

## **R.I. STATE BOARD OF ELECTIONS**

### **MINUTES OF MEETING**

**TUESDAY, APRIL 26, 2016**

The Rhode Island State Board of Elections convened at 4:00 P.M. at the Rhode Island Board of Elections, a quorum included, Acting Chairman William West, Commissioners Richard Dubois, Stephen Erickson, Martin Joyce, Richard Pierce and Frank Rego. Legal Counsel Raymond Marcaccio and Acting Executive Director Robert Rapoza were also in attendance.

The meeting was called to order by Acting Chairman William West:

- 1. The Board may vote to approve the minutes of the meetings held on Wednesday, April 13, 2016 and Friday, April 15, 2016.**

A motion was made to approve the minutes of the meetings for Wednesday, April 13, 2016 and Friday, April 15, 2016. Voting in the affirmative were Acting Chairman West, Commissioners Dubois, Erickson, Joyce, Pierce and Rego. Motion passed 6-0.

- 2. The Board may vote to certify mail ballots for the Presidential Preference Primary**

A motion was made to move the certification of mail ballots to the end of the agenda. Voting in the affirmative were Acting Chairman West, Commissioners Dubois, Erickson, Joyce, Pierce and Rego. Motion passed 6-0.

- 3. The Board may receive an update report from Legal Counsel, Raymond Marcaccio and the staff on pending legislation.**

Legal Counsel, Raymond Marcaccio reported on pending legislation. He referenced the report prepared by the Board of Election staff. He stated that do to the fact that the legislation he wrote regarding the ineligibility of candidates for late campaign finance filing and unpaid fines was submitted late in the session, we did not get a sponsor for this term. He noted that Chapter 17-15-44 states that the state Board shall have power to make any rules that it deems designed to promote the objects and purposes of chapters 12-15 of this title and shall annually report to the general assembly, in writing, the amendments it recommends should be made to these chapters. He added that during a summer workshop the Board may compile thoughts and send a report for legislation.

**4. The Board may vote on the appeal of fines by Kenneth Murphy pursuant to R.I.G.L. 17-25**

Kenneth Murphy appeared before the Board to appeal his campaign finance fine and explain his reason for non-compliance. After a series of questions and a brief discussion a motion was made to reduce Kenneth Murphy's fine to \$25.00. Voting in the affirmative were Acting Chairman West, Commissioners Dubois, Erickson, Joyce, Pierce and Rego. Motion passed 6-0.

**5. The Board may vote on the appeal of fines by Woonsocket Democratic City Committee pursuant to R.I.G.L. 17-25**

Ed Galvin, the accountant for the Woonsocket Democratic City Committee appeared before the Board to appeal the fines pursuant to R.I.G.L. 17-25. The Board requested the opinion of legal counsel regarding Mr. Galvin's representation. Ray Marcaccio, Legal Counsel's opinion was that the Woonsocket Democratic City Committee be represented by an Attorney and that Mr. Galvin could not represent the Woonsocket Democratic City Committee. With no action taken the item was passed from the agenda. Voting in the affirmative were Acting Chairman West, Commissioners Dubois, Erickson, Joyce, Pierce and Rego.

**6. The Board may receive the status of a statutorily required campaign finance report to the General Assembly due May 1, 2016.**

After a discussion, a motion was made for the statutorily campaign finance report to be prepared and presented to the board for review at the scheduled board meeting of Wednesday, May 18, 2016. Voting in the affirmative were Acting Chairman West, Commissioners Dubois, Erickson, Joyce, Pierce and Rego. Motion passed 6-0.

**7. The Board may receive a status report on the update of a campaign manual from 2014 including concerns originally raised by the ACLU.**

Robert Rapoza, Acting Executive Director presented poll worker training manual documents that addressed the concerns raised by the ACLU. Upon review, a motion was made to pass this item off the agenda. Voting in the affirmative were Acting Chairman West, Commissioners Dubois, Erickson, Joyce, Pierce and Rego. Motion passed 6-0.

**8. The Board may vote on a resolution directing all legal matters arising from staff to be referred to legal counsel, and reaffirming the board's position that the Executive Director is not to provide legal opinions to staff.**

A motion was made on the resolution directing all legal matters arising from staff to be referred to legal counsel, and reaffirmed that the Executive Director will not provide

legal opinion to staff. Voting in the affirmative were Acting Chairman West, Commissioners Dubois, Erickson, Joyce, Pierce and Rego. Motion passed 6-0.

**9. The Board may vote to meet in executive session pursuant to R.I.G.L. 42-46-5(a)(4) and 17-25-5(a)(7)(i) to discuss and/or vote on possible violations of campaign finance laws in one (1) campaign finance matter.**

A motion was made to meet in executive session pursuant to R.I.G.L. 42-46-5(a)(4) and 17-25-5(a)(7)(i) to discuss and/or vote on possible violations of campaign finance laws in one (1) campaign finance matter. Voting in the affirmative were Acting Chairman West, Commissioners Dubois, Erickson, Joyce, Pierce and Rego. Motion passed 6-0. Board moved to executive session at 4:55.

The regular meeting reconvened at 5:01.

Upon reconvening a motion was made to close the minutes of the executive session and to move the campaign finance matter to the scheduled meeting of Wednesday, May 18, 2016. Voting in the affirmative were Acting Chairman West, Commissioners Dubois, Erickson, Joyce, Pierce and Rego. Motion passed 6-0.

A motion was made to return to agenda item number 2 where **the Board may vote to certify mail ballots for the Presidential Preference Primary**. Voting in the affirmative were Acting Chairman West, Commissioners Dubois, Erickson, Joyce, Pierce and Rego. Motion passed 6-0, Board moved to certify ballots at 5:08.

A motion was made to adjourn upon completion of the mail ballot certification. Voting in the affirmative to certify the mail ballots were Acting Chairman West, Commissioners Dubois, Erickson, Joyce, Pierce and Rego. Motion passed 6-0. Motion to adjourn, voting in the affirmative were Acting Chairman West, Commissioners Dubois, Erickson, Joyce, Pierce and Rego. Motion passed 6-0. Meeting adjourned at 8:00.