

**R. I. STATE BOARD OF ELECTIONS  
AMENDED MINUTES OF MEETING  
October 27, 2014**

The Rhode Island State Board of Elections convened at 1:35 PM at the Rhode Island Board of Elections, a quorum included, Chairman Richard Pierce, Vice-Chairman William West, Commissioners Martin Joyce, Rhoda Perry, Stephen Erickson and Frank Rego were present. Executive Director Robert Kando and legal counsel Raymond Marcaccio were also in attendance.

The meeting was called to order by Chairman Pierce.

First order of business: The Board voted to approve the minutes for the meetings held on September 17, 2014, and October 8, 2014. Chairman Richard Pierce, Vice-Chairman William West, Commissioners Martin Joyce, Rhoda Perry, Stephen Erickson and Frank Rego all voting in the affirmative with no dissenting votes, motion passed 6-0.

The minutes for October 22, 2014, were passed off the agenda since they were not ready.

Next order of business: The Board heard testimony from Campaign Finance Director Richard Thornton, detailing his finding that Mr. Alfred Constantino failed to file an independent expenditure report with the board after making the expenditure in accordance with the statutory requirements, but when the filing requirement was brought to his attention, Mr. Constantino immediately became compliant. Mr. Thornton after noting the immediate compliance of Mr. Costantino recommended that the Board issue a warning. Chairman Richard Pierce, Vice-Chairman William West, Commissioners Martin Joyce, Rhoda Perry, Stephen Erickson and Frank Rego all voting in the affirmative, no dissenting votes, motion to issue a warning was passed 6-0.

Next order of business: The Board heard testimony from Campaign Finance Director Richard Thornton detailing the complaint against the Providence Firefighters IAFF Local 799 filed by Common Cause Rhode Island. Mr. Thornton noted that since the organization was funding its advocacy through its treasury, the IAFF disclaimer properly identified its organization and it was his recommendation that the complaint be dismissed. Chairman Richard Pierce, Vice-Chairman William West, Commissioners Martin Joyce, Rhoda Perry, Stephen Erickson and Frank Rego all voting in the affirmative, no dissenting votes, motion to dismiss passed 6-0.

Next order of business: The Board heard testimony from Campaign Finance Director Richard Thornton detailing the complaint against the American Federation of State and Municipal Employees filed by Common Cause Rhode Island for failing to include in their disclaimer the identity of the top five donors. Mr. Thornton noted that since the organization was funding its advocacy through its treasury, the Federation disclaimer properly identified its organization and it was his recommendation that the complaint be dismissed. Chairman Richard Pierce, Vice-Chairman William West, Commissioners

Martin Joyce, Rhoda Perry, Stephen Erickson and Frank Rego all voting in the affirmative, no dissenting votes, motion to dismiss passed 6-0.

Next order of business: The Board heard testimony from Campaign Finance Director Richard Thornton detailing the complaint against the National Association of Realtors filed by Common Cause Rhode Island for failing to name its top five donors and its chief executive officer or equivalent. Mr. Thornton stated that since the organization was funding its advocacy through its treasury and that there are only two officers, the disclaimer was in compliance and recommended that the complaint be dismissed. Chairman Richard Pierce, Vice-Chairman William West, Commissioners Martin Joyce, Rhoda Perry, Stephen Erickson and Frank Rego all voting in the affirmative, no dissenting votes, motion to dismiss passed 6-0.

Next order of business: The Board heard testimony from Campaign Finance Director Richard Thornton detailing the complaint filed by Common Cause Rhode Island against Planned Parenthood Votes! Rhode Island for failing to include in their disclaimer the identity of the top five donors or the name of its chief executive officer or equivalent. The organization when contacted stated it was following the 2010 regulation, but once notified, they amended their filings. Mr. Thornton recommended that they be issued a warning. The Board voted to issue a warning. Chairman Richard Pierce, Vice-Chairman William West, Commissioners Martin Joyce, Rhoda Perry, Stephen Erickson and Frank Rego all voting in the affirmative, no dissenting votes, motion to issue a warning passed 6-0.

Next order of business: The Board heard testimony from Campaign Finance Director Richard Thornton detailing the complaint filed by Common Cause Rhode Island against Progress Rhode Island. Mr. Thornton stated that the organization failed to name its top 5 donors, and report the name of its chief executive officer or equivalent. Mr. Thornton recommended that the Board issue a warning. The Board voted to issue a warning to Progress Rhode Island. Chairman Richard Pierce, Vice-Chairman William West, Commissioners Martin Joyce, Rhoda Perry, Stephen Erickson and Frank Rego all voting in the affirmative, no dissenting votes, motion to issue a warning passed 6-0.

Next order of business: The Board heard testimony on the compliant(s) filed by Newport Grand LLC against Citizens Concerned About Casino Gambling (CCACG). Attorney Daniel Prentiss represented CCACG and Attorney Michael Kelly representing Newport Grand. Initially, CCACG inadvertently failed to obtain employment information and gambling affiliation from donors. CCACG has since amended its reports to include that information for all but two of its donors. The Board voted to issue a warning and order CCACG to be in full compliance by Friday subsequent to further penalties to be imposed if compliance is not reached. Chairman Richard Pierce, Vice-Chairman William West, Commissioners Martin Joyce, Rhoda Perry, Stephen Erickson and Frank Rego all voting in the affirmative, no dissenting votes, motion to issue a warning passed 6-0.

Next order of business: The Board heard testimony on the complaint filed by Citizens Concerned About Casino Gambling against Newport Entertainment and Leisure, LLC a/k/a Jobs for Newport. Attorney Daniel Prentiss represented CCACG and Attorney

Thomas Carter representing Jobs for Newport LLC. The Board ordered that Newport Entertainment and Leisure, LLC a/k/a Jobs for Newport supplement its reports consistent with state law by Friday. Chairman Richard Pierce, Vice-Chairman William West, Commissioners Stephen Erickson and Frank Rego all voting in the affirmative, no dissenting votes, motion passed 4-0. Commissioners Joyce and Perry did not participate.

Next order of business: The Board heard the complaint filed by Cianci for Mayor against Priorities PVD. Campaign Finance Director Richard Thornton noted that Priorities PVD had followed 17-25-10(b) rather than the most recent statute 17-25.3 for independent expenditures. He also stated that after he had contacted the organization, it amended its reports in compliance with 17-25.3, including identification of donors and agreed that all future advertisements would include disclaimers and reporting would be within the statutory 24 hours of the expenditure. The Board instructed Priorities PVD to comply with 17-25.3-3 by October 31, 2014. Attorney John Mancini represented the Cianci for Mayor Campaign. Mr. Mancini addressed the Board requesting permission to issue a subpoena to Myrth York of Priorities PVD for purpose of conducting her deposition. Mr. Mancini stated that Ms. York's Priorities PVD organization had not timely complied with portions of the campaign finance laws, and that statements attributed to her and members of her organization, as well as, her donation of \$1,000 to the Elorza Campaign amounted to probable cause that Priorities PVD coordinated its expenditures with the Elorza Campaign, in violation of the campaign finance laws. Commissioner Erickson noted that no evidence of coordination was presented, and that the Cianci Campaign's request for a subpoena amounted to a request to conduct a "fishing expedition." The Board voted to dismiss the petition without prejudice. Chairman Richard Pierce, Vice-Chairman William West, Commissioners Martin Joyce, Rhoda Perry, Stephen Erickson and Frank Rego all voting in the affirmative, no dissenting votes, motion passed 6-0.

Next order of business: The Board voted to certify mail ballots for the 11/4/14 General Election. Chairman Richard Pierce, Vice-Chairman William West, Commissioners Rhoda Perry, Stephen Erickson and Frank Rego all voted in the affirmative, no dissents. Motion passed 5-0.

At 5:09PM. the Board voted to adjourn. Chairman Richard Pierce, Vice-Chairman William West, Commissioners Rhoda Perry, Stephen Erickson and Frank Rego all voted in the affirmative, no dissents. Motion passed 5-0.