

**R. I. STATE BOARD OF ELECTIONS  
MINUTES OF MEETING  
March 19, 2015**

The Rhode Island State Board of Elections convened at 3:35 PM at the Rhode Island Board of Elections, a quorum included, Chairman Richard Pierce, Vice-Chairman William West, Commissioners Martin Joyce, Frank Rego and Stephen Erickson. Commissioner Rhoda Perry arrived at 4:00 PM. 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 meeting held on February 19, 2015. Chairman Richard Pierce, Vice-Chairman William West, Commissioners Martin Joyce, Frank Rego and Stephen Erickson all voting in the affirmative, motion passed 5-0.

Next order of business: The Board discussed whether the fiscal 2016 budget request of the Board of Elections contained sufficient funding for an additional employee to supplement the current staffing level (11 full time equivalent [FTE] positions) to add an additional staff member to the campaign finance division to perform audits and other duties assigned to the Board of Elections, thereby increasing the current staffing level of 11 FTE positions to 12 FTEs. Commissioner West noted that the recent discovery of candidates illegally spending campaign funds for personal use indicated a need for increased audits. After the conclusion of the discussion, a motion to order the executive director to send a letter to the state budget officer was voted. Chairman Richard Pierce, Vice-Chairman William West, Commissioners Martin Joyce, Frank Rego and Stephen Erickson all voting in the affirmative, motion passed 5-0.

Next order of business: Update on the status of new voting equipment. Elections Director Robert Rapoza reported that it was his recommendation that a task force should be created to review and develop recommendations to the Board for a purchase of new voting equipment. He recommended that the task force include 3 boards of canvassers' members, members of the BOE staff, and a representative from the Office of the Secretary of State. Commissioner Rego stated that there should be an additional seventh member to prevent the possibility of a tie vote. After further discussion, the Board asked Mr. Rapoza to review his recommendation for a task force, and present it at the next Board Meeting, and that it include a Board Member and a member from the public.

Next order of business: Employee handbook. The Board voted that the executive director report back to the Board within 60 days on the status of the development of an employee handbook. Chairman Richard Pierce, Vice-Chairman William West, Commissioners Martin Joyce, Frank Rego Rhoda Perry and Stephen Erickson all voting in the affirmative, motion passed 6-0.

Next order of business: No action was taken on the agenda item of employee log book, which was moved to next month's calendar.

Next order of business: Legislation supported by Common Cause of Rhode Island and the American Civil Liberties Union of Rhode Island that would amend R.I. Gen. Laws § 42-35-18 for the purpose of subjecting the Board to the rule-making requirements of the Administrative Procedures Act. Board legal counsel Raymond Marcaccio presented the Board with his report that certain provisions of the act would not adversely affect the Board. He noted that he had met with Steve Brown of the Rhode Island Chapter of the American Civil Liberties organization and John Marion of Common Cause and that there were several issues that required further discussion. Mr. Brown and Mr. Marion, who both appeared before the Board, agreed with Mr. Marcaccio's statement. A motion to move this agenda item to the next Board Meeting was voted 6-0 in the affirmative with Chairman Richard Pierce, Vice-Chairman William West, Commissioners Martin Joyce, Frank Rego Rhoda Perry and Stephen Erickson all voting in the affirmative.

The Board voted to move into executive session pursuant to Rhode Island General Law 42-46-5(a)(2) to discuss and/or vote on *Andreza Skipworth v. Rhode Island Board of Elections, et al.*, RICHR #15ERA087-06/06 and *Cianci for Mayor v. Richard H. Pierce, et al.*, C.A. No. PC 2014-5311. Chairman Richard Pierce, Vice-Chairman William West, Commissioners Martin Joyce, and Frank Rego Rhoda Perry all voting in the affirmative, motion passed 5-0. Commissioner Erickson was no longer in attendance, due to an emergency.

The Board also voted to move into executive session to discuss employee matters arising from the May 29, 2014 report of Board counsel. Said motion based on R.I.G.L. § § 42-46-5(a)(1) Discussion of the job performance, character, or physical or mental health of a person or persons provided that such person or persons affected shall have been notified in advance in writing and advised that they may require that the discussion be held at an open meeting. (A. report of counsel dated May 29, 2014 re Andreza Skipworth investigation. B. Update on preparation of evaluation document.)(4) Any investigative proceedings regarding allegations of misconduct, either civil or criminal. (ongoing investigations of campaign finance violations). Chairman Richard Pierce, Vice-Chairman William West, Commissioners Martin Joyce, and Frank Rego Rhoda Perry all voting in the affirmative, motion passed 5-0.

After the Board returned from executive session, it voted to seal the minutes of the executive session. Chairman Richard Pierce, Vice-Chairman William West, Commissioners Martin Joyce, Frank Rego and Rhoda Perry all voting in the affirmative, motion passed 5-0.

The Board moved to adjourn at 5:18 PM. Chairman Richard Pierce, Vice-Chairman William West, Commissioners Martin Joyce, Frank Rego and Rhoda Perry all voting in the affirmative, motion passed 5-0.