

STATE BOARD OF ELECTIONS
Regular Meeting
Friday, October 9, 2015

MINUTES

PRESENT: Charles W. Scholz, Chairman
Ernest L. Gowen, Vice Chairman
William J. Cadigan, Member
Andrew K. Carruthers, Member
Betty J. Coffrin, Member
John R. Keith, Member
Casandra B. Watson, Member

ABSENT: William M. McGuffage, Member

ALSO PRESENT: Steven S. Sandvoss, Executive Director
James Tenuto, Assistant Executive Director
Kenneth R. Menzel, General Counsel
Darlene Gervase, Admin. Assistant III

The Chairman called the meeting to order at 10:30 a.m. and led everyone in the pledge of allegiance.

Member McGuffage was absent and Member Watson held his proxy.

Chairman Scholz asked for a Motion to adopt the minutes of the September 21st meeting. Member Coffrin so moved and Member Watson seconded the motion to adopt the minutes. The motion passed 8-0.

General Counsel Ken Menzel began his report with Item 2.a.1, a Request for Settlement offer in *SBE v. Citizens to Elect Benjamin Owens*, 15295, 13MA086. After summarizing the committee's activities he indicated their offer was 10%, which is below the settlement policy threshold of 50%. Mr. Menzel did not recommended acceptance of the offer. Member Cadigan moved to adopt the General Counsel's recommendation. Vice Chairman Gowen seconded the motion which passed unanimously by roll call vote.

As to Item 2.a.2, *SBE v. Citizens to Elect Vince Carbonaro*, 25379, 14DQ188, Respondent asked that his three fines totaling \$1,775 be voided. The General Counsel recommended denying the offer. Member Keith moved to adopt the recommendations and Member Carruthers seconded the motion which passed 8-0.

The last settlement offer was in the matter of 2.a.3 *SBE v. Citizens for Heather Sattler*, 26013, 15MA072. Ms. Sattler was present for the Committee. She offered \$500 to settle \$1875 in fines. The offer failed to meet the 50% Board settlement policy. Mr. Menzel recommended denying the offer. Member Keith so moved and Member Watson seconded the motion which passed 6-2. Vice Chairman Gowen and Chairman Scholz voted against the motion.

The Chairman acknowledged the Appearance of Daniel Stucka and Tom Seftenberg for 2.a.4) *SBE v. Glencoe Caucus Advisory Council*, 4284, 15JQ010. They indicated they were available to answer any questions and thanked the Board for granting their appeal. Member Carruthers moved and Member Keith seconded the motion to adopt the General Counsel and Hearing Officer's recommendation to grant the appeal. The motion passed unanimously.

The General Counsel concurred with the Hearing Officer's recommendations to grant the appeals for items 2.a. 5 through 13 with one modification to 2.a.11. He recommended an outright grant of the appeal for #11 since the filing was 8 minutes after the midnight deadline and the Board has granted appeals in similar circumstances. Those cases are: 5) *SBE v. Citizens for John Trowbridge*, 8858, 15JQ018; 6) *SBE v. LIUNA AFL-CIO Local 362 PAC*, 20149, 15JQ043; 7) *SBE v. Illinois Education Association Local 512 CMA*, 21000, 14JQ057; 8) *SBE v. Illinois Education Association Local 512 CMA*, 21000, 15DQ050; 10) *SBE v. Friends of Sue Rezin*, 22250, 15AJ027; 11) *SBE v. Democratic Party of the 29th Ward*, 23266, 14SQ080; 12) *SBE v. Avon Township Democrats*, 26097, 15JQ123; and 13) *SBE v. Iqbal for Elgin*, 27287, 15DQ158. Member Cadigan moved to adopt the General Counsel's recommendation and grant the appeals in Items 2.a.5 through 13 and Item 11 be given an outright appeal. Vice Chairman Gowen seconded the motion which passed 8-0.

The Chairman recognized Richard C. Slocum in the matter of 2.a.18) *SBE v. Slocum for Senate*, 23909, 15MA061. Mr. Slocum indicated that he was closing the committee and wished to withdraw his Appeal and offer a 50% settlement. Member Keith moved to accept the offer to withdraw his appeal and offer 50% as a settlement. Member Cadigan seconded the motion which passed unanimously.

Mr. Ezra M. White filed an appearance for 2.a.2) *SBE v. Citizens for Marvin McNeil*, 26124, 15AM085. He indicated that he would like withdraw his appeal and make a settlement offer of 50%. Member Keith moved to accept the offer to withdraw the appeal and accept the 50% settlement offer. Vice Chairman Gowen seconded the motion which passed 8-0 by roll call vote.

Appeals of campaign disclosure fines wherein the hearing officer recommendation appeals be denied were considered. Those matters are: 14) *SBE v. Macon County Democratic Central Committee*, 155, 15AJ001; 15) *SBE v. York Township Democratic Organization*, 206, 15JQ001; 16) *SBE v. Friends of John Fulgenzi*, 18278, 15AJ019; 17) *SBE v. Citizens to Elect Jeffrey A. Schaefer*, 19021, 15JQ036; 20), *SBE v. Friends of Richard Boykin*, 25506, 15AD087; and 21) *SBE v. Melisa Hammer for County Treasurer*, 25609, 15JQ107. Member Carruthers moved to adopt the General Counsel and Hearing Officer's recommendation and deny the Appeals. Vice Chairman Gowen seconded the motion which passed unanimously by roll call vote.

Member Cadigan moved to adopt the General Counsel and Hearing Officer's recommendation to deny the appeal in 2.a.19) *SBE v. Edwardsville Education Association-IPACE*, 25208, 15JQ096. Vice Chairman Gowen seconded the motion which passed 7-0-1 with Member Carruthers abstaining from the vote.

As to 2.a.23) *SBE v. Friends to Elect Toni L. Foulkes*, 20107, 15AM027, in which nine in-kind contributions were late, the General Counsel agreed with the Hearing Officer's Recommendation to grant Items 1, 2 4, 5, 6, 7, and 8, and deny items 3 and 9 for lack of an adequate defense. Member Keith so moved and Member Watson seconded the motion that passed unanimously.

Chairman Scholz accepted the Appearance of Antonio Favela in 2.a.24) *SBE v. Garcia for Chicago*, 26214 who asked for a continuance to the December 22nd meeting. Member Keith moved to accept the request to continue and Member Watson seconded the Motion. The motion passed 8-0 by roll call vote.

Attorney Mark Scarlato appeared for 2.a.25) *SBE v. Friends of Sherman C. Jones*, 22764, 14CD113 in response to failure to comply with a board order. He indicated that he will have all the documents ready for the November 16th Meeting. Member Keith noted that the documents must be supplied to Andy Nauman, Deputy Director of Campaign Disclosure by 5:00 p.m.,

Monday, November 9th in order to be on the November agenda and Mr. Scarlato agreed. Member Keith so moved and Member Coffrin seconded the motion. The motion passed unanimously.

As to Items 2.a.26) *SBE v. Committee to Re-Elect Mike Slape*, 1068, 15CD016; 27) *SBE v. Edwards County Republican Central Committee*, 1148, 15CD107; 28) *SBE v. Southland Success PAC*, 22624, 15CD038; 29) *SBE v. Citizens for Burch*, 23006, 15CD043; 30) *SBE v. Friends of David Moore*, 24472, 15CD057; and 31) *SBE v. United Party*, 24735, 15CD060, Mr. Menzel recommended imposition of fines, each in the amount of \$5,000 for failure to comply with previous Board Orders. Member Coffrin moved to adopt the General Counsel's recommendation. Member Cadigan seconded the motion which passed 8-0.

General Counsel Menzel asked the Board to accept his Recommendation and impose the fines as recommended by staff on pages 182, 183, 184, 185, 186, and 187 as modified in additional material supplied to the Board before the meeting. Member Keith so moved and Member Watson seconded the motion which passed 7-0-1 with Mr. Carruthers abstention.

Payment of civil penalties were submitted for informational purposes.

Executive Director Sandvoss began his report with the Proclamation of Results from the September 10, 2015 Special Election in the 18th Congressional District. Republican Darin LaHood won with 35,329 votes. Member Carruthers moved to proclaim Darin LaHood as Congressman in the 18th District with 68.84% of the vote. Member Coffrin second the motion which passed 8-0. The proclamation was signed by the Board.

Cristina Cray, Legislative Liaison, indicated that a special committee hearing will be held on October 20th regarding SB2134 – automatic voter registration at the Secretary of State's Driver's License/State ID Offices. The full House meets on October 20th.

Kyle Thomas, Director Voting Registration Systems, updated the Board on Senate Bill 172. He reported about the training that has been conducted in the counties to familiarize the local clerks on National Change of Address/voter registration procedures and he touched on the registration data run match that must be done April 15 of every year, October 1 in odd years and December 1 in even years.

Kevin Turner, Director of Information Technology, indicated that the agencies that are required by SB 172 to link with the IVRS system are adversely impacted by a lack of a budget. In addition, the lack of a budget makes it impossible for the Board to reimburse smaller jurisdictions that cannot afford the new hardware that is required to run the core of the system. Although at present, the SBE does not have enough PCs to fully implement candidate filing, a company in Springfield with the contract to sell PCs will supply them to the SBE and await for payment.

As a follow up to last month's meeting the Executive Director reported that the Treasurer's office is willing to set up and maintain a custom website designed to facilitate electronic payments to the SBE, on-line. A link from the SBE's public website will be provided and computers in both SBE offices will be available for the public who may not have their own PCs. Member Cadigan moved to formally begin the process to accept payments through the Treasurer's office and Member Keith seconded the motion which passed unanimously.

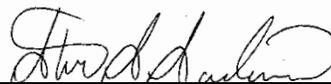
Additional Board meeting dates were suggested by the Executive Director. Member Watson moved to convene special Board meetings as requested on December 14, 2015 at 10:30 a.m. and January 20, 2016 at 10:30 a.m. with video conferencing to facilitate attendance in both Chicago and Springfield. Vice Chairman Gowen seconded the motion which passed 8-0 by roll call vote.

There being nothing further before the Board, Member Carruthers moved to adjourn and Member Cadigan seconded the Motion which passed unanimously by voices in unison. The meeting adjourned at 11:59 a.m.

Respectfully submitted,



Darlene Gervase, Administrative Assistant III



Steven S. Sandvoss, Executive Director