

R. I. STATE BOARD OF ELECTIONS
MINUTES OF MEETING
July 21, 2014

The Rhode Island State Board of Elections convened at 2:08 PM at the Rhode Island Board of Elections, a quorum included, Chairman Richard Pierce, Vice-Chairman William West, and Commissioners Frank Rego, Stephen Erickson and Rhoda Perry were present. Executive Director Robert Kando was also in attendance.

The meeting was called to order by Chairman Pierce.

First order of business: Commissioner Rego moved to approve the minutes for Board of Elections meeting dated 6/17/14, seconded by Vice Chairman West. Chairman Richard Pierce, Vice-Chairman William West, Commissioners Rhoda Perry, Frank Rego and Stephen Erickson voting in the affirmative, no dissenting votes, and motion passed.

Next order of business: Hearing pursuant to a challenge filed by David Caprio of the Democratic State Committee represented by Attorney Terrence Livingston to the validity of signatures of Republican candidate Alan Arne Palo, for District 21, State Representative who was represented by Attorneys Thomas Wright and Glen Robinson.

Dorothy McCarthy of the Warwick Board of Canvassers (WBOC) testified that the initial count of certified signatures she verified was relayed through to the Secretary of State office by the computer system. On July 14th she was instructed to review the signatures a second time resulting in a reduced count of 49 certified signatures forwarded to the Office of the Secretary of State. Vice-Chairman West motioned to uphold the challenge by the Democratic Party to Mr. Palo's certification as a candidate for State Representative District 21 due to the failure to obtain the required 50 signatures, was seconded by Commissioner Perry. Chairman Richard Pierce, Vice-Chairman William West, Commissioner Perry voting in the affirmative, Commissioners Erickson and Rego voted in the negative. The motion passed 3 to 2.

Next order of business: A challenge filed with the Office of the Secretary of State pursuant to R.I.G.L. 17-14-14; by Edith H. Ajello, candidate for State Representative, represented by Attorney Alan Moser challenging the certification of Nathanael B. Hannah, candidate for State Representative District 1 who was represented by Attorney John Mancini.

Attorney Mancini requested the recusal of Commissioner Perry due to the relationship between Ms. Ajello and Commissioner Perry. Chairman Pierce stated the matter of recusal is at the discretion of the Commissioner. Commissioner Perry addressed the public stating she had no idea that there was a problem in this particular race nor had a discussion with regard to this particular issue with Representative Ajello with whom she served in the general assembly. Commissioner Perry stated that she could make a judgment based on facts and evidence presented before her as she has done in the past.

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Attorney Mancini stated that the Secretary of State (SOS) had 56 certified signatures for Ms. Ajello. Mr. Kando Executive Director of the Board of Elections confirmed that the original number certified by the Sec. of State was 56 signatures but upon review by the Board of Elections the correct number was 58 valid signatures. Mr. Kando contacted the Secretary of State office who after reviewing their records, determined there was an error in entering the number of certified signatures on one form and updated their records to indicate 58 valid signatures. Commissioner Erickson motioned to deny challenge and uphold the certification of Nathanael B. Hannah as a candidate for State Representative District 1 seconded by Commissioner Rego Chairman. Richard Pierce, Vice-Chairman William West, Commissioners Rhoda Perry, Frank Rego and Stephen Erickson voting in the affirmative, no dissenting votes, and the motion passed.

Next order of business: A hearing request filed with the Office of the Secretary of State pursuant to R.I.G.L. 17-14-14 by Cameron J. Ennis candidate for State Senator District 34 by candidate Ennis who was certified for 49 signatures.

Mr. Ennis testified that he acquired more than 100 signatures for District 34 which includes Hopkinton, Richmond, Exeter, West Greenwich, and Charlestown. Mr. Ennis returned all the nomination papers back to the Charlestown Board of Canvassers on July 10th. The clerk at the Charlestown Board of Canvassers notarized and accepted all the nomination papers, including those for other towns instead of accepting nomination papers only for Charlestown. Mr. Ennis stated that all the nomination papers were signed correctly with each signature signing the nomination papers in which they live. Upon further discussion, Commissioner Erickson motioned that the nomination papers be forwarded to the correct towns to determine if Mr. Ennis has the required signatures within 72 hours, seconded by Commissioner Rego. Chairman Richard Pierce, Commissioners Rhoda Perry, Frank Rego and Stephen Erickson voting in the affirmative, Vice Chairman West voting against the motion passed 4 to 1.

Next order of business: Hearing on challenge filed with the Office of Secretary of State pursuant to R.I.G.L. 17-14-14 by Thomas Davis candidate for Governor, filed by candidate Davis. Mr. Kando addressed the Board stating that Mr. Davis turned in his nomination papers and 797 signatures were certified, which did not include the back of one page of Mr. Davis' nomination papers that was not reviewed by the North Providence Board of Canvassers containing sixteen names bringing the total to 813 but still short of the required one thousand signatures. Mr. Davis recognized the fact that things need to be done in a timely fashion but requested additional time from the Board to allow him to investigate all the signatures himself.

Commissioner Perry moved to extend the deadline to Monday 7/28/14 with the stipulation that Mr. Davis must identify all the additional names that he argues that

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should have been certified and he should go back to the boards of canvassers to have them certify those names, and in the event that Mr. Davis does have a 1,000 signatures he must contact the Board to request an additional hearing by Monday July 28th seconded by Vice Chairman West. Chairman Richard Pierce, Vice Chairman William West, Commissioners Rhoda Perry, Frank Rego and Stephen Erickson all voting in the affirmative. No dissents, the motion passed.

Next order of business: Hearing on challenge filed by Mark Smiley, Chairman RI Republican Party with the Office of Secretary of State pursuant to R.I.G.L. 17-14-13 and R.I.G.L. 17-14-7 to the nomination of Linda Dill Finn candidate for Representative District 72, who was represented by Attorney Karen Roarke. Mr. Kando stated that Candidate Finn has 53 signatures that were certified by the local board of canvassers. Attorney Glenn Robinson, representing Mr. Smiley stated his objection arises from three deficiencies on the candidate's nomination papers. First, eight signatures on three different pages are identified with incorrect name as set forth in the voter registration information on file. Secondly, two addresses fail to comply with the requirements under the law, with one address not being listed by the voter and another voter recording two separate addresses. Third all five nomination papers submitted have been submitted with a deficient notary, with each lacking the requisite identifying information for the notary witnessing the signature and the notary was candidate Linda Dill Finn. After further discussion Commissioner Rego motioned to deny the appeal of the Republican party of Rhode Island seconded by Commissioner Perry. Chairman Richard Pierce, Vice Chairman West, Commissioners Rhoda Perry, Frank Rego and Stephen Erickson voting in the affirmative, the motion passed.

At 4:08 PM, Vice-Chairman West moved to adjourn the meeting, seconded by Commissioner Rego. Chairman Pierce, Vice-Chairman West, Commissioners Perry, Erickson and Rego voting in the affirmative, no dissenting votes and motion passed.

Andreza Skipworth