

R. I. STATE BOARD OF ELECTIONS

MINUTES OF MEETING (Open Session)

September 29, 2006

The Rhode Island State Board of Elections convened at 4:12 pm, a quorum included Acting Chair Thomas Iannitti, Commissioners John Daluz, Frank Rego, Raymond Xavier. Also in attendance Robert Kando, Executive Director and Raymond Marcaccio, Legal Counsel for the Board of Elections.

First order of Business: Continuation of meeting from 9/27/06 regarding recount and race involving Leon F. Tejada represented by Attorney Angel Tavares and Wilbur Jennings, Jr. represented by counsel Kevin McKenna. The Commission and the Providence Board of Canvassers had previously reviewed the uncounted provisional ballots in camera at the request of both parties. The board noted that there were no provisional ballots from the 8th ward race. A motion to deny the complaint to overturn the election due to the failure to count the provisional ballots was moved by Commissioner Rego and seconded by Commissioner Xavier. The motion was passed unanimously.

Commissioner Xavier moved to deny Mr. McKenna's complaint on behalf of Wilbur Jennings to compel the State Board of Elections to recount every paper ballot voted in the 8th ward primary election and seconded by Commissioner Rego. The motion was passed

unanimously.

Mr. McKenna asked the Board to order a transcription of the tapes to provide a record for an appeal. The board then agreed to preserve the ballots in question under seal in the event of an appeal. At this time Commissioner Xavier motioned to certify the election of the 8th ward City Council in the City of Providence primary election with Mr. Leon Tejada as the official winner of that race and seconded by Commissioner Rego. The motion passed unanimously.

At this time, Vice Chair Iannitti entertained the motion to adjourn. Commissioner Rego motioned to adjourn seconded by Commissioner Xavier.

Andreza Skipworth