

# **STATE BOARD OF ELECTIONS**

## **MINUTES OF MEETING (HEARING)**

**SEPTEMBER 1, 2004**

**The Rhode Island State Board of Elections met at 3:00 p.m.. A quorum included Chair Roger Begin, Vice Chair Thomas Iannitti, Commissioners Judith Bailey, John Daluz, Florence Johnson, Frank Rego and Ray Xavier. Assistant Administrator George Bowen and Counselor Raymond Marcaccio were in attendance, also.**

**The purpose of today's hearing: to reconvene the Board's meeting of August 20, 2004 on the matter of William Lynch, Chairman of the Rhode Island Democratic Party, vs. the Rhode Island Republican Party and Donald Carcieri Campaign for Governor. (Note: At its August 20, 2004 meeting, the Board agreed to continue for a period of time the matter William Lynch...Governor until another attorney (Mr. Harpootian) could familiarize himself with the case.)**

**At this time, Chair Begin asked the Board's legal counsel and the representatives of the parties if they had any updated information to share with the Board:**

- Mr. Marcaccio had none; and**
- William Lynch's attorney, Max Wistow, Esq., offered that the Governor's campaign has been in contact with him, but not on issues relating to this matter.**

**The Board preceded to review a nine-page report and recommendations submitted to the Members by the Board's legal counsel on August 20, 2004. Mr. Marcaccio remarked that the Members were free to accept, modify or reject the recommendations contained in the report.**

**At this time, Vice Chair Iannitti made a motion to dismiss or deny the Respondent's motion and to consolidate the complaints. The motion, seconded by Commissioner Rego, carried unanimously.**

**Going forward, Vice Chair Iannitti made a second motion to stay the Petitioner's complaint and to proceed to hire an Independent Counsel to investigate the facts and circumstances surrounding the RI GOP expenditures on television advertisements that were aired shortly before the November 2002 gubernatorial election. The motion, seconded by Commissioner Rego, carried unanimously.**

**At this time, Counselor Marcaccio made a recommendation that the Board form a subcommittee made up of at least two members of the board who he (Marcaccio) could immediately be in contact with regarding a selection method so the process of interviewing candidates could begin. With this, Commissioners Bailey and Rego made and seconded a motion, respectively, to have Chair Begin and Vice Chair Iannitti work with Mr. Marcaccio to identify the appropriate special prosecutor for the engagement.**

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**Going forward and with no other discussion on the matter, Chair Begin asked that the Board adjourn at 3:30 p.m. and to reconvene to take up the Board's agenda. With this, Vice Chair Iannitti made the motion, seconded by Commissioner Rego. The motion carried unanimously.**

**ATTEST:**

**Frances A. Keating**

**Coordinator, Special Projects**