

**R. I. STATE BOARD OF ELECTIONS**  
**MINUTES OF MEETING (Open Session)**  
July 3, 2008

The Rhode Island State Board of Elections convened at 10:00 AM, a quorum included Commissioners Florence Gormley, Martin Joyce, Vice Chairman Frank Rego, and Chairman John Daluz. Executive Director Robert Kando and Attorney Raymond Marcaccio were also in attendance.

First order of business: Commissioner Gormley moved to approve the minutes of the meetings dated 2/7/08 and 5/28/08 and seconded by Vice Chairman Rego. The motion passed unanimously.

Next order of business: A letter from Mr. David Croston requesting a reduction of fines was presented to the Board by Rick Thornton, Director of Campaign Finance. Mr. Thornton discussed with the board the appeal of campaign finance fines issued pursuant to R.I.G.L 17-25 regarding David D. Croston. Mr. Thornton noted that Mr. Croston had entered into a previous agreement to reduce fines and the failure follow the terms of the agreement resulted in the former fines being reinstated. Commissioner Gormley motioned to uphold the original amount of fines totaling \$1065.00. This motion was seconded by Vice Chairman Rego and passed unanimously.

Next order of business: Rick Thornton, Campaign Finance Director discussed with the Board the appeal of campaign finance fines issued pursuant to R.I.G.L 17-25 regarding Halsey C. Herreshoff. After a brief explanation by Mr. Herreshoff, Vice Chairman Rego motioned to reduce the violation amount from \$8,566. to \$2141.50 plus the cost of registered letter sent by the BOE with a time period of 14 days to make payment arrangements. This motion was seconded by Commissioner Gormley and passed unanimously.

Next order of business: Mr. Christopher M. Roberts's letter of appeal, requesting a reduction of fines was presented to the Board. Rick Thornton, Campaign Finance Director, discussed with the board the appeal of campaign finance fines issued pursuant to R.I.G.L 17-25 regarding Christopher M. Roberts. Commissioner Gormley motioned to reduce the amount of fines by 75% (\$618.25) with payment arrangements to be made within 14 days. This motion was seconded by Commissioner Joyce and passed unanimously.

Next order of business: Hearing on Proposed Rules and Regulations for Provisional Ballots presented by Executive Director, Robert Kando. After a brief discussion with the Board including comments from members of the general public, a motion to table this regulation until after the General Election 2008 was made by Commissioner Gormley and seconded by Commissioner Joyce and passed unanimously.

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Next Order of business: hearing on an Advisory Opinion requested by General Treasurer Frank T. Caprio seeking clarification of campaign reimbursement of allowable third party travel expenses. Commissioner Gormley motioned to accept the staff's advisory opinion allowing third party expenditures. The motion was seconded by Commissioner Joyce and passed unanimously.

Next order of business: Hearing on an Advisory Opinion requested by the Town of Charlestown seeking clarification of restricted activities within 50 feet of Precinct entrances; regarding solicitation of e-mail addresses. Commissioner Gormley motioned to accept the staff's advisory opinion that no solicitation shall be permitted within 50 feet of the precinct entrance. The motion was seconded by Commissioner Rego and passed unanimously.

Next order of business: Hearing on an appeal of the R.I. Republican Party, represented by Mr. Ciccone, Chairman and Mr. Robert Coupe Secretary, requesting certification of declarations filed by the Republican Party with the Secretary of State and not the local board of canvassers, nominating Damien Baldino, Elaina Goldstein, Kofua Kulah Sr., John Clarke Jr., Lamnis Vargas to positions where no party declarations had been filed. Max Wistow, Esq. of Wistow & Barylick Inc. representing the Democratic Party was allowed to present argument to the Board opposing the appeal.

After hearing from both parties, Commissioner Gormley moved to allow the Republican Party's nomination papers, Commissioner Joyce seconded the motion. The motion failed 2-2 with Vice Chairman Rego and Chairman Daluz against the motion. Commissioner Gormley then motioned to deny the Republican Party request due to R.I.G.L 17-12-2 and 17-14. The motion was seconded by Commissioner Joyce and passed unanimously.

Next order of business: Hearing of the declaration for office by Aaron V. Morrone of the Town of Westerly. After testimony from Patricia Ahearn, Westerly B.O.C. indicating that Mr. Morrone had filed his declaration out of time, due in part to erroneous information from the B.O.C. staff, Commissioner Gormley motioned to disqualify the declaration, since it did not meet the time requirements of the statute. The motion was seconded by Vice Chairman Rego and passed unanimously.

Next order of business: A motion from Commissioner Gormley to approve the adoption of meetings for calendar year 2008 and seconded by Commissioner Joyce was passed unanimously.

Next order of business: Commissioner Rego moved to name Robert Kando to the position of Executive Director for the Board of Elections. The motion was seconded by Commissioner Joyce and passed unanimously.

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Next order of business: The Executive Director Report was passed

At 1:15 PM Commissioner Gormley motioned to adjourn. The motion was seconded by Commissioner Joyce and passed unanimously.

Andreza Skipworth