

**R. I. STATE BOARD OF ELECTIONS
MINUTES OF SUBCOMMITTEE MEETING**

April 26, 2005

The Rhode Island State Board of Elections subcommittee comprised of Chair Roger Begin, Commissioners Judy Bailey and Florence Johnson convened at 9:35 A.M., to select it's recommendation to the Board, for independent counsel in the matter of William J. Lynch, Chairman of the Democratic Party of Rhode Island v. The Rhode Island Republican Party and Donald L. Carcieri Campaign for Governor.

After a brief discussion among the subcommittee members, Commissioner Johnson made a motion for the recommendation of engagement of H. Reed Witherby as independent legal counsel. Commissioner Bailey seconded the motion and carried unanimously.

A motion was made by Commissioner Johnson to adjourn the subcommittee meeting the motion was seconded by Commissioner Bailey and carried unanimously.

Respectfully submitted, based on a tape recording of meeting,

Steve Taylor

Minutes approved 6/27/06

**R. I. STATE BOARD OF ELECTIONS
MINUTES OF MEETING (Open Session)
April 26, 2005**

The Rhode Island State Board of Elections convened at 9:40 A.M., a quorum included Chair Roger Begin, Vice Chair Thomas Iannitti, Commissioners Florence Johnson, Judy Bailey, John Daluz and Frank Rego, with Raymond Xavier arriving late.

First order of business: A motion was made by Vice Chair Iannitti to accept the candidacy of H. Reed Witherby as independent counsel in the matter of William J. Lynch, Chairman of the Democratic Party of Rhode Island v. The Rhode Island Republican Party and Donald L. Carcieri Campaign for Governor. The motion was seconded by Commissioner Johnson and carried unanimously.

Next order of business: Attorney Michael J. Lepizzera, Jr. representing the interest of Stephen P. Laffey, submitted a waiver of confidential hearing to the Board in the matter of a complaint filed by Aram G. Garabedian, Cranston City Council President, pertaining to campaign finance violations.

After hearing from Attorney Lepizzera, Mr. Garabedian and comments

from Board Members a motion was made by Commissioner Johnson and seconded by Commissioner Bailey to enjoin Stephen Laffey from further appearances on a WPRO-AM weekly radio show identified as The Steve Laffey Show.

Next order of business: Acting Director George Bowen and Supervising Accountant Richard Thornton presented to the Board the status of Campaign Finance reports past due by Leon Tejada. Vice Chair Iannitti commented that previously the board had waived the fines and placed Mr. Tejada on probation for a period of one year for failure to file or acknowledge ten or twelve campaign finance reports. After further discussion, a motion was offered by Vice Chair Iannitti to reinstate the penalties as originally applied. The motion was seconded by Commissioner Johnson and carried unanimously.

The next matter: A petition for reduction in campaign finance fines by the RI State Lodge FOP (Fraternal Order of Police) Political Action Committee. Legal Counsel to the Board Raymond Marcaccio gave an outline as to the status of this matter. After a discussion among the Board and Harry Hoopis representing the RI State Lodge FOP, Commissioner Johnson made a motion to deny the petition for reduction of fines. The motion was seconded by Commissioner Bailey and carried with a 6 to 1 vote, with Commissioner Rego opposed to the motion.

The next matter: The Board heard from all interested parties

regarding status of campaign finance fines for the South Kingstown Republican Town Committee. A motion was made by Vice Chair Iannitti that this matter be allowed to continue its course of action in Superior Court before the Board takes any action in this matter. The motion was seconded and with a split voice vote the matter carried.

Next order of business: Barbara Szepatowski came before the Board to request an Advisory Opinion as a result of an article that was published in the Newport Daily News on March 29, 2005. Ms. Szepatowski stated that this article dealt with complaints lodged by Robert T. Oliveira against City Councilwoman Colleen A. McGrath and Cranston Mayor Stephen Laffey. Mr. Oliveira's complaint deals with the question of barring "any office holder from employment at any media outlet", because of his belief that this type of employment "provides a secondary benefit that can be deemed to be an in-kind contribution".

After discussion, Chair Begin stated that based on the facts and representations of what is occurring that this Board takes no issue with the conduct that Ms. Szepatowski has presented.

Next order of business: Vice Chair motioned that the minutes of the meetings as outlined in the agenda be approved. The motion was seconded and unanimously approved for the following: Amendment to 9/1/2004 meeting minutes approved on 10/5/2004, 10/5/2004, 10/27/2004, 11/2/2004 @ 3:00pm, 11/2/2004 @ 9:00pm, 11/3/2004 @ 11:00am, 11/3/2004 @ 1:30pm, 11/4/2004 @ 11:00am, 11/4/2004 @

4:00pm, 11/12/2004 @ 9:00am (open meeting), 11/12/2004 @ 9:00am (executive session), 11/15/2004 @ 9:00am, 11/15/2004 @ 1:00pm, 11/16/2004 @ 9:00am, 11/16/2004 @ 3:00pm, 11/29/2004 and 12/7/2004.

At this time, Vice Chair Iannitti motioned to adjourn this open session meeting, and that in accordance with R.I. General Laws § 42-45-5(a)(4) and R.I. General Laws §42-46-5(a)(2) that the Board move into Executive Session to discuss an investigation of a civil matter(s). The motion was seconded unanimously passed. The Board went into Executive Session.

Respectfully submitted, based on a tape recording of meeting,

Steve Taylor

Minutes approved 6/27/06