns a decision by the Cranston Board of Canvassers regarding the disaffiliation of voters and associated issues. The Members must determine whether or not it was lawful for 271 individuals to use voter registration cards as a way to legally change their party affiliation. That is, did the 271 individuals who indicated their intent to disaffiliate act properly and within the framework of a law and practice that has been in place since 1995?

Chair Begin commenced the hearing by asking the several parties in attendance to introduce themselves to the Board. Persons present included Michael Lepizzera, Esq. on behalf of the appellant and Cranston City Solicitor Jametta Alston representing the Cranston Canvassing Authority.

After listening to presentations from Attorneys Lepizzera and Alston and Director Fontaine, Chair Begin asked for a recommendation from Counselor Marcaccio. Mr. Marcaccio responded that he prepared, for the Members' review, a report and recommendation based on the testimony and evidence presented at the 8/20/04 hearing.

Upon offering a summary of his report, Mr. Marcaccio recommended that the Board accept the disaffiliation forms that were submitted on the Board of Elections mail-in registration forms. With this, Vice Chair Iannitti made a motion, that based on the reasons set forth in Mr. Marcaccio's recommendation/report, that the State Board of Elections affirm the decision of the Cranston Board of Canvassers in regard to all aspects concerning the 271 voters. The motion, seconded by Commissioner Rego, carried without opposition.

RI Board of Elections

Minutes of Meeting

8-20-04

Page 2

At 10:30 a.m., the Board concluded the hearing and agreed to take a short recess before taking-up the next item on the agenda.

ATTEST:

Frances A. Keating, Coordinator, Special Projects date

**XX
XXXXX**

**STATE BOARD OF ELECTIONS
MINUTES OF MEETING (AGENDA)
AUGUST 24, 2004**

The Rhode Island State Board of Elections reconvened at 10:40 a.m.. A quorum included Chair Roger Begin, Vice Chair Thomas Iannitti, Commissioners Judith Bailey, John Daluz, Florence Johnson and Frank Rego. Executive Director Robert J. Fontaine and Counselor

Raymond Marcaccio were in attendance, also.

First Order of Business: The Board discussed voter registration questions with members of the Scituate Board of Canvassers. The local board expressed concern with regard to the directives they had received from the Secretary of State to remove the names of certain registered voters due to errors apparently discovered during the implementation of the Central Voter Registration System (“CVRS”).

Chair Begin asked for comments and recommendations from the Members and executive staff. Some suggested that the State Board conduct an open meeting with the involved parties to address voter registration questions raised by the several local boards. With this, the Members agreed, unanimously, to invite the Office of the Secretary of State and local canvassing authorities to meet with the Board to address the matter. A Wednesday, September 1, 2004 at 3:15 p.m. date/time was set for the meeting.

Upon completion of the (voter registration) matter for the day, the Board entered an order that would prohibit any local board of canvassers from altering their respective voter registration lists due to implementation of the CVRS and/or in response to a directive from the Secretary of State. Additionally, the Board directed that the full force and effect of the order would remain until further direction by the State Board.

Next Order of Business: The Board assembled in the lower level of the building to conduct logic and accuracy testing on the voting equipment to be used in the September 14, 2004 primaries.

At approximately 11:45 a.m. and with no other business before the Members, the Board adjourned for the day, subject to the call of the Chair.

ATTEST:

Frances A. Keating, Coordinator, Special Projects