

**MINUTES OF THE PUBLIC MEETING OF THE
RHODE ISLAND ETHICS COMMISSION
REGULATION SUBCOMMITTEE**

March 8, 2011

The Rhode Island Ethics Commission Regulation Subcommittee held its 3rd meeting of 2011 following a regularly scheduled full Ethics Commission meeting on March 8, 2011, at the Rhode Island Ethics Commission hearing room located on the eighth floor of 40 Fountain Street, Providence, RI, pursuant to notices published at the Commission Offices and at the State House Library.

The following members were present:

Deborah M. Cerullo SSND, Chair

Edward A. Magro

J. William W. Harsch

Also present was Commission Staff Attorney Jason Gramitt.

Commissioner Cerullo called the meeting to order at approximately 11:50 a.m.

The subcommittee reviewed the minutes of the Regulation Subcommittee meeting held on February 8, 2011. Upon a properly made motion and second, it was unanimously:

VOTED: To approve the minutes of the Regulation Subcommittee meeting held on February 8, 2011.

The subcommittee then reviewed draft regulations prepared by the Commission staff. Staff Attorney Gramitt explained the two options presented, one of which expands upon the definition of "business associate" and clarifies that a person must recuse whenever his or her business associate appears before him or her, and the other alternative in which the Commission simply prohibits certain conduct without reference to any business associations.

There was discussion over some of the language of the drafts, particularly as to whether it was necessary to include language concerning comparable collective bargaining units. Also, members wondered whether an argument could be made that the 7(b) class exception applied.

The subcommittee discussed the issue of public comment, and indicated that the proper time for public comment would be when and if the full Commission considered any proposed regulations. Nevertheless, the members indicated that they were willing to consider any written comment that interested parties wished to provide.

The subcommittee tasked the staff with revising the proposed regulations as follows: (1) Create two clear alternatives for

consideration; (2) in the "business associate" alternative, enumerate other examples of business associations, and; (3) consider whether and how the class exception might impact the proposals.

The members also requested that materials for the next meeting be forwarded to them as soon as they are available.

Upon a motion made by Chair Cerullo and seconded by Commissioner Magro, it was unanimously:

VOTED: To adjourn the subcommittee meeting

Whereupon the meeting adjourned at approximately 12:45 p.m.

Respectfully submitted,

**Jason Gramitt
Staff Attorney**