

R. I. STATE BOARD OF ELECTIONS
MINUTES OF MEETING (Open Session)
April 22, 2009

The Rhode Island State Board of Elections convened at 3:35 PM, a quorum included Commissioners Martin Joyce, Richard Pierce, Florence Gormley, and Chairman John Daluz. Executive Director Robert Kando and Board Attorney Raymond Marcaccio were also in attendance.

First order of business: Commissioner Gormley moved to approve the minutes of the meeting dated 2/11/09 and seconded by Commissioner Joyce. The motion passed unanimously.

Next order of business: The appeal of campaign finance fines, in the amount of \$10,745, issued pursuant to R.I.G.L 17-25, filed by Ricardo Patino. Ric Thornton, Campaign Finance Director, reviewed Mr. Patino's past filing history with the Board and then Mr. Patino addressed the Board regarding his letter of appeal (see attached). Commissioner Gormley stated that since the Board had acted upon an earlier appeal by reducing Mr. Patino's fines to 25% of the original amount and that he failed to comply with the ~~payment agreement, the Board should deny this appeal, with the agreement to freeze any~~ additional interest/penalties on the condition that Mr. Patino meet with Ric Thornton to arrange a payment plan for the outstanding \$10,745. The failure to follow the terms of the payment plan would result in all fines being immediately due. The motion was seconded by Commissioner Pierce and passed unanimously with Commissioner Joyce abstaining.

Next order of business: The appeal of campaign finance fines, in the amount of \$3,248, issued pursuant to R.I.G.L 17-25, filed by Frank Hyde, Jr. Ric Thornton, Campaign Finance Director, detailed Mr. Hyde's filing history. After Mr. Hyde addressed the Board regarding his letter of appeal (see attached), he requested a continuance to retain counsel. The Board granted Mr. Hyde a continuance until the next Board meeting May 20, 2009.

Next order of business: The appeal of campaign finance fines, in the amount of \$8,422 issued pursuant to R.I.G.L 17-25, filed by Armand G. Bilotti. Ric Thornton, Campaign Finance Director provided the Board with an accounting of Mr. Bilotti's filing history. After Mr. Bilotti addressed the Board regarding his appeal letter (see attached), Commissioner Gormley moved to reduce the fines to 25% of the original amount due to \$2,105.50 on the condition that Mr. Bilotti schedule a payment plan for the outstanding fines with Ric Thornton. The failure to follow the terms of the agreement will result in all fines being reinstated and immediately due. The motion was seconded by Commissioner Joyce and passed unanimously.

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Next order of business: The appeal of campaign finance fines in the amount of \$4,598 issued pursuant to R.I.G.L 17-25, filed by Melissa W. Burrows. Ric Thornton, Campaign Finance Director, reviewed Ms. Burrows' filing history for the Board. After Ms. Burrows addressed the board regarding her appeal letter (see attached), Commissioner Gormley motioned to reduce the fines to 25% of the total to \$1,149.50 and to schedule a payment plan for the outstanding fines with Ric Thornton, the failure to follow the terms of the agreement will result in all fines being reinstated and immediately due. The motion was seconded by Commissioner Joyce and passed unanimously.

Next order of business: Requests to reduce fines filed by Pedro J. Espinal was passed due to his absence.

Next order of business: The appeal of campaign finance fines in the amount of \$2,946 issued pursuant to R.I.G.L 17-25, filed by Maria A. Bucci. Ric Thornton, Campaign Finance Director, reviewed Ms. Bucci's filing history for the Board. After Ms. Bucci addressed the Board regarding her appeal letter (see attached), Commissioner Gormley motioned to reduce the fines to 25% of the total to \$736.50 and to schedule a payment plan for the outstanding fines with Ric Thornton, the failure to follow the terms of the agreement will result in all fines being reinstated and immediately due. The motion was seconded by Commissioner Joyce and passed unanimously.

Next order of business: The Board received reports from Richard Thornton, Director of Campaign Finance, and Robert Rapoza, Director of Elections, highlighting upcoming and pending events (see attached).

Next order of business: After reviewing the budget submission for 2010, Commissioner Joyce motioned to approve the current budget as written pending further discussion regarding the Staff Attorney position. The motion was seconded by Commissioner Pierce and passed unanimously.

Next order of business, Commissioner Joyce motioned that the Board go into Executive Session pursuant to Rhode Island General Laws § 42-46-5(a)(4) to discuss the matter of Adams v. Board of Elections. The motion was seconded by Commissioner Pierce and carried unanimously. At 4:25 P.M., the Board recessed into Executive Session.

The Board returned from Executive Session and Commissioner Pierce made a motion to seal the minutes of the Executive Session. The motion was seconded by Commissioner Joyce and carried unanimously.

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Next order of business: Open discussion of Party Levers in regards to R.I.G.L. 17-19-15. A letter submitted by Greta Abbott, League of Women Voters of RI, was read to the Board by Robert Kando, Executive Director of the Board of Elections in support of the abolishment of the straight party lever in Rhode Island. The Board heard testimony from June Gibbs, Susan Story, Margaret Kane, John Marion who represented Common Cause, and Will Graphentine, all supporting the abolishment of the straight party lever in Rhode Island, citing several reasons including voter confusion that often resulted in undervotes in non-partisan races. Commissioner Pierce motioned to submit a letter supporting the abolishment of the straight party lever. The motion was seconded by Commissioner Gormley and passed 3-1 with Commissioner Joyce voting in the negative.

At 4:55 PM Commissioner Joyce motioned to adjourn. The motion was seconded by Commissioner Pierce and passed unanimously.

Andreza Skipworth