

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

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James R. Thompson Center  
100 West Randolph, Suite 14-100  
Chicago Illinois 60601  
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BOARD MEMBERS  
Bryan A. Schneider, Chairman  
Wanda L. Rednour, Vice Chairman  
Patrick A. Brady  
John R. Keith  
William M. McGuffage  
Albert S. Porter  
Jesse R. Smart  
Robert J. Walters

EXECUTIVE DIRECTOR  
Daniel W. White

AGENDA  
STATE BOARD OF ELECTIONS  
BOARD MEETING  
Tuesday, October 20, 2009  
10:30 a.m.

James R. Thompson Center – Room 2-025  
Chicago, Illinois  
And via videoconference  
1020 South Spring Street  
Springfield, Illinois

Call State Board of Elections to order.

1. Approval of the minutes from the September 21 regular meeting. (pgs.1-8)
2. Report of the Executive Director
  - a. Resolution for McHenry County Clerk Kathy Schultz; (pgs.9-11)
  - b. Voting systems update – Accu-Vote under-vote feature; (pgs.12-17)
  - c. Alexander County update; (pgs.18-23)
  - d. Preparations for the February 2, 2010 General Primary Election;
    - 1) Candidate petition filing; (pg.24)
    - 2) Election judge training schools – informational; (pg.25)
  - e. BERP update; (pgs.26-27)
  - f. Legislative update; (pg.28)
  - g. Review of executive session minutes; (pg.29)
  - h. IVRS update – informational; (pgs.30-33)
  - i. Lump-Sum update; (pgs.34-36)
  - j. Fiscal status reports – informational;
    - 1) FY10 – month ending September 30; (pgs.37-45)
    - 2) Help Illinois Vote Fund; (pgs.46-51)
    - 3) EAC Data Collection Grant; (pgs.52-53)
  - k. Two year plan of staff activity for the months of October and November – informational. (pgs.54-56)
3. Report of the General Counsel
  - a. Campaign Disclosure;  
Violation of a Board Order
    - 1) SBE v. Friends of Alderman Madeline Haithcock, 08CD036; (pg.57)  
Appeals of campaign disclosure fines – carryover from August – hearing officer recommendation appeal be denied
    - 2) SBE v. Will County Democratic Central Committee, S560, 08AG037;  
(pgs.58-72)

**Appeals of campaign disclosure fines – carryover from September – hearing officer recommendation appeal be granted**

- 3) *SBE v. Citizens to Elect Andre Thapedi*, S9041, 09DS185; (pgs.73-82)

**Appeals of campaign disclosure fines – new appeals – hearing officer recommendation appeal be granted**

- 4) *SBE v. GOP Action Team*, L15257, 09AE008; (pgs.83-90)  
5) *SBE v. Mason County Democratic Central Committee*, S388, 08DS122; (pgs.91-95)  
6) *SBE v. St. Clair County Republican Central Comm.*, S962, 08GE060; (pgs.96-99)  
7) *SBE v. Citizens for Rosemary Mulligan*, S4707, 08AG032 & 08AG065; (pgs.100-116)  
8) *SBE v. Citizens for Durkin*, S6345, 08AG068; (pgs.117-126)  
9) *SBE v. Coulson Campaign Committee*, S6474, 08AG068; (pgs.127-140)  
10) *SBE v. The Committee to Elect Jeremy Karpen for State Representative*, S9734, 09DS249; (pgs.141-149)

**Appeals of campaign disclosure fines – new appeals – hearing officer recommendation appeals be denied**

- 11) *SBE v. Westmont Village Committee*, L12726, 09CE013; (pgs.150-152)  
12) *SBE v. Committee to Elect Pamela Palmer*, L13577, 08AG020; (pgs.153-156)  
13) *SBE v. The PEP Party*, L15097, 09AE006; (pgs.157-169)  
14) *SBE v. Graham for 202*, L15242, 09CE051; (pgs.170-178)  
15) *SBE v. Vermilion County Democratic Party*, S1100, 08AG024; (pgs.179-185)  
16) *SBE v. Citizens for Ronald A. Wait*, S2926, 08AG082; (pgs.186-190)  
17) *SBE v. Committee to Elect Rickey Hendon*, S6825, 08AP041; (pgs.191-194)  
18) *SBE v. Friends of Mattie Hunter*, S8427, 08AG046; (pgs.195-202)  
19) *SBE v. Citizens for Beaubien*, S6518, 08AG070; (pgs.203-206)  
20) *SBE v. Committee to Elect Laura Morask*, S9501, 08AG051; (pgs.207-210)  
21) *SBE v. Friends of Rich Kelly*, S9712, 08AG055; (pgs.211-216)  
22) *SBE v. Cook County Bar Association PAC*, S9835, 08DS252; (pgs.217-220)

**Other campaign disclosure items**

- 23) Assessments/Final Orders; (pgs.221-225)  
24) Potential ballot forfeiture for 2010 – informational; (pg.226)  
25) Payment of civil penalties – informational; (pg.227)

**Complaints following closed hearing (separate packet)**

- 26) *Adam Moodhe v. Committee to Elect Lisa Stone Buffalo Grove Trustee*, 09CD061; (pgs.1-23)  
27) *Jeff Kissinger v. Party for Yesterday, Today, Tomorrow*, 09CD062; (pgs.24-48)  
28) *Gerry Walsh v. Nunda Neighbors for Open Space*, 09CD063. (pgs.49-66)

4. Other business. (pg.228)  
5. Comments from the Chairman and Vice Chairman. (pg.228)  
6. Comments from the general public. (pg.228)  
7. Next Board meeting Monday, November 16, 2009 at 10:30 a.m. in Springfield. (pg.228)  
8. Executive Session. (pgs.229-239)

STATE BOARD OF ELECTIONS  
Board Meeting  
Monday, September 21, 2009  
Springfield, Illinois

MINUTES

PRESENT:

Bryan Schneider, Chairman  
Wanda Rednour, Vice Chairman  
Patrick Brady, Member  
John R. Keith, Member  
William McGuffage, Member  
Albert Porter, Member  
Jesse Smart, Member

ABSENT:

Robert Walters, Member

ALSO PRESENT:

Dan White, Executive Director  
Steve Sandvoss, General Counsel  
Rebecca Glazier, Assistant to Executive Director

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The regular monthly meeting of the State Board of Elections was called to order at 10:35 a.m. with seven members present. Member Walters was absent and Member Smart held his proxy.

Chairman Porter opened the meeting by leading everyone in the pledge of allegiance.

The Executive Director presented the minutes of the August 18 regular meeting and September 4 special meeting and discussed revisions to both sets of minutes. Member Smart moved to approve the minutes as revised. Member Brady seconded the motion which passed unanimously.

Director White sadly informed the Board of two recent deaths. Member Walters wife, Jeanne, passed away last week and Eric Donnewald's father, James, also passed away last week. He discussed the funeral arrangements of both.

The Executive Director indicated that Voting Systems staff recently conducted a test of the Accu-Vote as to the kickback of undervotes. Kathy Rogers, Steve Pearson and Cathi Smothers, representatives from ES&S, were present via telephone. Dianne Felts indicated staff ran over 1,000 ballots and the equipment counted accurately. The problem is if there is an undervote and an overvote on the same ballot only the first under or overvote will be identified. If the voter overrides the error the equipment does not identify any other under or over votes. The option at this time are for the vendor to reprogram the equipment and go thru an EAC approved laboratory and SBE staff will test at the same time. Kathy Rogers discussed the equipment noting the equipment will reject

all undervoted races on the ballot; however, it does prevent the voter from knowing that there are overvoted races with the remainder of the ballot should they override the ballot. One option would be to have the voter return to booth and correct ballot. The voter would have to do this each time the machine identified something. These units used in Illinois are old technology and the cost for this upgrade will have to be borne by the election authorities. Illinois is the only state that requires undervotes for constitutional officers to be rejected. Mrs. Felts noted that 63 election jurisdictions are affected by this. Discussion ensued on when the law passed and the effective date as well as options. Ms. Felts indicated this will take effect with the first election with statewide constitutional offices on the ballot in 2010. Director White noted that during the Advisory Committee meeting they had discussed requesting an extension on the effective date of the law. Jim Nelson, Fulton County Clerk, indicated that the Representative in his district is close to Speaker Madigan and indicated the Speaker is adamant about this bill and not willing to budge. It was agreed for Dianne to put together the requirements ES&S needs to move forward and proceed immediately in case it is not overturned by the legislature.

Director White reported on the Advisory Committee meeting which was very well attended. Issues discussed include the SBE budget, constitutional officers and the kickback issue, and a statewide database update.

Director White noted that Cris Cray prepared the 2009 recap of legislative activity included in the Board packet. Ms. Cray indicated that the next meeting of the Campaign Finance Reform committee is September 29 and believed that we will see campaign reform discussions in the veto session. Senate Bill 51 was amendatorily vetoed to delay the effective date which is something asked for to implement BEREP correctly and to make technical changes. There will be a trailer bill to SB 51 in the veto session.

Sharon Steward presented an update up the Business Entity Registration for Procurement (BEREP) program. The BEREP website went live September 11 and as of today has had close to 5,000 hits. Ms. Steward recapped the timeline of the program and explained the public website. Discussion ensued and it was stated that if a business is no longer required to be registered it still must re-register electronically. Mr. Borgsmiller indicated that the details for the complaint procedure are still being worked out at this time.

Director White presented for Board consideration a proposal from Al Manning for a voter awareness program for the February 2, 2010 General Primary. This program would include early voting and grace period registration and voting information and extend to the end of the fiscal year with a capped cost of \$5,000. In the recent legislative session grace period registration was

extended by a week and requires permanent early voting polling places to remain open additional hours on holidays and the final weekend of the early voting period. Member Smart moved to accept the proposal for Mr. Manning's services. Vice Chairman Rednour seconded the motion which passed by roll call vote of 8-0

Per discussions and questions at the August Board meeting, Director White presented a revised lump sum spending appropriations (RSLA) allocation plan for the FY 10 budget appropriation and discussed the revisions including: 1) a significant reduction in the IDIS program allocation as resources will now allow in-house IT staff to devote time to the project; 2) increase for the Voting System Integrity Center; and 3) increase for the E-Canvass program. Director White has asked Jim Withers to coordinate with appropriate agencies to conduct an evaluation of physical space needs. This would be a long range plan as we are in a lease until 2012. The plan also proposes restoration of the full funding for the Clerk's stipends. The RSLA will become a part of the monthly fiscal report. Staff believes the proposed revisions are the best allocation of the resources available this year. In response to a question, Director White indicated that there is no statutory obligation for a testing center but believed staff could run a much more efficient and professional program with a stand alone facility. The SBE is the pass-through for the election judge payments and as every year we have requested full funding. As of right now the election judges will be funded at 50% but supplemental funding will be requested in the fall veto session. Discussion ensued on past election judges funding and the amount returned unspent to the Treasury in FY 09. Member Smart moved to approve the staff revised budget proposal as presented. Vice Chairman Rednour seconded the motion which passed by roll call vote of 8-0.

The Executive Director presented for informational purposes the IVRS update, the FY 09 fiscal status report for the period ending August 31, the FY 09 fiscal report for the Help Illinois Vote Fund, the FY 09 fiscal report for the EAC Data Collection grant, and the two year plan of activity for the months of September and October.

The General Counsel presented a motion for reconsideration in the matter of *SBE v. Committee to Elect Eddie Washington*, 08AG074. Mike Kasper was present representing Mr. Washington. He indicated that the committee filed an appeal but it was received five days after the expiration of the 30 day appeal period. There was miscommunication between Mr. Kasper and Mr. Washington and each one thought the other was filing the appeal. Mr. Sandvoss indicated that in light of Mr. Kasper's explanation he recommended the Board grant the motion to reconsider and refer the matter to a hearing officer for disposition of the appeal. Member Smart moved to accept

the recommendation of the General Counsel. Vice Chairman Rednour seconded the motion which passed by roll call vote of 8-0.

The General Counsel presented an appeal of a campaign disclosure fine that the hearing officer has recommended be denied in the matter of *SBE v. Citizens to Elect Andre Thapedi*, 09DS185 and concurred with the recommendation. This matter was carried over from the August meeting. Ms. Llwellyn Thapei, Chairman of the committee, was present. Ms. Thapei had indicated previously she was going to provide supporting documentation to the hearing officer and Mr. Sandvoss was unaware if that had been done so he was withholding recommendation until hearing from Ms. Thapedi. Ms. Thapedi indicated she had provided the hearing officer with the documents this morning and the hearing officer has indicated he would need time to review the submission and revise a report. She asked that the matter be continued to the October 20 Board meeting. Mr. Sandvoss had no objection to continuing the matter. Mr. Porter moved to continue the matter to the October 20 Board meeting. Member Smart seconded the motion which passed unanimously.

The General Counsel presented appeals of campaign disclosure fines that the hearing officer recommends be granted for agenda items 3.a.3-14: 3) *SBE v. 23<sup>rd</sup> Ward Regular Democratic Organization*, 08AG059; 4) *SBE v. Friends of Pam Helsel Hoffman*, 08AG061; 5) *SBE v. Friends for Henry Vicenik*, 09CE019; 6) *SBE v. Team Nunda*, 09AE003; 7) *SBE v. Bob Hausler 4 Mayor*, 09CE063; 8) *SBE v. Friends of Dianne McGuire*, 08AG062; 9) *SBE v. Citizens for Edward Acevedo*, 08AG071; 10) *SBE v. Citizens for Elaine Nekritz*, 08AG072; 11) *SBE v. Friends of Kwame Raoul*, 08AG075; 12) *SBE v. Citizens for Connelly*, 08AG077; 13) *SBE v. Friends to Elect Jim Hagerty*, 08AG081; and 14) *SBE v. Friends of Riley Rogers*, 09AC003. Mr. Sandvoss concurred with the recommendation of the hearing officer in each case. No one was present in these matters. Member Keith moved to grant the appeals in these matters and as to agenda items 4, 8 and 10 also order that amended reports be filed as suggested by the hearing officer. Member Smart seconded the motion which passed by roll call vote of 8-0.

The General Counsel presented appeals of campaign disclosure fines that the hearing officer has recommended be denied for agenda items 3a.15-24: 15) *SBE v. Cunningham Campaign Committee*, 09MA012; 16) *SBE v. Citizens for Officer*, 04DS082; 17) *SBE v. Citizens for Karen Fields*, 09MA013; 18) *SBE v. The Best 2005 Referendum Committee*, 09DS256; 19) *SBE v. Highwood United*, 09CE029; 20) *SBE v. Citizens to Elect Paul Hinterlong*, 09MA014; 21) *SBE v. Committee to Re-elect Bracco & Graves*, 09AE007 & 09CE049; 22) *SBE v. Committee to Elect Fritz Gohl*, 09CE050; 23) *SBE v. Citizens for Kay*, 08AG078; 24) *SBE v. Citizens for Mark Walker*, 08AG079 and concurred with the recommendations in all matters noting that in item #18 the corrected amount should be \$5,925 and

in item #23, the amount should be \$511. Item #16 will be considered separately as parties were present in this matter. Member Porter moved to accept the recommendations in agenda items #15, 17-24 and the appeals be denied. Member Smart seconded the motion which passed by roll call vote of 8-0.

The General Counsel presented *SBE v. Citizens for Officer*, an appeal that the hearing officer recommended be denied and assessing a penalty of \$1,625 which includes a \$25 stayed penalty. Carl Officer, the candidate, and Girthal Clemons, treasurer of the committee, were present. Ms. Clemons did not realize she needed to file a report because there were no transactions. Once she found out a report needed to be filed she did so immediately. She discussed the committee and the fact that over the many years there was only one other problem and asked the fine be reduced to \$500. Member Porter moved to accept the settlement offer of \$500. Vice Chairman Rednour seconded the motion which failed by a roll call vote of 4-4, with Members Brady, Keith, Smart and Chairman Schneider voting in the negative. After further discussion Member Porter moved to accept the offer of one-half the total amount of the fine or \$812.50 and this be paid within 30 days. Member Smart seconded the motion which passed by roll call vote of 5-3 with Members Brady, Keith and Chairman Schneider voting in the negative.

The General Counsel presented *SBE v. Committee to Elect Tom Strickland*, 09AE009 an appeal of a campaign disclosure fine that the hearing officer recommends be granted and denied in part. No one was present in this matter. Mr. Sandvoss concurred with the hearing officer's recommendation. Member Keith moved to adopt the recommendation of the hearing officer and General Counsel and additionally order that amended reports be filed in conjunction with subparts one and two to have the reports consistent with the representations made by the committee resulting in those findings. Vice Chairman Rednour seconded the motion which passed by roll call vote of 8-0.

The General Counsel presented complaints following public hearings, agenda items 3.a.26-33: 26) *Emilio Cundari v. Cicero Equality Committee*, 09CD002; 27) *Judy Brown-Moreno v. New Broadview Tea Party*, 09CD009; 28) *SBE v. 16<sup>th</sup> Ward Regular Democratic Organization*, 09CD019; 29) *SBE v. Friends of Mickie Polk*, 09CD025; 30) *SBE v. Citizens for Munoz*, 09CD039; 31) *SBE v. 22<sup>nd</sup> Ward Democratic Committeeman Fund*, 09CD042; 32) *SBE v. Taxpayers United For Fairness*, 09CD051; and 33) *SBE v. Committee to Elect James Larry Karraker*, 09CD031. Agenda item #27 will be taken separately. Mr. Sandvoss concurred with the recommendations in these matters. David Miley, Avila Law, indicated his law firm previously filed an appearance on agenda item #26 but did not file a new appearance and he was not present in this matter. No one was present in the other

matters. Member Smart moved to accept the recommendation of the hearing officer and General Counsel on agenda items #26, 28-33. Member Brady seconded the motion which passed by roll call vote of 8-0.

The General Counsel presented *Judy Brown-Moreno v. New Broadview Tea Party* 09CD009, a complaint following public hearing. Mr. Sandvoss discussed the allegation in the original complaint that the respondent failed to timely file a statement of organization and accompanying campaign finance reports. Following the hearing the hearing officer indicated the committee was responsible for filing the reports that were alleged to have not been timely filed and recommended the reports be referred to campaign disclosure staff for review to see if the amended reports or the reports that were filed are in compliance with reporting obligations. Mr. Sandvoss concurred with the recommendation but added that the reports be further amended to address the characterization of the amounts as either in-kind contributions or as debts that are owed. Judy Brown Moreno, the complainant, was present and Richard Means was present on behalf of the respondent. Discussion ensued on two agenda items being connected but because one party was not present and could not waive the confidentiality they would be taken separate. Ms. Brown-Moreno asked the Board to accept the hearing officer's report indicating that after all of the hearings there is information still missing. Mr. Means discussed the committee's activities and filings indicating that a consultant and printer ran the campaign for the committee and did not file disclosures and the committee was left holding the bag. He also further discussed the problems encountered with filing and felt the committee did everything they should have done and should not be penalized further. Mr. Sandvoss indicated his recommendation would not change. Member Smart moved to accept the recommendation of the hearing officer and General Counsel. Member McGuffage seconded the motion which passed by roll call vote of 8-0. Member Keith discussed comments in the report that suggest there may be some unlicensed practice of law and asked Mr. Sandvoss to instruct the hearing officer to report back to the Board relative to the intentions of potential unauthorized practice of law.

The General Counsel presented for informational purposes a listing of committees that paid civil penalties and a listing of candidate committees who face potential ballot forfeiture for 2010.

Member Porter moved to recess to executive session to discuss a campaign disclosure matter following closed hearing, pending litigation and personnel issues. Member Brady seconded the motion which passed unanimously. Meeting recessed at 1:05 p.m. and reconvened at 3:10 p.m. Member Rednour left during executive session and Member Keith holds her proxy.

Member Keith moved that in the matter of *Matt Ames v. Charles Ferral, M. Ferral, Thomas Hendrix, American Campaigns*, 09CD059, the matter was not filed upon justifiable grounds and that it be dismissed accordingly. Member Smart seconded the motion which passed by roll call vote of 8-0.

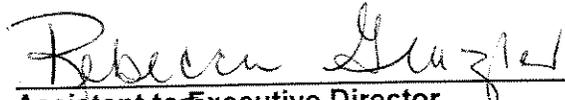
The General Counsel presented for Board consideration a memorandum on apparent conformity of nominating petitions. Mr. Sandvoss discussed his memorandum indicating his interpretation as it pertains to apparent conformity does apply to Article 7 and Article 8 and he believes provides for a statutory basis for the implementation of his proposed policy. The general process would involve checking for the statement of candidacy, economic interest receipt and signatures. Lengthy discussions ensued involving how to determine which petitions to check, how many signatures/pages would be checked, how to inform candidates of the policy change and how to implement. It was suggested that a subcommittee be formed to explore the logistics of implementing apparent conformity. Member Keith offered a motion that the Board indicate it will be adopting a policy of apparent conformity starting with the upcoming petition filing for the February 2, 1020 primary and November 2010 general election. Member Keith offered a second motion that we direct the general counsel to draft a proposed policy taking into account the comments of the Board today and have the Chairman appoint a subcommittee and after submission of something to the Board the general counsel would be given authority to proceed. Discussion ensued on applying apparent conformity on a limited basis but where does the line get drawn. Member Keith's motion died for lack of a second. Member McGuffage then moved to request a comprehensive opinion from the Attorney General concerning our obligations relative to apparent conformity. Member Porter seconded the motion which passed by roll call vote of 8-0. In response to a comment from the Board Mr. Sandvoss indicated he would put together something in preparation of a response from the Attorney General prior to November 1 with regard to apparent conformity.

Member Keith moved to adopt actions taken in executive session as to personnel matters regarding the salaries of the executive staff and general staff members. Member Brady seconded the motion which passed by roll call vote of 8-0.

The next regular meeting of the State Board of Elections will be held on Tuesday, October 20, 2009 at 10:30 a.m. in Chicago or at the call of the chair whichever occurs first.

With there being no further discussion, Member Brady moved to adjourn. Member Keith seconded the motion which passed unanimously. The meeting adjourned at 4:15 p.m.

Respectfully submitted,

  
\_\_\_\_\_  
Assistant to Executive Director

  
\_\_\_\_\_  
Executive Director

# **STATE BOARD OF ELECTIONS**

**MEMORANDUM**

*From the desk of:  
Daniel W. White, Executive Director*

**TO:** Members of the Board  
**SUBJECT:** Resolution for McHenry County Clerk Kathy Schultz  
**DATE:** October 7, 2009

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McHenry County Clerk Kathy Schultz is celebrating 50 years of government service. At the Board meeting I will present a resolution recognizing this remarkable achievement and ask for a Board motion.

Attachments

*You are cordially invited to a  
Celebration of Fifty Years of Service to McHenry County by*  
**KATHERINE C. SCHULTZ**

McHENRY COUNTY CLERK



*To honor this achievement, we will be hosting an event at the  
McHenry County Administration Building  
667 Ware Road, Woodstock*

October 16, 2009  
1:00 p.m. until 4:00 p.m.  
Conference Rooms B & C

*Fifty years of service is an extraordinary distinction.  
We encourage you to leave a greeting or share a special story by e-mail  
to [jacorson@co.mchenry.il.us](mailto:jacorson@co.mchenry.il.us) or by mail to:*

McHenry County Clerk  
Attn: Judy Corson  
2200 N. Seminary Avenue  
Woodstock, IL 60098

Please RSVP to Judy Corson at 815-334-4230 or to the e-mail address above by  
October 12<sup>th</sup> 2009.

Light Refreshments will be served.  
Hosted by the Staff of the McHenry County Clerk's Office

# THE ILLINOIS STATE BOARD OF ELECTIONS

## RESOLUTION IN HONOR OF KATHERINE C. SCHULTZ

**WHEREAS**, the State Board of Elections is an agency created and mandated by the Illinois Constitution to have general supervision over the conduct of elections and registration in the State of Illinois; and

**WHEREAS**, it has come to our attention that the Honorable Katherine C. Schultz, McHenry County Clerk, will be celebrating fifty years of service to McHenry County; and

**WHEREAS**, Katherine C. Schultz was hired by Vernon W. Kays, McHenry County Clerk in the McHenry County Voter Registration Department, on October 16, 1959; and

**WHEREAS**, Katherine C. Schultz, after working in the County Clerk's office for thirty-one years, ran and won the office of County Clerk in 1990 through 2006, and will run for reelection again in 2010; and

**WHEREAS**, Katherine C. Schultz is a member of the Illinois Association of County Clerks and Recorders and serves on the Legislative Committee and as Chairman of the Elections Committee; is serving on the State Board of Elections Advisory Committee; and has served as Treasurer, Secretary and President of Zone IV;

**WHEREAS**, Katherine C. Schultz was a recipient of House Resolution Number 11, adopted by the Illinois House of Representatives on January 31, 2001 in recognition of the implementation of optical scanning voting machine technology in McHenry County; and

**THEREFORE, BE IT RESOLVED**, that we, the members of the State Board of Elections offer our sincere admiration and appreciation to Katherine C. Schultz for her 50 years of dedicated and distinguished public service in the administration of elections and for her tireless and professional efforts to improve the efficiency and integrity of the electoral process in the State of Illinois.

Dated: October 16, 2009

Members -- State Board of Elections

Bryan A. Schneider, Chairman  
Wanda L. Rednour, Vice Chairman  
Patrick A. Brady  
John R. Keith  
William M. McGuffage  
Albert S. Porter  
Jesse R. Smart  
Robert J. Walters

Daniel W. White  
Executive Director



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INTEROFFICE MEMORANDUM

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To: Dan White, Executive Director

From: Dianne Felts, Director of Voting Systems and Standards (VOSS)

Subject: Accu-Vote Constitutional Under-Vote feature

Date: October 7, 2009

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At the last Board meeting, I presented to the Board a problem that VOSS staff encountered in testing the Accu-Vote tabulator. The reason for this test was to prove that the tabulator could notify the voter of any under-votes for a state-wide constitutional office. The new law, Public Act 95-699 takes effect for the first time at next February's General Primary. As you will recall staff discovered that the tabulator does not notify the voter of all under-vote and over-vote situations.

At the meeting, the Board directed me to send a letter to the vendor explaining what was needed to comply with the law. See attached letter. The Board also requested the vendor to respond with what would be done to accomplish this and the cost factor.

Election Systems & Software, Inc. has been in contact with iBeta which is an accredited Election Assistance Commission's testing laboratory. The vendor's plan is to change the tabulator to notify the voter on the LCD screen of all under-voted or over-voted offices. The screen will scroll down the entire ballot at which time the voter may override the over or under-votes, get a new ballot or change the original ballot. The costs are not available at this time but will be at our October Board meeting.

The vendor and our staff will have a conference call yet this week to tie up the remaining odds and ends before the laboratory's testing begins. See attached e-mail.

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

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EXECUTIVE DIRECTOR  
Daniel W. White  
September 23, 2009

BOARD MEMBERS  
Bryan A. Schneider, Chairman  
Wanda L. Rednour, Vice Chairman  
Patrick A. Brady  
John R. Keith  
William M. McGuffage  
Albert S. Porter  
Jesse R. Smart  
Robert J. Walters

Ms. Kathy A. Rogers  
Premier Election Solutions/ES&S  
Vice President  
Public Relations & Government Affairs

Mr. Don Vopalensky  
Certification Manager  
Premier Election Solutions/ ES&S  
405 North 115<sup>th</sup> Street  
Omaha, NE 68154

Dear Kathy and Don,

As per my Board's directive at its September 21<sup>st</sup> meeting, I write to explain what is needed to comply with Illinois law. There are two relevant statutes. The first is 5/24B-16. This section relates to approvals of voting systems.

No Precinct Tabulation Optical Scan Technology voting system shall be approved unless it fulfills the following requirements:

(e-5) It will identify when a voter has not voted for all statewide constitutional offices.

The next relevant section involves Election Day, the section is 5/17-11. It states that :

Where voting machines or electronic voting systems are used, the provisions of this section may be modified as required or authorized by Article 24, 24A, 24B, or 24C, whichever is applicable, except that the requirements of this Section that (i) the voter must be notified of the voting equipment's acceptance or rejection of the voter's ballot or identification of an under-vote for a statewide constitutional office and (ii) the voter shall have the opportunity to correct an under-vote or surrender the ballot that was not accepted and vote another ballot shall not be modified.

In order to fulfill this law, the tabulator may show all under-voted races on the ballot(Blank Voted Races)but must show all under-voted state constitutional races and all over-voted races. For instance, if the screen says over-vote(s) and under-vote(s), or if it shows two races over-voted and one race is under-voted etc.; this will be sufficient. It is necessary to have this reviewed by an EAC approved testing laboratory (VSTL). My staff is willing to test at the same time. As far as the Standards go, we will allow it to be reviewed under the 2002 Standards since the original application for HAVA was under those standards and the identification of constitutional under-votes is pursuant to state law. A key point is that if the override feature is used, the tabulator must notify the voter of both the over-votes and under-votes.

Please indicate by letter or e-mail, what options can be done efficiently, accurately, and cost-effective for our clerks. The cost would be borne by the vendor and of course, ultimately by the Illinois customers.

Just let me know if I can give any further direction.

Sincerely,

A handwritten signature in cursive script that reads "Dianne Felts".

Dianne Felts  
Director of Voting Systems & Standards  
Illinois State Board of Elections

CC: Steve Pearson  
Vice President/ ES&S

## Felts, Dianne

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**From:** Rogers, Kathy [Kathy.Rogers@premierelections.com]  
**Sent:** Friday, September 25, 2009 8:27 AM  
**To:** Felts, Dianne  
**Cc:** Pearson, Steve  
**Subject:** Board Request

Hi Diane,

Hope you are well on this Friday. Thank you for providing the letter from the board. Based on your descriptions and our previous discussions we have prepared a synopsis below of our interpretation and proposed solution. Please review at your convenience and confirm that this is the correct approach. We will have additional info for you the first of next week on time, etc. We had hoped to have that info today but are waiting on some additional material from the VSTL before we can finalize. Sorry for sending the info below in email format - my pc has decided to give me a hard time so I am unable to send this in a more readable format.

**Issue:** The State of Illinois requires that the voter be informed of each and every race on the ballot that has been either under-voted or over-voted in order to comply with a law that was passed in 2007 that requires notification of under-voting of specific state races.

**Current AccuVote-OS Behavior:** The AccuVote-OS voting device can be programmed to return ballots that contain either under-voted or over-voted races or a combination of both conditions. At issue is the fact that the AccuVote-OS voting device will return the ballot and display (on the unit's built-in LCD display screen) only the first condition encountered. So for example, an election containing two races, each of which is a vote for one race is programmed. The AccuVote-OS voting devices are set to return ballots that contain both under-voted and over-voted races. A voter inserts a ballot that has been under-voted in race 1 and over-voted in race 2. The ballot is returned and the AccuVote-OS unit LCD displays the message "Under-voted Race/Race 1". The voter informs the poll worker that they intended to under-vote Race 1 and so the ballot should be processed as is. The poll worker uses the over-ride procedure to force the AccuVote-OS to accept the ballot as marked. The result of this is that the AccuVote-OS will accept the ballot, count all races that are properly marked and discard any races that are improperly marked while keeping statistical data on the improperly marked races. In this scenario, the voter may not be aware that the race 2 was seen as an over-vote by the device and therefore not counted.

**Required AccuVote-OS Behavior:** In order to accommodate the State's requirement, it has been agreed upon that the AccuVote-OS unit must be able to recognize all races matching any user-specified reject conditions and subsequently display each matching race for review by the voter. This may be achieved by displaying each flagged race in turn on the LCD display when a ballot containing one or more races matching the current reject criteria has been scanned. As in the existing behavior, each offending race should be displayed for the voter along with the condition that caused the rejection of the ballot to occur (e.g. UNDERVOTE, OVERVOTE, etc.) If there is more than one offending race, the LCD should automatically scroll through each race until all races matching the current reject criteria have been displayed. Once all matching races have been displayed, the process will repeat itself, beginning with the first matching race, until the display timeout period has been exceeded, another ballot is fed into the device, or the override function is performed to accept the ballot. The override function may be executed at any point in the notification process, including before all races have been displayed, in order to accept the ballot if the voter so chooses. Acceptance of the ballot via the override function will terminate the scrolling display of matching races.

Thanks Diane! Please feel free to call me to discuss.

Best,  
Kathy  
Kathy. A Rogers  
Vice President of Government Affairs  
Premier Election Solutions  
404-432-4485

-----Original Message-----

From: Pearson, Steve [mailto:smpearson@essvote.com]  
Sent: Wednesday, October 07, 2009 10:36 AM  
To: Felts, Dianne  
Cc: Sandvoss, Steve; White, Dan; Fulle, Rick; Rogers, Kathy  
Subject: RE: Accu-Vote and under-votes

Dianne, like we discussed on the phone yesterday evening, we should have an idea what the costs and time implications for these changes this week. We are working through this with the VSTL (iBeta Labs) to complete a draft test plan along with a functional description of the changes we wish to share with you. Before we move forward with the changes and VSTL testing, we would like to gain a level of concurrence the VSTL testing procedures and the changes, when implemented, will adequately satisfy the legislative definition for undervote notices. Once we have the information assembled, we will arrange for a call with you to discuss.

Steve Pearson  
Vice President, Certification  
Election Systems & Software | 11208 John Galt Blvd | Omaha, NE 68137  
Phone: 402-970-1225 | Fax: 402-970-1276 | smpearson@essvote.com www.essvote.com

# **STATE BOARD OF ELECTIONS**

**MEMORANDUM**

*From the desk of:  
Daniel W. White, Executive Director*

**TO:** Members of the Board

**SUBJECT:** Alexander County

**DATE:** October 8, 2009

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Recently, news articles have appeared in Southern Illinois newspapers chronicling financial problems plaguing Alexander County. One article (attached) reported that a new computer recently purchased for voter registration and election purposes may not be available for use at the upcoming February 2, 2010 General Primary Election. Another related county layoffs – one in the Clerk's office.

In response to these reports I have asked staff to contact Alexander County officials to inquire about plans for the Primary Election and obtain additional information. I have sent a letter inviting them to the Board meeting to discuss this matter.

Attachments

Home / News

## Alexander County lays off 16 employees

- Story
- Discussion

CODELL RODRIGUEZ, The Southern | Posted: Friday, September 4, 2009 12:00 am | No Comments Posted

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ALEXANDER COUNTY - Sixteen Alexander County employees got the ax Friday to help combat budget problems, county board member Angela Greenwell said.

The Alexander Sheriff's Department got the blunt of the layoffs with 11 full time and part time employees sent home. There was one layoff in the county clerk's office, two in the assessor's office and two in the circuit clerk's office. One employee was removed from the treasurer's office, but was reassigned to the assessor's office.

"If the layoffs had not taken place, it would've meant the shut down of the court house," Greenwell said.

Greenwell said the county has been working on a budget deficit for some time and this is the third consecutive year that tax bills are late. Circuit Clerk Paul Jones said that his office lost two deputies and that each office in the courthouse has been affected by the cuts.

Alexander County Sheriff David Barkett released a news release that the layoffs became effective at 4 p.m. Friday and the department lost 75 percent of their staff. He said the duties will be reduced to serving the court, providing security at the courthouse and serving legal process and transporting and securing inmates.

"At the level we are forced to operate by mandate from the County Board we will do the best we can with the resources we have available to us," Barkett said in the news release.

Posted in Breaking on *Friday, September 4, 2009 12:00 am*

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CAIRO - As sheriff in one of the state's poorest counties, David Barkett often has his hands full keeping drug and property crimes in check. But now things have gone from bad to worse to desperate in Alexander County, where 27 percent of residents live in poverty and the general fund has dwindled to \$30,000.

Barkett this month laid off three-fourths of his staff, leaving just four deputies to help cover the county that spans more than 250 square miles in far southern Illinois. Just days later, he surrendered five patrol cars to the local bank for nonpayment, leaving his department just one county-owned vehicle.

And by midweek, Barkett's prisoners may be turned away from the regional jail because the county hasn't kept up paying for the upkeep of its inmates there.

"We will be a lawless society," worries Angela Greenwell, a county board member, fearing the latest trouble "basically has neutered the sheriff's department."

Getting some help

Barkett says losing the cars and deputies "hogties us," but he's doing what he can to keep residents safe.

Troopers from an Illinois State Police post about 20 miles away are helping to patrol rural stretches in the county. And last week, Barkett drove to Springfield to talk to state and federal officials about surplus vehicles; by day's end he was driving back to Cairo in a 2004 Ford SUV, a government hand-me-down with 73,000 miles on the odometer.

"Right now, beggars can't be choosy," he said. Besides, the SUV is "like brand new" compared to his department's county-owned car that's rolled up close to 200,000 miles. And with more donated vehicles perhaps headed his way, Barkett is taking baby steps to fill the void.

"I firmly believe that the good will prevail, the good Lord willing," he said. "I'm not a quitter, and I wasn't elected to let these people down. And I have no intention to do that."

St. Lucie County (Fla.) Sheriff Ken J. Mascara also has offered Alexander five used squad cars. He said the cars would fetch \$3,500 to \$4,000 each if sold at auction, and his county will put the light bars back on the squads before sending them north.

Mascara's county was ground zero for three devastating weather events in 2004: Hurricanes Frances and Jeanne, as well as Tropical Storm Wilma. So when Mascara learned that a fellow law enforcement official Alexander County Sheriff David Barkett was trying to run a department without squad cars, he decided to help.

"Public safety is perhaps the most important service government can provide to its citizens. Without it, a community would cease to exist," Mascara said.

'Downward spiral'

But Barkett's headaches are just the latest in Alexander County, which Greenwell said has "been in a downward spiral" for decades.

The decay is perhaps most glaring in the county seat of Cairo, a once-bustling port city at the confluence of the Ohio and Mississippi rivers.

The outpost served as Gen. Ulysses S. Grant's headquarters in the Civil War's infancy, then steamboats helped make it a vital transportation nexus. By the 1920s, when 15,200 people called Cairo home, the city was a hub of commerce, thanks to rails and rivers, before its importance waned as the nation turned to interstate highways and air travel.

Matters worsened when a race riot erupted in 1967, fueling the exodus of employers and residents. The city has never really recovered from it.

The riverfront now resembles an Old West ghost town, its facades crumbling and windows boarded up. Some of the buildings are little more than heaps of bricks. Other structures are overrun with weeds. Some of the hulking buildings, many dating to the 19th century, offer ample cover for drug dealers and users.

And there seems to be no relief in sight.

Grim numbers

Since 2000, Alexander County's population has slumped about 15 percent, to an estimated 8,200 last year.

The median home household income as of 2007 was \$28,443 - nearly half the statewide level - while roughly 27 percent of county residents were living below the poverty line, more than twice the 11.9 percent statewide. In August, the unemployment rate was 11.9 percent.

Greenwell said that has resulted in a dwindling tax base made worse because the county probably has more public housing than privately owned. Census records show there was one building permit issued by the county last year.

"How can a community survive with that imbalance?" she said.

The financial woes have touched more than the sheriff's department.

The clerk's office has a new computer to store all of the county's registered voters and ballot results, but it sits unusable because the county has run up a \$35,000 tab with the provider of the system and software, Clerk Nancy Kline said.

"It's not anybody's fault. Nobody's purposely holding us up in getting this fixed," she said, adding that she hopes the problem can be remedied in time for the February primary election. "I've been pushing this for too long. But it'll be fixed."

Residents don't seem surprised by the county's troubles.

"We don't have any industry, no jobs," 71-year-old Phyllis Pecord said while working at a bookkeeping and tax-preparation business near Olive Branch, believing the county's poverty has left many unwilling to pay their taxes on time, much less at all.

Up Route 3, at his service station and repair shop, Bobby Jones says the county loses sales tax revenue to Missouri and Kentucky, just across the rivers from Alexander County.

Jones once let the sheriff's department run a tab for gas at his shop but cut it off after the bill reached \$1,000 and there was no evidence it'd be paid. He assumes he'll get compensated, but it's any guess when.

"You try to help out, but I just can't go farther than that," he said, then paused. "It's really quite sad."

'One thing after another'

Greenwell said the county - whose general fund has just \$30,000 - was in a real fix until a judge transferred \$50,000 from the court system into the county's general fund, allowing the county to pay \$10,000 owed to four of the laid-off deputies.

Ostensibly, Greenwell said, the remaining money could go toward the county's \$86,000 tab for its prisoners at the regional jail that serves three counties. If the county doesn't come up with the remaining \$41,000 for the jail bill by Thursday, Barkett can't send any more prisoners there.

After that, she's not sure what the county will do.

"It's like a boil. It's popping," she said. "It's just going to be one thing after another."

- Becky Malkovich of The Southern Illinoisan contributed to this report.

Posted in Local on *Monday, September 28, 2009 12:00 am* | Tags:

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

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EXECUTIVE DIRECTOR  
Daniel W. White

October 8, 2009

The Honorable Nancy Kline  
Alexander County Clerk & Recorder  
2000 Washington  
Cairo, IL 62914

Dear Ms. Kline:

The State Board of Elections has become aware of financial difficulties that have beset Alexander County. Difficulties that potentially could impact the county's ability to administer the February 2, 2010 General Primary Election.

The State Board has long considered itself partners with Alexander County in helping conduct elections and on many occasions have sent staff to assist election administration.

This is to let you know that I have placed this matter on the State Board of Elections' October 20 meeting Agenda and to invite you or a representative of your office to attend and participate in that discussion. The purpose of the discussion is to update the Board on this matter and consider possible options for assistance to your jurisdiction. The meeting will be conducted via videoconference in Chicago and our Springfield office located at 1020 South Spring Street, Springfield, Illinois.

If you have any questions please contact my office.

Sincerely,

A handwritten signature in black ink, appearing to read "Dan White", written over a horizontal line.

Daniel W. White  
Executive Director

DWW/alc  
Cc: Mark Mossman

# **STATE BOARD OF ELECTIONS**

**MEMORANDUM**

*From the desk of:  
Daniel W. White, Executive Director*

**TO:** Members of the Board  
**SUBJECT:** Candidate Petition Filing Period  
**DATE:** October 8, 2009

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Preparations for the October 26 – November 2 candidate petition filing period are well underway. At the October meeting, Director of Election' Mark Mossman will provide an oral update.

# Judges Schools GP 2010

<b>Date</b>	<b>Jurisdiction</b>	<b>No. of Schools</b>	<b>Attendance</b>	<b>Zone</b>
Tuesday, October 13, 2009	Macoupin	2	0	Two
Monday, January 04, 2010	Marion	1	0	One
Tuesday, January 05, 2010	Marion	2	0	One
Wednesday, January 06, 2010	Menard	2	0	Two
Thursday, January 07, 2010	Morgan	2	0	Two
Friday, January 08, 2010	Morgan	2	0	Two
Monday, January 11, 2010	Coles	3	0	Three
Tuesday, January 12, 2010	Jackson	2	0	One
Wednesday, January 13, 2010	Jackson	2	0	One
Thursday, January 14, 2010	Whiteside	2	0	Four
Thursday, January 14, 2010	Woodford	2	0	Three
Monday, January 18, 2010	Cass	2	0	Two
Tuesday, January 19, 2010	Monroe	3	0	One
Wednesday, January 20, 2010	Effingham	3	0	One
Wednesday, January 20, 2010	Monroe	3	0	One
Thursday, January 21, 2010	Effingham	3	0	One
Thursday, January 21, 2010	Fayette	2	0	One
Thursday, January 21, 2010	Henderson	2	0	Two
Tuesday, January 26, 2010	Iroquois	3	0	Three
Wednesday, January 27, 2010	Iroquois	1	0	Three

**STATE BOARD OF ELECTIONS**  
1020 South Spring Street  
Springfield, Illinois 62704  
217/782-4141

**Rupert T. Borgsmiller**

**Assistant Executive Director**

To: Daniel W. White, Executive Director

Re: BEREP-Enforcement

Date: 10/9/2009

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In order to ensure compliance with Business Entity Registration the following steps have been implemented:

1. Send out Pre-complaint letters to all Business Entity's that have previously registered on paper but have not re-registered with the State Board of Elections.
2. The letters will indicate that the BE's have been previously notified that they must re-register pursuant to PA 95-1038.
3. If the BE have not responded by the indicated date on the letter the SBE will be forced to file a Complaint against the BE to ensure compliance with the PA.
4. If a BE contacts the SBE prior to the filing of a complaint or at any time during this process regarding their registration status and indicate that their registration was in error they must put in writing why they were not required to register or re-register. The letter stating this must be **notarized**. We will not accept an oral statement it must be put into writing.
5. The complaint procedure would follow the hearing procedure and schedule outlined in 9-20.
6. The complaint process could be resolved at the Closed Preliminary stage and would not necessarily have to go to a Public Hearing.
7. If the Board finds that the BE should have re-registered and did not until the complaint was filed, the Board would put the BE under Stipulation for a year and indicate that if they violate the Stip that they could face a Civil Penalty not to exceed \$5,000 per violation. If they fail to re-register at all, the Board would assess the \$5,000 penalty. Under 9-24, they could petition the court to enforce compliance with the Order.

Outstanding issues still remain and the SBE does not have answers. For instance:

1. On a bid or contract let after September 30<sup>th</sup> will the agency awarding the contract only accept the Certificate of Registration that is produced off the BEREP website or will it still accept the hand processed time stamped copy of the original paper filing?
2. Should the SBE post on its website a list of all BE's that have not re-registered? If we do post them on the website the next question is when should it be posted?
3. In addition to posting on the website, should the SBE notify another agency or officeholder regarding those BE's that have failed to re-register?

4. Regarding "Prohibited Contributions" who is responsible for monitoring & enforcing this provision? According to the Act a contract would be voided after three prohibited contributions. The Act is silent as to enforcement of the prohibited contributions provision, whereas it is specific as to the Board's enforcement responsibilities as to other violations of the Act

# **STATE BOARD OF ELECTIONS**

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**MEMORANDUM**

*From the desk of:  
Daniel W. White, Executive Director*

**TO:** Members of the Board

**SUBJECT:** Legislative Update

**DATE:** October 7, 2009

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The legislature meets in the fall veto session on October 14, 15, 16, 28, 29 and 30. Cris has been working with the legislative staff on revisions to ethics reform and election legislation. A supplemental bill is being drafted to include full funding of our FY10 Budget Appropriation request.

Cris will have an oral update at the meeting.

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

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EXECUTIVE DIRECTOR  
Daniel W. White

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Jesse R. Smart  
Robert J. Walters

MEMORANDUM

**TO:** Chairman Bryan A. Schneider, Vice Chairman Wanda L. Rednour  
Members of the Board and Executive Director Dan White

**From:** Steve Sandvoss, General Counsel

**Re:** Required Review of the Minutes of Executive Sessions

**Date:** October 7, 2009

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Pursuant to 5 ILCS 120/2.06 (d) of the Open Meetings Act, every public body is required to review the minutes of their closed meetings to determine whether or not there is a need for continuing confidentiality of such minutes. In accordance with this requirement, the Executive Director and I reviewed the minutes of the Executive Sessions of the State Board of Elections since April 20, 2009. Other than the items below contained in such minutes, we have concluded that the necessity of confidentiality does not exist as to the remaining copies of the minutes.

- April 20, 2009 – Discussion of Jerry Lemmons v. Douglas Aurand, 09 CD 008, a case following closed preliminary hearing.
- May 18, 2009 – Discussion of Jerry Lemmons v. Douglas Aurand, 09 CD 014 a case following closed preliminary hearing.

Please note that the release of the minutes of the Executive Sessions for public inspection DOES NOT automatically release the verbatim recording of such Sessions. A specific authorization of the Board would be required to release such recordings.

Jurisdiction	June Matches	July Matches	August Matches	September Matches	October Matches	Oldest Match Date
Adams County	226	209	188	135	123	2/6/2009
Alexander County	228	221	190	150	152	2/6/2009
Bond County	188	181	148	127	125	2/6/2009
Boone County	450	399	327	96	28	2/6/2009
Brown County	5	3	6	1	3	5/26/2009
Bureau County	240	226	178	143	132	2/6/2009
Calhoun County	6	6	6	12	8	2/6/2009
Carroll County	124	115	87	63	59	2/6/2009
Cass County	49	43	30	26	25	2/6/2009
Champaign County	206	203	200	35	16	2/6/2009
Christian County	40	5	3	4	1	10/2/2009
Clark County	47	33	24	15	14	2/6/2009
Clay County	127	123	129	115	99	2/6/2009
Clinton County	119	119	105	57	48	2/6/2009
Coles County	344	314	431	191	164	2/6/2009
Cook County	18388	15,898	15,007	12,375	7,086	2/6/2009
Crawford County	168	160	158	140	137	2/6/2009
Cumberland County	46	44	30	14	10	2/6/2009
DeKalb County	707	567	333	249	210	2/6/2009
DeWitt County	254	217	189	143	134	2/6/2009
Douglas County	15	10	9	2	1	8/3/2009
DuPage County	1906	1,673	1604	1398	709	2/6/2009
Edgar County	23	20	18	10	12	2/6/2009
Edwards County	14	13	2	4	6	2/6/2009
Effingham County	57	48	52	14	1	10/2/2009
Fayette County	370	351	308	232	198	2/6/2009
Ford County	92	84	44	15	4	2/6/2009
Franklin County	261	247	206	173	147	2/6/2009
Fulton County	164	141	79	29	10	2/6/2009
Gallatin County	1	1	0	0	0	n/a
Greene County	28	28	33	19	12	2/6/2009
Grundy County	318	230	57	41	36	2/6/2009
Hamilton County	7	3	5	0	0	n/a

Hancock County	13	11	8	10	10	2/6/2009
Hardin County	19	12	9	3	3	5/26/2009
Henderson County	8	2	1	1	0	n/a
Henry County	447	414	171	94	89	2/6/2009
Iroquois County	179	166	30	24	19	2/6/2009
Jackson County	434	402	350	303	274	2/6/2009
Jasper County	36	36	38	30	28	2/6/2009
Jefferson County	143	116	87	38	29	2/6/2009
Jersey County	348	302	91	58	16	2/6/2009
JoDaviess County	12	12	3	2	1	5/26/2009
Johnson County	8	9	14	4	2	2/6/2009
Kane County	1135	951	739	535	110	2/6/2009
Kankakee County	45	43	55	73	57	2/6/2009
Kendall County	762	403	236	181	123	2/6/2009
Knox County	167	146	93	79	66	2/6/2009
Lake County	3340	2,619	1988	1569	660	2/6/2009
LaSalle County	367	334	295	179	192	2/6/2009
Lawrence County	102	89	91	84	62	2/6/2009
Lee County	197	152	13	16	6	9/3/2009
Livingston County	51	15	15	12	6	8/27/2009
Logan County	214	193	60	53	23	2/6/2009
Macon County	560	294	211	103	39	2/6/2009
Macoupin County	337	221	79	20	8	2/6/2009
Madison County	1228	1,055	193	141	79	2/6/2009
Marion County	468	457	375	120	116	2/6/2009
Marshall County	90	75	19	2	3	2/6/2009
Mason County	17	7	1	0	0	n/a
Massac County	78	57	51	27	26	2/6/2009
McDonough County	218	197	129	80	57	2/6/2009
McHenry County	2042	1,399	853	672	0	n/a
McLean County	924	851	749	526	433	2/6/2009
Menard County	124	101	51	47	49	2/6/2009
Mercer County	182	176	168	162	168	2/6/2009
Monroe County	92	89	71	42	20	2/6/2009

Montgomery County	41	36	12	6	10	8/3/2009
Morgan County	149	121	54	24	9	2/6/2009
Moultrie County	7	6	5	0	0	n/a
Ogle County	803	624	135	77	6	2/6/2009
Peoria County	416	281	156	78	70	2/6/2009
Perry County	4	2	3	0	1	10/7/2009
Piatt County	57	49	12	5	3	2/6/2009
Pike County	97	91	71	41	26	2/6/2009
Pope County	7	7	7	5	2	2/6/2009
Pulaski County	113	109	78	28	31	2/6/2009
Putnam County	8	1	2	1	0	n/a
Randolph County	53	54	7	4	3	8/27/2009
Richland County	180	167	163	140	116	2/6/2009
Rock Island County	455	436	374	331	326	2/6/2009
Saline County	21	5	2	1	0	n/a
Sangamon County	463	350	230	199	183	2/6/2009
Schuyler County	26	10	2	1	3	8/27/2009
Scott County	15	3	7	1	2	10/2/2009
Shelby County	46	25	15	12	0	n/a
Stark County	45	38	28	13	10	2/6/2009
St. Clair County	1200	1,123	560	360	190	2/6/2009
Stephenson County	216	180	114	98	80	2/6/2009
Tazewell County	387	248	118	64	52	2/6/2009
Union County	116	112	101	94	90	2/6/2009
Vermilion County	40	36	27	22	17	2/6/2009
Wabash County	26	13	8	8	5	5/26/2009
Warren County	64	61	59	48	13	2/6/2009
Washington County	243	240	68	15	13	2/6/2009
Wayne County	86	87	83	67	65	2/6/2009
White County	24	23	20	5	2	2/6/2009
Whiteside County	137	62	38	35	26	2/6/2009
Will County	5598	4,455	3412	2912	2278	2/6/2009
Williamson County	376	359	312	247	200	2/6/2009
Winnebago County	1001	812	596	367	245	2/6/2009

Woodford County	87	65	13	6	0	n/a
City of Aurora	239	194	135	134	32	2/6/2009
City of Bloomington	347	324	251	202	142	2/6/2009
City of Chicago	14655	11,478	11015	9273	6530	2/6/2009
City of Danville	13	7	3	2	1	2/6/2009
City of East St. Louis	433	421	137	128	66	2/6/2009
City of Galesburg	99	90	37	37	30	2/6/2009
City of Peoria	848	485	35	1	1	10/2/2009
City of Rockford	466	399	291	173	115	2/6/2009
	69312	57,030	46,319	36,583	23,478	

# **STATE BOARD OF ELECTIONS**

**MEMORANDUM**

*From the desk of:  
Daniel W. White, Executive Director*

**TO:** Members of the Board  
**SUBJECT:** Lump-Sum Appropriation Budget  
**DATE:** October 7, 2009

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As indicated at the September Board meeting, please find attached the revised FY10 Lump-Sum Appropriation and a copy of the summary page of the monthly fiscal report which contains the ten lump-sum line item allocations and spending activity to date.

Attachments

**State Board of Elections**  
**Proposed Allocation of FY2010 Reduced Lump-Sum Appropriations**  
**To Reflect 50% Cut in Total Lump-Sum Amount**  
**As of 9/30/2009**

Total Lump-Sum Amount Requested in Original FY2010 Budget = \$12,261,298  
 Actual Total Lump-Sum Amount Received in Final FY2010 Budget = \$6,130,700 (approx. 50% appropriation cut)

Lump-Sum Appropriation Item	Amount Requested In FY2010 Original Budget Submission	Present Allocation of Actual Lump-Sum Approp. (as of 9/30/09)
Annual HAVA Maint. Of Effort	\$550,000	\$550,000
State Match - FY09 Add'l HAVA Money	220,698	220,700
IVRS System Operations/Assistance	3,174,500	1,587,300
County Clerk/Recorder Stipends	806,000	806,000
Election Day Judge Reimbursements	2,700,000	1,350,000
Early Voting Assistance to Local Gov.	1,300,000	650,000
Decennial Redistricting Project	350,000	100,000
VSIC (Voting Systems Integrity Center)	1,096,300	350,000
Electronic Canvassing Implementation	476,400	150,000
Disclosure Reform/Replace IDIS System	1,587,400	366,700

**Totals** **\$12,261,298** **\$6,130,700**

**STATE BOARD OF ELECTIONS**  
**FY10 MONTHLY FISCAL REPORT**  
**General Revenue Fund**

AGENCY TOTALS MONTH ENDING: September 30, 2009	FY10 APPROPRIATION	YEAR TO DATE EXPENDITURE	OBLIGATED MONEY	BALANCE	% OF EXPENDITURE
PERSONAL SERVICE	\$4,023,000.00	\$838,424.55	\$0.00	\$3,184,575.45	20.84%
STATE PAID RETIREMENT	\$161,100.00	\$32,438.80	\$0.00	\$128,661.20	20.14%
RETIREMENT (inc. supplemental)					
SOCIAL SECURITY	\$307,900.00	\$61,691.43	\$0.00	\$246,208.57	20.04%
CONTRACTUAL SERVICE	\$1,100,600.00	\$107,363.24	\$363,282.88	\$629,953.88	9.75%
TRAVEL	\$121,900.00	\$14,100.89	\$0.00	\$107,799.11	11.57%
PRINTING	\$44,500.00	\$3,910.12	\$0.00	\$40,589.88	8.79%
COMMODITIES	\$37,600.00	\$4,698.03	\$0.00	\$32,901.97	12.49%
EQUIPMENT	\$261,500.00	\$8,955.76	\$0.00	\$252,544.24	3.42%
TELECOMMUNICATIONS	\$142,100.00	\$8,526.43	\$0.00	\$133,573.57	6.00%
OPERATION OF AUTO EQUIPMENT	\$4,400.00	\$285.98	\$0.00	\$4,114.02	6.50%
HAVA MAINTENANCE OF EFFORT	\$550,000.00	\$193,379.00	\$67,860.00	\$288,761.00	35.16%
ELECTION CODE BOOKS	\$15,000.00	\$0.00	\$0.00	\$15,000.00	0.00%
<b>SUB-TOTAL (OPERATIONS)</b>	<b>\$6,769,600.00</b>	<b>\$1,273,774.23</b>	<b>\$431,142.88</b>	<b>\$5,064,682.89</b>	<b>18.82%</b>
CO CLERK & RECORDER STIPENDS	\$806,000.00	\$0.00	\$0.00	\$806,000.00	0.00%
ELECTION JUDGE REIMBURSEMENT	\$1,350,000.00	\$0.00	\$0.00	\$1,350,000.00	0.00%
ELECTION JUDGES/EARLY VOTING	\$650,000.00	\$0.00	\$0.00	\$650,000.00	0.00%
IVRS LUMP SUM	\$1,587,300.00	\$50,004.81	\$0.00	\$1,537,295.19	3.15%
REDISTRICTING	\$100,000.00	\$0.00	\$0.00	\$100,000.00	0.00%
ADDITIONAL STATE MATCH	\$220,700.00	\$0.00	\$0.00	\$220,700.00	0.00%
VOTING SYSTEMS INTEGRITY CENTER	\$350,000.00	\$0.00	\$0.00	\$350,000.00	0.00%
ELEC. CANVASSING IMPLEMENTATION	\$150,000.00	\$0.00	\$0.00	\$150,000.00	0.00%
IDIS SYSTEM REPLACEMENT	\$366,700.00	\$0.00	\$0.00	\$366,700.00	0.00%
<b>SUB-TOTAL (GRANTS)</b>	<b>\$5,580,700.00</b>	<b>\$50,004.81</b>	<b>\$0.00</b>	<b>\$5,530,695.19</b>	<b>0.90%</b>
<b>TOTAL APPROPRIATION</b>	<b>\$12,350,300.00</b>	<b>\$1,323,779.04</b>	<b>\$431,142.88</b>	<b>\$10,595,378.08</b>	<b>10.72%</b>

# **STATE BOARD OF ELECTIONS**

**MEMORANDUM**

*From the desk of:  
Daniel W. White, Executive Director*

**TO:** Members of the Board  
**SUBJECT:** FY10 Fiscal Status Report  
**DATE:** October 8, 2009

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We have completed three months of the new fiscal year. The attached report reflects modest spending commensurate with the fiscal year cycle.

Attachment

**STATE BOARD OF ELECTIONS**  
**FY10 MONTHLY FISCAL REPORT**  
**General Revenue Fund**

AGENCY TOTALS MONTH ENDING: September 30, 2009	FY10 APPROPRIATION	YEAR TO DATE EXPENDITURE	OBLIGATED MONEY	BALANCE	% OF EXPENDITURE
PERSONAL SERVICE	\$4,023,000.00	\$838,424.55	\$0.00	\$3,184,575.45	20.84%
STATE PAID RETIREMENT	\$161,100.00	\$32,438.80	\$0.00	\$128,661.20	20.14%
RETIREMENT (inc. supplemental)					
SOCIAL SECURITY	\$307,900.00	\$61,691.43	\$0.00	\$246,208.57	20.04%
CONTRACTUAL SERVICE	\$1,100,600.00	\$107,363.24	\$363,282.88	\$629,953.88	9.75%
TRAVEL	\$121,900.00	\$14,100.89	\$0.00	\$107,799.11	11.57%
PRINTING	\$44,500.00	\$3,910.12	\$0.00	\$40,589.88	8.79%
COMMODITIES	\$37,600.00	\$4,698.03	\$0.00	\$32,901.97	12.49%
EQUIPMENT	\$261,500.00	\$8,955.76	\$0.00	\$252,544.24	3.42%
TELECOMMUNICATIONS	\$142,100.00	\$8,526.43	\$0.00	\$133,573.57	6.00%
OPERATION OF AUTO EQUIPMENT	\$4,400.00	\$285.98	\$0.00	\$4,114.02	6.50%
HAVA MAINTENANCE OF EFFORT	\$550,000.00	\$193,379.00	\$67,860.00	\$288,761.00	35.16%
ELECTION CODE BOOKS	\$15,000.00	\$0.00	\$0.00	\$15,000.00	0.00%
<b>SUB-TOTAL (OPERATIONS)</b>	<b>\$6,769,600.00</b>	<b>\$1,273,774.23</b>	<b>\$431,142.88</b>	<b>\$5,064,682.89</b>	<b>18.82%</b>
CO CLERK & RECORDER STIPENDS	\$806,000.00	\$0.00	\$0.00	\$806,000.00	0.00%
ELECTION JUDGE REIMBURSEMENT	\$1,350,000.00	\$0.00	\$0.00	\$1,350,000.00	0.00%
ELECTION JUDGES/EARLY VOTING	\$650,000.00	\$0.00	\$0.00	\$650,000.00	0.00%
IVRS LUMP SUM	\$1,587,300.00	\$50,004.81	\$0.00	\$1,537,295.19	3.15%
REDISTRICTING	\$100,000.00	\$0.00	\$0.00	\$100,000.00	0.00%
ADDITIONAL STATE MATCH	\$220,700.00	\$0.00	\$0.00	\$220,700.00	0.00%
VOTING SYSTEMS INTEGRITY CENTER	\$350,000.00	\$0.00	\$0.00	\$350,000.00	0.00%
ELEC. CANVASSING IMPLEMENTATION	\$150,000.00	\$0.00	\$0.00	\$150,000.00	0.00%
IDIS SYSTEM REPLACEMENT	\$366,700.00	\$0.00	\$0.00	\$366,700.00	0.00%
<b>SUB-TOTAL (GRANTS)</b>	<b>\$5,580,700.00</b>	<b>\$50,004.81</b>	<b>\$0.00</b>	<b>\$5,530,695.19</b>	<b>0.90%</b>
<b>TOTAL APPROPRIATION</b>	<b>\$12,350,300.00</b>	<b>\$1,323,779.04</b>	<b>\$431,142.88</b>	<b>\$10,595,378.08</b>	<b>10.72%</b>

**STATE BOARD OF ELECTIONS**  
**FY10 MONTHLY FISCAL REPORT**  
**General Revenue Fund**

<b>BOARD</b>	<b>FY10</b>	<b>YEAR TO DATE</b>		<b>% OF</b>
<b>MONTH ENDING: September 30, 2009</b>	<b>APPROPRIATION</b>	<b>EXPENDITURE</b>	<b>BALANCE</b>	<b>EXPENDITURE</b>
<b>CONTRACTUAL SERVICE</b>				
1205 Freight Express & Drayage	\$2,500.00	\$156.78	\$2,343.22	6.27%
1221 Repair/Maint. Furn./Office Equipment			\$0.00	0.00%
1232 Rental Motor Vehicles	\$1,000.00	\$1,000.00	\$0.00	100.00%
1239 Rental, NEC			\$0.00	0.00%
1243 Book Binding Services			\$0.00	0.00%
1266 Court Reporting & Filing Services	\$17,000.00	\$1,633.00	\$15,367.00	9.61%
1274 Reg. Fees & Conf. Expenses (Vendor)	\$400.00		\$400.00	0.00%
1275 Subscriptions				
1276 Reg. Fees & Conf. Expenses (Employee)	\$100.00		\$100.00	0.00%
1277 Association Dues			\$0.00	0.00%
1279 Employee Tuition & Fees				
1280 Copying, Photographic & Printing Services	\$100.00		\$100.00	0.00%
1286 Travel, Non-State Employee			\$0.00	0.00%
1289 Contractual Services, NEC	\$100.00		\$100.00	0.00%
<b>TRAVEL</b>	<b>\$19,000.00</b>	<b>\$2,570.53</b>	<b>\$16,429.47</b>	<b>13.53%</b>
<b>EQUIPMENT</b>				
1510 Office Furniture & Equipment	\$700.00		\$700.00	0.00%

<b>BOARD GRAND TOTAL</b>	<b>FY10</b>	<b>YEAR TO DATE</b>	<b>OBLIGATED</b>	<b>BALANCE</b>
	<b>APPROPRIATION</b>	<b>EXPENDITURE</b>	<b>MONEY</b>	
<b>CONTRACTUAL SERVICE</b>	<b>\$21,200.00</b>	<b>\$2,789.78</b>		<b>\$18,410.22</b>
<b>TRAVEL</b>	<b>\$19,000.00</b>	<b>\$2,570.53</b>		<b>\$16,429.47</b>
<b>EQUIPMENT</b>	<b>\$700.00</b>	<b>\$0.00</b>		<b>\$700.00</b>
<b>TOTAL</b>	<b>\$40,900.00</b>	<b>\$5,360.31</b>	<b>\$0.00</b>	<b>\$35,539.69</b>

**STATE BOARD OF ELECTIONS**  
**FY10 MONTHLY FISCAL REPORT**  
**General Revenue Fund**

ADMINISTRATION MONTH ENDING: September 30, 2009	FY10 APPROPRIATION	YEAR TO DATE EXPENDITURE	BALANCE	% OF EXPENDITURE
<b>PERSONAL SERVICE</b>	\$699,600.00	\$148,403.47	\$551,196.53	21.21%
1129 State Paid Retirement	\$28,100.00	\$5,953.12	\$22,146.88	21.19%
1161 Retirement				
1161-008 Compt. Supplemental Retirement				
1170 Social Security	\$53,600.00	\$10,928.77	\$42,671.23	20.39%
<b>CONTRACTUAL SERVICE</b>				
1201 Petty Cash	\$500.00		\$500.00	0.00%
1205 Freight Express & Drayage	\$700.00		\$700.00	0.00%
1221 Repair/Maint. Furn./Office Equipment	\$12,500.00	\$1,745.14	\$10,754.86	13.96%
1223 Repair/Maint. Real Property	\$4,500.00		\$4,500.00	0.00%
1230 In-House Repair & Maintenance				
1231 Rental, Office Equipment	\$35,600.00	\$2,527.97	\$33,072.03	7.10%
1232 Rental, Motor Vehicles	\$4,600.00	\$1,150.00	\$3,450.00	25.00%
1233 Rental, Real Property	\$206,300.00	\$51,127.95	\$155,172.05	24.78%
1234 Rental, Machinery & Mechanical Eqmt				
1239 Rental, NEC	\$1,400.00		\$1,400.00	0.00%
1240 Statistical & Tabulation Services	\$10,000.00	\$1,526.20	\$8,473.80	15.26%
1242 Auditing & Management Services				
1248 Building & Grounds Maintenance	\$13,000.00	\$378.40	\$12,621.60	2.91%
1251 Gas	\$9,500.00	\$242.35	\$9,257.65	2.55%
1252 Electricity	\$52,000.00	\$11,434.51	\$40,565.49	21.99%
1253 Water	\$1,000.00	\$140.02	\$859.98	14.00%
1255 Utilities, NEC	\$700.00	\$79.72	\$620.28	11.39%
1261 Postage	\$64,000.00	\$321.92	\$63,678.08	0.50%
1266 Court Reporting	\$800.00		\$800.00	0.00%
1274 Reg Fees & Conf. Expenses (Vendor)				
1275 Subscription & Information Services	\$2,500.00	\$682.50	\$1,817.50	27.30%
1276 Reg.Fees & Conf. Expenses (Employee)	\$1,000.00		\$1,000.00	0.00%
1277 Association Dues	\$2,200.00	\$850.00	\$1,350.00	38.64%
1281 Interviewee Expense - To Vendors				
1285 Taxes, Licenses & Fees	\$100.00			
1289 Contractual Services, NEC	\$1,300.00		\$1,300.00	0.00%
<b>TRAVEL</b>				
1291 In-State	\$18,000.00	\$1,953.32	\$16,046.68	10.85%
1292 Out-of-State	\$1,800.00		\$1,800.00	0.00%
<b>PRINTING</b>	\$10,900.00	\$205.30	\$10,694.70	1.88%
<b>COMMODITIES</b>				
1304 Office/Library Supplies	\$14,000.00	\$2,001.84	\$11,998.16	14.30%
1391 Household & Cleaning Supplies	\$2,000.00	\$366.73	\$1,633.27	18.34%
1394 Office/Library Equip., Not exc. \$100				
1398 Equipment, NEC	\$700.00		\$700.00	0.00%
1399 Commodities, NEC	\$400.00		\$400.00	0.00%
<b>EQUIPMENT</b>				
1510 Office Furniture & Equipment	\$2,100.00		\$2,100.00	0.00%
1599 Equipment NEC	\$1,000.00		\$1,000.00	0.00%
<b>TELECOMMUNICATIONS</b>				
1710 Repair/Maintenance Telecom				
1721 Rental, Telephone Serv. & Equip.	\$46,900.00	\$3,323.96	\$43,576.04	7.09%
1722 Rental, Data Comm. Serv. & Equip.	\$84,800.00	\$4,360.24	\$80,439.76	5.14%
1728 Videoconferencing	\$6,400.00	\$564.35	\$5,835.65	8.82%
1729 Rental, Other Comm. Serv. & Equip.	\$3,700.00		\$3,700.00	0.00%
1730 Parts & Supplies for Telephone	\$300.00	\$277.88	\$22.12	92.63%
<b>OPERATION OF AUTO EQUIPMENT</b>				
1893 Repair & Maint., Auto. Equipment	\$1,500.00	\$20.00	\$1,480.00	1.33%
1894 Parts & Fittings, Auto Equipment	\$200.00		\$200.00	0.00%
1896 Gasoline, Oil & Antifreeze	\$2,700.00	\$265.98	\$2,434.02	9.85%
1899 Auto. Expenses, NEC				
<b>ADMINISTRATION GRAND TOTAL</b>	<b>FY10 APPROPRIATION</b>	<b>YEAR TO DATE EXPENDITURE</b>	<b>OBLIGATED MONEY</b>	<b>% OF BALANCE EXPENDITURE</b>
<b>PERSONAL SERVICE</b>	\$699,600.00	\$148,403.47		21.21%
<b>STATE PAID RETIREMENT</b>	\$28,100.00	\$5,953.12		21.19%
<b>RETIREMENT (incl. supplemental funding)</b>	\$0.00	\$0.00		0.00%
<b>SOCIAL SECURITY</b>	\$53,600.00	\$10,928.77		20.39%
<b>CONTRACTUAL SERVICE</b>	\$424,200.00	\$72,206.68	\$157,170.00	17.02%
<b>TRAVEL</b>	\$19,800.00	\$1,953.32		9.87%
<b>PRINTING</b>	\$10,900.00	\$205.30		1.88%
<b>COMMODITIES</b>	\$17,100.00	\$2,368.57		13.85%
<b>EQUIPMENT</b>	\$3,100.00	\$0.00		0.00%
<b>TELECOMMUNICATIONS</b>	\$142,100.00	\$8,526.43		6.00%
<b>OPERATION OF AUTO EQUIPMENT</b>	\$4,400.00	\$285.98		6.50%
<b>TOTAL</b>	<b>\$1,402,900.00</b>	<b>\$250,831.64</b>	<b>\$157,170.00</b>	<b>\$994,898.36 17.88%</b>

**STATE BOARD OF ELECTIONS**  
**FY10 MONTHLY FISCAL REPORT**  
**General Revenue Fund**

<b>ELECTIONS</b> <b>MONTH ENDING: September 30, 2009</b>	<b>FY10</b> <b>APPROPRIATION</b>	<b>YEAR TO DATE</b> <b>EXPENDITURE</b>	<b>BALANCE</b>	<b>% OF</b> <b>EXPENDITURE</b>
<b>PERSONAL SERVICE</b>	\$1,567,000.00	\$324,086.08	\$1,242,913.92	20.68%
1129 State Paid Retirement	\$62,700.00	\$12,339.84	\$50,360.16	19.68%
1161 Retirement				
1161-008 Compt. Supplemental Retirement				
1170 Social Security	\$119,800.00	\$23,815.80	\$95,984.20	19.88%
<b>CONTRACTUAL SERVICE</b>				
1145 Contractual Payroll				
1205 Freight Express & Drayage	\$4,800.00		\$4,800.00	0.00%
1221 Repair/Maint. Furn./Office Equipment	\$200.00		\$200.00	0.00%
1231 Rental, Office Equipment				
1232 Rental, Motor Vehicles				
1237 Rental, Film & Audio/Visual Aids	\$100.00		\$100.00	0.00%
1239 Rental, NEC	\$2,200.00	\$100.00	\$2,100.00	4.55%
1242 Auditing & Management Services				
1245 Professional & Artistic Services, NEC	\$40,000.00		\$40,000.00	0.00%
1266 Court Reporting & Filing Services				
1273 Advertising				
1274 Reg Fees & Conf. Expenses (Vendor)	\$2,300.00		\$2,300.00	0.00%
1275 Subscription & Information Services	\$2,500.00		\$2,500.00	0.00%
1276 Reg. Fees & Conf. Expenses (Employee)	\$1,600.00		\$1,600.00	0.00%
1277 Association Dues	\$1,900.00		\$1,900.00	0.00%
1279 Employee Tuition & Fees	\$2,500.00		\$2,500.00	0.00%
1280 Copying, Photographic & Printing Services	\$2,300.00		\$2,300.00	0.00%
1285 Operating Taxes, Licenses & Fees				
1289 Contractual Services, NEC	\$16,500.00		\$16,500.00	0.00%
<b>TRAVEL</b>	\$48,400.00	\$7,817.78	\$40,582.22	16.15%
<b>PRINTING</b>	\$23,700.00	\$3,704.82	\$19,995.18	15.63%
<b>EQUIPMENT</b>				
1510 Office Furniture & Equipment	\$4,300.00		\$4,300.00	0.00%
<b>HAVA - Maintenance of Effort</b>	\$550,000.00	\$193,379.00	\$356,621.00	35.16%
<b>ELECTION CODE BOOKS</b>	\$15,000.00		\$15,000.00	0.00%

<b>ELECTIONS GRAND TOTAL</b>	<b>FY10</b> <b>APPROPRIATION</b>	<b>YEAR TO DATE</b> <b>EXPENDITURE</b>	<b>OBLIGATED</b> <b>MONEY</b>	<b>BALANCE</b>	<b>% OF</b> <b>EXPENDITURE</b>
<b>PERSONAL SERVICE</b>	\$1,567,000.00	\$324,086.08		\$1,242,913.92	20.68%
<b>STATE PAID RETIREMENT</b>	\$62,700.00	\$12,339.84		\$50,360.16	19.68%
<b>RETIREMENT (incl. supplemental funding)</b>					
<b>SOCIAL SECURITY</b>	\$119,800.00	\$23,815.80		\$95,984.20	19.88%
<b>CONTRACTUAL SERVICE</b>	\$76,900.00	\$100.00		\$76,800.00	0.13%
<b>TRAVEL</b>	\$48,400.00	\$7,817.78		\$40,582.22	16.15%
<b>PRINTING</b>	\$23,700.00	\$3,704.82		\$19,995.18	15.63%
<b>EQUIPMENT</b>	\$4,300.00	\$0.00		\$4,300.00	0.00%
<b>HAVA - Maintenance of Effort</b>	\$550,000.00	\$193,379.00	\$67,860.00	\$288,761.00	35.16%
<b>ELECTION CODE BOOKS</b>	\$15,000.00	\$0.00		\$15,000.00	0.00%
<b>TOTAL</b>	<b>\$2,467,800.00</b>	<b>\$565,243.32</b>	<b>\$67,860.00</b>	<b>\$1,834,696.68</b>	<b>22.90%</b>

**STATE BOARD OF ELECTIONS**  
**FY10 MONTHLY FISCAL REPORT**  
**General Revenue Fund**

<b>GENERAL COUNSEL</b> <b>MONTH ENDING: September 30, 2009</b>	<b>FY10</b> <b>APPROPRIATION</b>	<b>YEAR TO DATE</b> <b>EXPENDITURE</b>	<b>BALANCE</b>	<b>% OF</b> <b>EXPENDITURE</b>
<b>PERSONAL SERVICE</b>	\$284,600.00	\$63,417.00	\$221,183.00	22.28%
1129 State Paid Retirement	\$11,400.00	\$2,037.44	\$9,362.56	17.87%
1161 Retirement				
1170 Social Security	\$21,800.00	\$4,662.92	\$17,137.08	21.39%
<b>CONTRACTUAL SERVICE</b>				
1145 Contractual Payroll			\$600.00	0.00%
1205 Freight Express & Drayage	\$600.00			
1221 Repair/Maint. Furn./Office Equipment				
1244 Legal Fees	\$56,000.00	\$3,696.84	\$52,303.16	6.60%
1245 Professional & Artistic Services, NEC				
1266 Court Reporting & Filing Services	\$15,000.00	\$1,544.00	\$13,456.00	10.29%
1273 Advertising				
1274 Reg Fees & Conf. Expenses (Vendor)	\$1,500.00		\$1,500.00	0.00%
1275 Subscription & Information Services	\$3,500.00		\$3,500.00	0.00%
1276 Reg. Fees & Conf. Expenses (Employee)	\$1,500.00		\$1,500.00	0.00%
1277 Association Dues	\$1,500.00		\$1,500.00	0.00%
1279 Employee Tuition & Fees				
1280 Copying, Photographic & Printing Services	\$600.00		\$600.00	0.00%
1284 Computer Software				
1289 Contractual Services, NEC	\$5,000.00	\$844.64	\$4,155.36	16.89%
<b>TRAVEL</b>	\$10,700.00	\$543.70	\$10,156.30	5.08%
<b>EQUIPMENT</b>				
1510 Office Furniture & Equipment	\$500.00		\$500.00	0.00%

<b>GENERAL COUNSEL GRAND TOTAL</b>	<b>FY10</b> <b>APPROPRIATION</b>	<b>YEAR TO DATE</b> <b>EXPENDITURE</b>	<b>OBLIGATED</b> <b>MONEY</b>	<b>BALANCE</b>	<b>% OF</b> <b>EXPENDITURE</b>
<b>PERSONAL SERVICE</b>	\$284,600.00	\$63,417.00		\$221,183.00	22.28%
<b>STATE PAID RETIREMENT</b>	\$11,400.00	\$2,037.44		\$9,362.56	17.87%
<b>RETIREMENT</b>					
<b>SOCIAL SECURITY</b>	\$21,800.00	\$4,662.92		\$17,137.08	21.39%
<b>CONTRACTUAL SERVICE</b>	\$85,200.00	\$6,085.48	36,303.16	\$42,811.36	7.14%
<b>TRAVEL</b>	\$10,700.00	\$543.70		\$10,156.30	5.08%
<b>EQUIPMENT</b>	\$500.00	\$0.00		\$500.00	0.00%
<b>TOTAL</b>	<b>\$414,200.00</b>	<b>\$76,746.54</b>	<b>\$36,303.16</b>	<b>\$301,150.30</b>	<b>18.53%</b>

**STATE BOARD OF ELECTIONS**  
**FY10 MONTHLY FISCAL REPORT**  
**General Revenue Fund**

<b>CAMPAIGN DISCLOSURE</b>	<b>FY10</b>	<b>YEAR TO DATE</b>		<b>% OF</b>
<b>MONTH ENDING: September 30, 2009</b>	<b>APPROPRIATION</b>	<b>EXPENDITURE</b>	<b>BALANCE</b>	<b>EXPENDITURE</b>
<b>PERSONAL SERVICE</b>	\$799,800.00	\$176,509.00	\$623,291.00	22.07%
1129 State Paid Retirement	\$32,000.00	\$7,064.38	\$24,935.62	22.08%
1161 Retirement				
1161-0008 Compt. Supplemental Retirement				
1170 Social Security	\$61,200.00	\$12,829.74	\$48,370.26	20.96%
<b>CONTRACTUAL SERVICE</b>				
1205 Freight Express & Drayage	\$100.00		\$100.00	0.00%
1221 Repair & Maint, Furn & Office Equipment	\$600.00	\$529.00	\$71.00	88.17%
1225 Repair & Maint, EDP				
1229 Repair & Maint, NEC				
1232 Rental, Motor Vehicles				
1239 Rental, NEC	\$3,500.00		\$3,500.00	0.00%
1245 Professional & Artistic Services, NEC	\$4,300.00		\$4,300.00	0.00%
1248 Building & Ground Maintenance				
1266 Court Reporting & Filing Services	\$600.00	\$560.00	\$40.00	93.33%
1274 Reg Fees & Conf. Expenses (Vendor)	\$900.00		\$900.00	0.00%
1275 Subscription & Information Services				
1276 Reg. Fees & Conf. Expenses (Employee)				
1277 Association Dues				
1279 Employee Tuition and Fees	\$600.00		\$600.00	0.00%
1285 Operating Taxes, Licenses & Fees				
1286 Travel, Non-State Employee				
1289 Contractual Services, NEC	\$500.00	\$412.02	\$87.98	82.40%
<b>TRAVEL</b>				
1291 In-State	\$8,000.00	\$740.90	\$7,259.10	9.26%
1292 Out-of-State	\$3,300.00		\$3,300.00	0.00%
<b>PRINTING</b>	\$9,200.00		\$9,200.00	0.00%
<b>EQUIPMENT</b>				
1510 Office Furniture & Equipment	\$9,300.00		\$9,300.00	0.00%

<b>CAMPAIGN DISCLOSURE GRAND TOTAL</b>	<b>FY10</b>	<b>YEAR TO DATE</b>	<b>OBLIGATED</b>		<b>% OF</b>
<b>MONTH ENDING: September 30, 2009</b>	<b>APPROPRIATION</b>	<b>EXPENDITURE</b>	<b>MONEY</b>	<b>BALANCE</b>	<b>EXPENDITURE</b>
<b>PERSONAL SERVICE</b>	\$799,800.00	\$176,509.00		\$623,291.00	22.07%
<b>STATE PAID RETIREMENT</b>	\$32,000.00	\$7,064.38		\$24,935.62	22.08%
<b>RETIREMENT (incl. supplemental funding)</b>					
<b>SOCIAL SECURITY</b>	\$61,200.00	\$12,829.74		\$48,370.26	20.96%
<b>CONTRACTUAL SERVICE</b>	\$11,100.00	\$1,501.02		\$9,598.98	13.52%
<b>TRAVEL</b>	\$11,300.00	\$740.90		\$10,559.10	6.56%
<b>PRINTING</b>	\$9,200.00	\$0.00		\$9,200.00	0.00%
<b>EQUIPMENT</b>	\$9,300.00	\$0.00		\$9,300.00	0.00%
<b>TOTAL</b>	<b>\$933,900.00</b>	<b>\$198,645.04</b>	<b>\$0.00</b>	<b>\$735,254.96</b>	<b>21.27%</b>

**STATE BOARD OF ELECTIONS**  
**FY10 MONTHLY FISCAL REPORT**  
**General Revenue Fund**

<b>INFORMATION TECHNOLOGY</b> <b>MONTH ENDING: September 30, 2009</b>	<b>FY10</b> <b>APPROPRIATION</b>	<b>YEAR TO DATE</b> <b>EXPENDITURE</b>	<b>BALANCE</b>	<b>% OF</b> <b>EXPENDITURE</b>
<b>PERSONAL SERVICE</b>	\$672,000.00	\$126,009.00	\$545,991.00	18.75%
1129 State Paid Retirement	\$26,900.00	\$5,044.02	\$21,855.98	18.75%
1161 Retirement				
1161-0008 Compt. Supplemental Retirement				
1170 Social Security	\$51,500.00	\$9,454.20	\$42,045.80	18.36%
<b>CONTRACTUAL SERVICE</b>				
1145 Contractual Payroll				
1205 Freight Express & Drayage				
1221 Repair/Maint. Furn./Office Equipment	\$13,000.00		\$13,000.00	0.00%
1223 Repair/Maint. Real Property				
1225 Repair/Maint. EDP Equipment	\$32,000.00		\$32,000.00	0.00%
1230 In-House Repair of Equipment				
1234 Rental, Machinery and Mech. Equip				
1239 Rental, NEC				
1242 Auditing & Management Services	\$340,000.00	\$24,555.28	\$315,444.72	7.22%
1244 Legal Fees				
1245 Professional & Artistic Services, NEC				
1271 Surety Bond & Ins. Prem.	\$600.00		\$600.00	0.00%
1272 Travel & Expense Reimbursement (Vendor)				
1274 Reg Fees & Conf. Expenses (Vendor)	\$6,000.00		\$6,000.00	0.00%
1275 Subscription & Information Services	\$3,100.00		\$3,100.00	0.00%
1276 Reg. Fees & Conf. Expenses (Employee)				
1277 Association Dues				
1279 Employee Tuition and Fees	\$5,000.00		\$5,000.00	0.00%
1284 Computer Software	\$66,300.00		\$66,300.00	0.00%
1285 Operating Taxes, Licenses & Fees				
1286 Travel, Non-State Employee				
1289 Contractual Services, NEC	\$16,000.00	\$125.00	\$15,875.00	0.78%
<b>TRAVEL</b>				
1291 In-State	\$5,500.00	\$474.66	\$5,025.34	8.63%
1292 Out-of-State	\$7,200.00		\$7,200.00	0.00%
<b>PRINTING</b>	\$700.00			
<b>COMMODITIES</b>				
1304 Office/Library Supplies	\$20,500.00	\$2,329.46	\$18,170.54	11.36%
1332 Industrial & Shop Materials				
1394 Office/Library Equip. under \$100				
1398 Equipment, NEC				
1399 Commodities, NEC				
<b>EQUIPMENT</b>				
1510 Office Furniture & Equipment	\$32,000.00			
1515 EDP Equipment	\$211,600.00	\$8,955.76	\$202,644.24	4.23%

<b>INFORMATION TECHNOLOGY GRAND TOTAL</b>	<b>FY10</b> <b>APPROPRIATION</b>	<b>YEAR TO DATE</b> <b>EXPENDITURE</b>	<b>OBLIGATED</b> <b>MONEY</b>	<b>BALANCE</b>	<b>% OF</b> <b>EXPENDITURE</b>
<b>PERSONAL SERVICE</b>	\$672,000.00	\$126,009.00		\$545,991.00	18.75%
<b>STATE PAID RETIREMENT</b>	\$26,900.00	\$5,044.02		\$21,855.98	18.75%
<b>RETIREMENT</b>					
<b>SOCIAL SECURITY</b>	\$51,500.00	\$9,454.20		\$42,045.80	18.36%
<b>CONTRACTUAL SERVICE</b>	\$482,000.00	\$24,680.28	\$169,809.72	\$287,510.00	5.12%
<b>TRAVEL</b>	\$12,700.00	\$474.66		\$12,225.34	3.74%
<b>PRINTING</b>	\$700.00	\$0.00		\$700.00	0.00%
<b>COMMODITIES</b>	\$20,500.00	\$2,329.46		\$18,170.54	11.36%
<b>EQUIPMENT</b>	\$243,600.00	\$8,955.76		\$234,644.24	3.68%
<b>TOTAL</b>	<b>\$1,509,900.00</b>	<b>\$176,947.38</b>	<b>\$169,809.72</b>	<b>\$1,163,142.90</b>	<b>11.72%</b>

**STATE BOARD OF ELECTIONS**  
**FY10 MONTHLY FISCAL REPORT**  
**General Revenue Fund**

<b>IVRS LUMP SUM</b>	<b>YEAR TO DATE</b>
<b><u>MONTH ENDING: September 30, 2009</u></b>	<b><u>EXPENDITURE</u></b>
<b>PERSONAL SERVICE</b>	\$45,055.00
1129 State Paid Retirement	\$1,587.21
1161 Retirement	
1170 Social Security	\$3,275.60
<b>CONTRACTUAL SERVICE</b>	
1205 Freight Express & Drayage	
1221 Repair/Maint. Furn./Office Equipment	
1232 Rental Motor Vehicles	
1239 Rental, NEC	
1243 Book Binding Services	
1266 Court Reporting & Filing Services	
1274 Reg. Fees & Conf. Expenses (Vendor)	
1275 Subscriptions	
1276 Reg. Fees & Conf. Expenses (Employee)	
1277 Association Dues	
1279 Employee Tuition & Fees	
1280 Copying, Photographic & Printing Services	
1286 Travel, Non-State Employee	
1289 Contractual Services, NEC	
<b>TRAVEL</b>	\$87.00
<b>COMMODITIES</b>	
1304 Office Supplies	
1398 Equipment Less than \$100	
<b>EQUIPMENT</b>	
1510 Office Furniture & Equipment	
<b>LOCAL GRANTS</b>	
4453 Reimbursement to Governmental Units	
4458 Services, NEC	
4470 Grants to Local Governments	
4479 Payments to Other State Agencies	
<b>LUMP SUM APPROPRIATION FOR YEAR</b>	<b>\$1,587,300.00</b>
<b>TOTAL LUMP SUM EXPENDITURES</b>	<b>\$50,004.81</b>
<b>REMAINING LUMP SUM APPROPRIATION</b>	<b>\$1,537,295.19</b>

# **STATE BOARD OF ELECTIONS**

**MEMORANDUM**

*From the desk of:  
Daniel W. White, Executive Director*

**TO:** Members of the Board  
**SUBJECT:** FY10 HAVA Fiscal Status Reports  
**DATE:** October 8, 2009

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HAVA fund distributions continue at an even pace.

Attachments

**STATE BOARD OF ELECTIONS**  
**FY10 MONTHLY FISCAL REPORT**  
 Help Illinois Vote Fund

AGENCY TOTALS	SECTION 101	SECTION 102	SECTION 261	SECTION 251	TOTAL
MONTH ENDING: <u>September 30, 2009</u>	<u>Discretionary Funds</u>	<u>Entitlement Payments</u>	<u>EAIID Disbursements</u>	<u>Requirements</u>	<u>Fund Activity</u>
<b>CASH BALANCE AT BEGINNING OF YEAR</b>	\$2,962,330.15	\$136,049.00	\$0.00	\$11,029,475.50	\$14,127,854.65
Program Revenues from Federal Govt	\$0.00	\$0.00		\$0.00	\$0.00
Miscellaneous Revenues					\$0.00
Interest Earned on Comptroller Balances	\$4,928.55	\$0.00	\$0.00	\$17,630.45	\$22,559.00
Interest Penalties Received					\$0.00
State Match Receipts					\$0.00
<b>TOTAL CASH REVENUES</b>	<b>\$4,928.55</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$17,630.45</b>	<b>\$22,559.00</b>
<b>YEAR TO DATE CASH EXPENDITURES</b>					
PERSONAL SERVICE	\$16,950.00			\$0.00	\$16,950.00
STATE-PAID RETIREMENT	\$678.18			\$0.00	\$678.18
RETIREMENT	\$4,811.10			\$0.00	\$4,811.10
SOCIAL SECURITY	\$1,175.10			\$0.00	\$1,175.10
GROUP INSURANCE	\$4,463.88			\$0.00	\$4,463.88
CONTRACTUAL SERVICE	\$3,285.44			\$147,003.82	\$150,289.26
TRAVEL	\$7,353.44			\$0.00	\$7,353.44
PRINTING	\$0.00			\$0.00	\$0.00
COMMODITIES	\$0.00			\$0.00	\$0.00
EQUIPMENT	\$5,930.50			\$0.00	\$5,930.50
TELECOMMUNICATIONS	\$36.21			\$0.00	\$36.21
OPERATION OF AUTO. EQUIPMENT	\$0.00			\$0.00	\$0.00
INDIRECT COST REFUNDS	\$0.00			\$0.00	\$0.00
<b>SUB-TOTAL CASH EXPENDITURES (OPERATIONS)</b>	<b>\$44,683.85</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$147,003.82</b>	<b>\$191,687.67</b>
AWARDS & GRANTS	\$0.00	\$0.00	\$6,271.00	\$0.00	\$6,271.00
<b>TOTAL CASH EXPENDITURES</b>	<b>\$44,683.85</b>	<b>\$0.00</b>	<b>\$6,271.00</b>	<b>\$147,003.82</b>	<b>\$197,958.67</b>
<b>CASH BALANCE AT END OF MONTH</b>	<b>\$2,922,574.85</b>	<b>\$136,049.00</b>	<b>-\$6,271.00</b>	<b>\$10,900,102.13</b>	<b>\$13,952,454.98</b>

**STATE BOARD OF ELECTIONS**  
**FY10 MONTHLY FISCAL REPORT**  
**Help Illinois Vote Fund**

SECTION 101 - DISCRETIONARY FUNDS MONTH ENDING: <u>September 30, 2009</u>	FY10 <u>APPROPRIATION</u>	YEAR TO DATE <u>EXPENDITURE</u>	
<b>PERSONAL SERVICE</b>	\$16,950.00	\$16,950.00	
1129 State Paid Retirement	\$678.18	\$678.18	
1161 Retirement	\$4,811.10	\$4,811.10	
1170 Social Security	\$1,175.10	\$1,175.10	
1180 Group Insurance	\$4,463.88	\$4,463.88	
<b>CONTRACTUAL SERVICE</b>			
1205 Freight Express/Drayage	\$37.44	\$37.44	
1223 Repair & Maintenance Real Property			
1225 Repair & Maintenance, EDP Equip.			
1231 Rental, Office Equipment			
1232 Rental, Motor Vehicles			
1237 Rental, Film & Audio/Visual Aids			
1239 Rental, NEC			
1242 Auditing & Management Services	\$2,000.00	\$2,000.00	
1243 Book Binding & Processing Services			
1244 Legal Fees			
1245 Professional & Technical Services, NEC			
1261 Postage			
1266 Court Reporting & Filing Services			
1273 Advertising			
1274 Registration Fees & Conf. Exp. (Vendor)	\$849.00	\$849.00	
1276 Registration Fees & Conf. Exp. (Employee)	\$399.00	\$399.00	
1280 Copying, Photographic & Printing Serv.			
1284 Computer Software			
1286 Travel, Reimb. to Non-State Employees			
1289 Contractual Services, NEC			
<b>TRAVEL</b>			
1291 In-State	\$3,313.74	\$3,313.74	
1292 Out-of-State	\$4,039.70	\$4,039.70	
<b>PRINTING</b>			
<b>COMMODITIES</b>			
1304 Office/Library Supplies			
1308 Educational & Instructional Materials			
1394 Office/Library Equip., Not Exceed. \$100			
1398 Equipment, NEC			
1399 Commodities, NEC			
<b>EQUIPMENT</b>			
1510 Office Furniture & Equipment			
1515 EDP Equipment	\$5,930.50	\$5,930.50	
1561 Training Equipment			
6625 Leasehold Improvements			
<b>TELECOMMUNICATIONS</b>			
1721 Rental, Telephone Serv. & Equip.	\$36.21	\$36.21	
1722 Rental, Data Comm. Serv. & Equip.			
1728 Video Conferencing			
1729 Rental, Other Comm. Serv. & Equip.			
1730 Parts & Supplies for Telephone			
1740 Answering & Pag. Comm. Serv. Equip.			
1750 Telephone, Data, Radio & Other Equip.			
1799 Telecommunication Services, NEC			
<b>OPERATION OF AUTO EQUIPMENT</b>			
1893 Repair & Maint., Automotive Equipment			
1894 Parts & Fittings, Automotive Equipment			
1896 Gasoline, Oil & Antifreeze			
1898 Automotive Services, NEC			
1899 Automotive Expenses, NEC			
<b>INDIRECT COST REFUNDS</b>			
1993 Indirect Cost Allocation Refund			
<b>GRANTS</b>			
4453 Reimbursement to Governmental Units			
4458 Services, NEC			
4470 Grants to Local Governments (PPA)			
4470 Grants to Local Governments (EAI)			
4470 Grants to Local Governments (AAG)			
4470 Grants to Local Governments			
4479 Payments to Other State Agencies			
<b>SECTION 101 GRAND TOTAL</b>	<b>APPROPRIATION</b>	<b>YEAR TO DATE EXPENDITURE</b>	<b>OBLIGATED MONEY</b>
<b>PERSONAL SERVICE</b>	\$16,950.00	\$16,950.00	
<b>STATE PAID RETIREMENT</b>	\$678.18	\$678.18	
<b>RETIREMENT</b>	\$4,811.10	\$4,811.10	
<b>SOCIAL SECURITY</b>	\$1,175.10	\$1,175.10	
<b>GROUP INSURANCE</b>	\$4,463.88	\$4,463.88	
<b>CONTRACTUAL SERVICE</b>	\$3,285.44	\$3,285.44	
<b>TRAVEL</b>	\$7,353.44	\$7,353.44	
<b>PRINTING</b>	\$0.00	\$0.00	
<b>COMMODITIES</b>	\$0.00	\$0.00	
<b>EQUIPMENT</b>	\$5,930.50	\$5,930.50	
<b>TELECOMMUNICATIONS</b>	\$36.21	\$36.21	
<b>OPERATION OF AUTO EQUIPMENT</b>	\$0.00	\$0.00	
<b>INDIRECT COST REFUNDS</b>	\$0.00	\$0.00	
<b>GRANTS</b>	\$0.00	\$0.00	
<b>TOTAL</b>	<b>\$44,683.85</b>	<b>\$44,683.85</b>	<b>\$0.00</b>

**STATE BOARD OF ELECTIONS**  
**FY10 MONTHLY FISCAL REPORT**  
 Help Illinois Vote Fund

**SECTION 102 - ENTITLEMENT PAYMENTS**  
**MONTH ENDING: September 30, 2009**

**FY10**  
**APPROPRIATION**

**YEAR TO DATE**  
**EXPENDITURE**

**PERSONAL SERVICE**

- 1129 State Paid Retirement
- 1161 Retirement
- 1170 Social Security

**CONTRACTUAL SERVICE**

- 1205 Freight Express/Drayage
- 1225 Repair & Maintenance, EDP Equip.
- 1231 Rental, Office Equipment
- 1237 Rental, Film & Audio/Visual Aids
- 1239 Rental, NEC
- 1242 Auditing & Management Services
- 1243 Book Binding & Processing Services
- 1244 Legal Fees
- 1245 Professional & Technical Services, NEC
- 1261 Postage
- 1266 Court Reporting & Filing Services
- 1274 Registration Fees & Conf. Exp. (Vendor)
- 1276 Registration Fees & Conf. Exp. (Employee)
- 1280 Copying, Photographic & Printing Serv.
- 1284 Computer Software
- 1289 Contractual Services, NEC

**TRAVEL**

- 1291 In-State
- 1292 Out-of-State

**PRINTING**

**COMMODITIES**

- 1304 Office/Library Supplies
- 1394 Office/Library Equip., Not Exceed. \$100
- 1398 Equipment, NEC
- 1399 Commodities, NEC

**EQUIPMENT**

- 1510 Office Furniture & Equipment
- 1515 EDP Equipment
- 1599 Equipment, NEC

**TELECOMMUNICATIONS**

- 1721 Rental, Telephone Serv. & Equip.
- 1722 Rental, Data Comm. Serv. & Equip.
- 1728 Video Conferencing
- 1729 Rental, Other Comm. Serv. & Equip.
- 1730 Parts & Supplies for Telephone
- 1740 Answering & Pag. Comm. Serv. Equip.
- 1750 Telephone, Data, Radio & Other Equip.
- 1799 Telecommunication Services, NEC

**OPERATION OF AUTO EQUIPMENT**

- 1893 Repair & Maint., Automotive Equipment
- 1894 Parts & Fittings, Automotive Equipment
- 1896 Gasoline, Oil & Antifreeze
- 1898 Automotive Services, NEC
- 1899 Automotive Expenses, NEC

**GRANTS**

- 4453 Reimbursement to Governmental Units
- 4458 Services, NEC
- 4470 Grants to Local Governments, NEC

<u>SECTION 102 GRAND TOTAL</u>	<u>FY10</u> <u>APPROPRIATION</u>	<u>YEAR TO DATE</u> <u>EXPENDITURE</u>	<u>OBLIGATED</u> <u>MONEY</u>
PERSONAL SERVICE	\$0.00	\$0.00	
STATE PAID RETIREMENT	\$0.00	\$0.00	
RETIREMENT	\$0.00	\$0.00	
SOCIAL SECURITY	\$0.00	\$0.00	
CONTRACTUAL SERVICE	\$0.00	\$0.00	
TRAVEL	\$0.00	\$0.00	
PRINTING	\$0.00	\$0.00	
COMMODITIES	\$0.00	\$0.00	
EQUIPMENT	\$0.00	\$0.00	
TELECOMMUNICATIONS	\$0.00	\$0.00	
OPERATION OF AUTO EQUIPMENT	\$0.00	\$0.00	
GRANTS	\$0.00	\$0.00	
<b>TOTAL</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>

**STATE BOARD OF ELECTIONS**  
**FY10 MONTHLY FISCAL REPORT**  
 Help Illinois Vote Fund

**SECTION 261 - EAID DISBURSEMENTS**  
**MONTH ENDING: September 30, 2009**

**FY10**  
**APPROPRIATION**

**YEAR TO DATE**  
**EXPENDITURE**

**PERSONAL SERVICE**

- 1129 State Paid Retirement
- 1161 Retirement
- 1170 Social Security

**CONTRACTUAL SERVICE**

- 1205 Freight Express/Drayage
- 1225 Repair & Maintenance, EDP Equip.
- 1231 Rental, Office Equipment
- 1237 Rental, Film & Audio/Visual Aids
- 1239 Rental, NEC
- 1242 Auditing & Management Services
- 1243 Book Binding & Processing Services
- 1244 Legal Fees
- 1245 Professional & Technical Services, NEC
- 1261 Postage
- 1266 Court Reporting & Filing Services
- 1274 Registration Fees & Conf. Exp. (Vendor)
- 1276 Registration Fees & Conf. Exp. (Employee)
- 1280 Copying, Photographic & Printing Serv.
- 1284 Computer Software
- 1289 Contractual Services, NEC

**TRAVEL**

- 1291 In-State
- 1292 Out-of-State

**PRINTING**

**COMMODITIES**

- 1304 Office/Library Supplies
- 1394 Office/Library Equip., Not exc. \$100
- 1398 Equipment, NEC
- 1399 Commodities, NEC

**EQUIPMENT**

- 1510 Office Furniture & Equipment
- 1515 EDP Equipment
- 1599 Equipment, NEC

**TELECOMMUNICATIONS**

- 1721 Rental, Telephone Serv. & Equip.
- 1722 Rental, Data Comm. Serv. & Equip.
- 1728 Video Conferencing
- 1729 Rental, Other Comm. Serv. & Equip.
- 1730 Parts & Supplies for Telephone
- 1740 Answering & Pag. Comm. Serv. Equip.
- 1750 Telephone, Data, Radio & Other Equip.
- 1799 Telecommunication Services, NEC

**OPERATION OF AUTO EQUIPMENT**

- 1893 Repair & Maint., Automotive Equipment
- 1894 Parts & Fittings, Automotive Equipment
- 1896 Gasoline, Oil & Antifreeze
- 1898 Automotive Services, NEC
- 1899 Automotive Expenses, NEC

**GRANTS**

- 4453 Reimbursement to Governmental Units
- 4470 Grants to Local Governments (VAID II)
- 4470 Grants to Local Governments (VAID III) \$6,271.00 \$6,271.00

**SECTION 261 GRAND TOTAL**

**FY10**  
**APPROPRIATION**

**YEAR TO DATE**  
**EXPENDITURE**

**OBLIGATED**  
**MONEY**

<b>PERSONAL SERVICE</b>	\$0.00	\$0.00
<b>STATE PAID RETIREMENT</b>	\$0.00	\$0.00
<b>RETIREMENT</b>	\$0.00	\$0.00
<b>SOCIAL SECURITY</b>	\$0.00	\$0.00
<b>CONTRACTUAL SERVICE</b>	\$0.00	\$0.00
<b>TRAVEL</b>	\$0.00	\$0.00
<b>PRINTING</b>	\$0.00	\$0.00
<b>COMMODITIES</b>	\$0.00	\$0.00
<b>EQUIPMENT</b>	\$0.00	\$0.00
<b>TELECOMMUNICATIONS</b>	\$0.00	\$0.00
<b>OPERATION OF AUTO EQUIPMENT</b>	\$0.00	\$0.00
<b>GRANTS</b>	\$6,271.00	\$6,271.00

<b>TOTAL</b>	<b>\$6,271.00</b>	<b>\$6,271.00</b>	<b>\$0.00</b>
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**STATE BOARD OF ELECTIONS**  
**FY10 MONTHLY FISCAL REPORT**  
**Help Illinois Vote Fund**

**SECTION 251 - REQUIREMENTS**  
**MONTH ENDING: September 30, 2009**

**FY10**  
**APPROPRIATION**

**YEAR TO DATE**  
**EXPENDITURE**

**PERSONAL SERVICE**

- 1129 State Paid Retirement
- 1161 Retirement
- 1170 Social Security
- 1180 Group Insurance

**CONTRACTUAL SERVICE**

- 1205 Freight Express/Drayage
- 1223 Repair & Maintenance Real Property
- 1225 Repair & Maintenance, EDP Equip.
- 1231 Rental, Office Equipment
- 1232 Rental, Motor Vehicles
- 1237 Rental, Film & Audio/Visual Aids
- 1239 Rental, NEC
- 1242 Auditing & Management Services
- 1243 Book Binding & Processing Services
- 1244 Legal Fees
- 1245 Professional & Technical Services, NEC
- 1261 Postage
- 1266 Court Reporting & Filing Services
- 1273 Advertising
- 1274 Registration Fees & Conf. Exp. (Vendor)
- 1276 Registration Fees & Conf. Exp. (Employee)
- 1280 Copying, Photographic & Printing Serv.
- 1284 Computer Software
- 1289 Contractual Services, NEC

\$147,003.82                      \$147,003.82

**TRAVEL**

- 1291 In-State
- 1292 Out-of-State

**PRINTING**

**COMMODITIES**

- 1304 Office/Library Supplies
- 1308 Educational & Instructional Materials
- 1394 Office/Library Equip., Not Exceed. \$100
- 1398 Equipment, NEC
- 1399 Commodities, NEC

**EQUIPMENT**

- 1510 Office Furniture & Equipment
- 1515 EDP Equipment
- 1561 Training Equipment
- 6625 Leasehold Improvements

**TELECOMMUNICATIONS**

- 1721 Rental, Telephone Serv. & Equip.
- 1722 Rental, Data Comm. Serv. & Equip.
- 1728 Video Conferencing
- 1729 Rental, Other Comm. Serv. & Equip.
- 1730 Parts & Supplies for Telephone
- 1740 Answering & Pag. Comm. Serv. Equip.
- 1750 Telephone, Data, Radio & Other Equip.
- 1799 Telecommunication Services, NEC

**OPERATION OF AUTO EQUIPMENT**

- 1893 Repair & Maint., Automotive Equipment
- 1894 Parts & Fittings, Automotive Equipment
- 1896 Gasoline, Oil & Antifreeze
- 1898 Automotive Services, NEC
- 1899 Automotive Expenses, NEC

**INDIRECT COST REFUNDS**

- 1993 Indirect Cost Allocation Refund

**GRANTS**

- 4453 Reimbursement to Govt Units (AVE)
- 4453 Reimbursement to Govt Units (Phase II)
- 4453 Reimbursement to Govt Units (ALA)
- 4453 Reimbursement to Govt Units (EDG)
- 4470 Grants to Local Governments (VRS)
- 4479 Payments to Other State Agencies

<u>SECTION 101 GRAND TOTAL</u>	<u>FY10</u> <u>APPROPRIATION</u>	<u>YEAR TO DATE</u> <u>EXPENDITURE</u>	<u>OBLIGATED</u> <u>MONEY</u>
PERSONAL SERVICE	\$0.00	\$0.00	
STATE PAID RETIREMENT	\$0.00	\$0.00	
RETIREMENT	\$0.00	\$0.00	
SOCIAL SECURITY	\$0.00	\$0.00	
GROUP INSURANCE	\$0.00	\$0.00	
CONTRACTUAL SERVICE	\$147,003.82	\$147,003.82	\$261,239.00
TRAVEL	\$0.00	\$0.00	
PRINTING	\$0.00	\$0.00	
COMMODITIES	\$0.00	\$0.00	
EQUIPMENT	\$0.00	\$0.00	
TELECOMMUNICATIONS	\$0.00	\$0.00	
OPERATION OF AUTO EQUIPMENT	\$0.00	\$0.00	
INDIRECT COST REFUNDS	\$0.00	\$0.00	
GRANTS	\$0.00	\$0.00	
<b>TOTAL</b>	<b>\$147,003.82</b>	<b>\$147,003.82</b>	<b>\$261,239.00</b>

**STATE BOARD OF ELECTIONS**  
**FY10 MONTHLY FISCAL REPORT**  
**EAC Data Collection Grant**

AGENCY TOTALS  
MONTH ENDING: September 30, 2009

TOTAL  
Fund Activity

<b>CASH BALANCE FROM PREVIOUS FISCAL YEARS</b>	<b>\$97,344.50</b>
Program Revenues from Federal Govt	\$921,187.00
Miscellaneous Revenues	\$0.00
Interest Earned on Comptroller Balances	\$723.00
Interest Penalties Received	\$0.00
<b>TOTAL CASH REVENUES</b>	<b>\$921,910.00</b>

<b>YEAR TO DATE CASH EXPENDITURES</b>	
PERSONAL SERVICE	\$0.00
STATE-PAID RETIREMENT	\$0.00
RETIREMENT	\$0.00
SOCIAL SECURITY	\$0.00
GROUP INSURANCE	\$0.00
CONTRACTUAL SERVICE	\$0.00
TRAVEL	\$0.00
PRINTING	\$0.00
COMMODITIES	\$0.00
EQUIPMENT	\$0.00
TELECOMMUNICATIONS	\$0.00
OPERATION OF AUTO. EQUIPMENT	\$0.00
INDIRECT COST REFUNDS	\$0.00
<b>SUB-TOTAL CASH EXPENDITURES (OPERATIONS)</b>	<b>\$0.00</b>
AWARDS & GRANTS	\$0.00
<b>TOTAL CASH EXPENDITURES</b>	<b>\$0.00</b>
<b>CASH BALANCE BEFORE OBLIGATED FUNDS</b>	<b>\$1,019,254.50</b>
<b>OUTSTANDING CONTRACTUAL OBLIGATIONS</b>	<b>\$813,394.00</b>
<b>AVAILABLE CASH BALANCE AT END OF MONTH</b>	<b>\$205,860.50</b>

**STATE BOARD OF ELECTIONS  
FY09 MONTHLY FISCAL REPORT  
EAC DATA COLLECTION GRANT**

<u>MONTH ENDING: September 30, 2009</u>	<u>FY09 APPROPRIATION</u>	<u>YEAR TO DATE EXPENDITURE</u>	<u>OBLIGATED MONEY</u>
<b>PERSONAL SERVICE</b>			
1129 State Paid Retirement			
1161 Retirement			
1170 Social Security			
1180 Group Insurance			
<b>CONTRACTUAL SERVICE</b>			
1205 Freight Express/Drayage			
1223 Repair & Maintenance Real Property			
1225 Repair & Maintenance, EDP Equip.			
1231 Rental, Office Equipment			
1232 Rental, Motor Vehicles			
1237 Rental, Film & Audio/Visual Aids			
1239 Rental, NEC			
1242 Auditing & Management Services			
1243 Book Binding & Processing Services			
1244 Legal Fees			
1245 Professional & Technical Services, NEC			
1261 Postage			
1266 Court Reporting & Filing Services			
1273 Advertising			
1274 Registration Fees & Conf. Exp. (Vendor)			
1276 Registration Fees & Conf. Exp. (Employee)			
1280 Copying, Photographic & Printing Serv.			
1284 Computer Software			
1286 Travel, Reimb. to Non-State Employees			
1289 Contractual Services, NEC			
<b>TRAVEL</b>			
1291 In-State			
1292 Out-of-State			
<b>PRINTING</b>			
<b>COMMODITIES</b>			
1304 Office/Library Supplies			
1308 Educational & Instructional Materials			
1394 Office/Library Equip., Not Exceed. \$100			
1398 Equipment, NEC			
1399 Commodities, NEC			
<b>EQUIPMENT</b>			
1510 Office Furniture & Equipment			
1515 EDP Equipment			
1561 Training Equipment			
6625 Leasehold Improvements			
<b>TELECOMMUNICATIONS</b>			
1721 Rental, Telephone Serv. & Equip.			
1722 Rental, Data Comm. Serv. & Equip.			
1728 Video Conferencing			
1729 Rental, Other Comm. Serv. & Equip.			
1730 Parts & Supplies for Telephone			
1740 Answering & Pag. Comm. Serv. Equip.			
1750 Telephone, Data, Radio & Other Equip.			
1799 Telecommunication Services, NEC			
<b>OPERATION OF AUTO EQUIPMENT</b>			
1893 Repair & Maint., Automotive Equipment			
1894 Parts & Fittings, Automotive Equipment			
1896 Gasoline, Oil & Antifreeze			
1898 Automotive Services, NEC			
1899 Automotive Expenses, NEC			
<b>INDIRECT COST REFUNDS</b>			
1993 Indirect Cost Allocation Refund			
<b>GRANTS</b>			
4453 Reimbursement to Governmental Units			
4458 Services, NEC			
4470 Grants to Local Governments			
4470 Grants to Local Governments			
4479 Payments to Other State Agencies			
<b>GRAND TOTAL</b>	<b>FY09 APPROPRIATION</b>	<b>YEAR TO DATE EXPENDITURE</b>	<b>OBLIGATED MONEY</b>
PERSONAL SERVICE	\$0.00	\$0.00	
STATE PAID RETIREMENT	\$0.00	\$0.00	
RETIREMENT	\$0.00	\$0.00	
SOCIAL SECURITY	\$0.00	\$0.00	
GROUP INSURANCE	\$0.00	\$0.00	
CONTRACTUAL SERVICE	\$0.00	\$0.00	\$813,394.00
TRAVEL	\$0.00	\$0.00	
PRINTING	\$0.00	\$0.00	
COMMODITIES	\$0.00	\$0.00	
EQUIPMENT	\$0.00	\$0.00	
TELECOMMUNICATIONS	\$0.00	\$0.00	
OPERATION OF AUTO EQUIPMENT	\$0.00	\$0.00	
INDIRECT COST REFUNDS	\$0.00	\$0.00	
GRANTS	\$0.00	\$0.00	
<b>TOTAL</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$813,394.00</b>

# **STATE BOARD OF ELECTIONS**

**MEMORANDUM**

*From the desk of:  
Daniel W. White, Executive Director*

**TO:** Members of the Board  
**SUBJECT:** Two Year Plan of Activity  
**DATE:** October 8, 2009

---

Attached is the two-year plan of staff activity for the months of October and November for your review and information.

Attachment

<b>Start Date</b>	<b>End Date</b>	<b>Activity</b>	<b>Division</b>
10/1 /2009		Begin planning for the printing and distribution of campaign financing material for political committees for February 2, 2010 General Primary Election.	CAMP DISC
10/1 /2009		Begin planning for the printing and distribution of Campaign Financing materials to political committees for the December 31, 2009 Semi-Annual Report. (Packets to be mailed December 4, 2009) 10 ILCS 5/9-10	CAMP DISC
10/5 /2009		Send to all election authorities a LIST OF FACILITIES licensed or certified pursuant to the NURSING HOME CARE REFORM ACT OF 1979. 10 ILCS 5/19-12.2	ET&RD
10/20/2009		BOARD MEETING. 10 ILCS 5/1A7	EXEC DIR
10/26/2009	11/2 /2009	Candidate filing period. 10 ILCS 5/7-12	EL INFO
11/2 /2009		Begin preparation of packet material for Semi-Annual Reports. (Packets to be mailed December 4, 2009.) 10 ILCS 5/9-10	CAMP DISC
11/4 /2009		Submit FEDERAL AND STATE OFFICERS book for printing. Books should be printed by December 3, 2009. 10 ILCS 5/1A-8 (1, 2, 3, 11)	ET&RD
11/4 /2009		Submit COUNTY OFFICERS book for printing. Books should be printed by December 3, 2009. 10 ILCS 5/1A-8 (1, 2, 3, 11)	ET&RD
11/4 /2009		Civic Organization certification cutoff date prior to the February 2, 2010 General Primary Election. 10 ILCS 5/1A-8 (1, 2, 12) (Board Rule)	ET&RD
11/9 /2009		Deadline for filing objections to petitions of candidates who filed October 26 - November 2, 2009. 10 ILCS 5/10-8	EL INFO
11/12/2009		Last day to transmit objections and call for electoral board hearings. 10 ILCS 5/10-8	EL INFO
11/12/2009		Last day to conduct lottery to determine ballot position for 8 a.m. simultaneous filings for November 16 - 23, 2009 filing period. 10 ILCS 5/7-7-12 (6)	EL INFO
11/16/2009		BOARD MEETING. 10 ILCS 5/1A7	EXEC DIR
11/16/2009	11/23/2009	Special filing period for judicial vacancies which occurred October 12 - November 2, 2009.	EL INFO
11/17/2009	11/19/2009	(date subject to change) Veto Session	LEG

<b>Start Date</b>	<b>End Date</b>	<b>Activity</b>	<b>Division</b>
11/30/2009		Notify election authorities of requirement to submit computerized voter registration information for the December 15, 2009 submission in a format prescribed by the SBE	VRS
12/1 /2009	12/3 /2009	(date subject to change) Veto Session	LEG
12/2 /2009		Objection filing deadline to nomination papers of candidates who filed for judicial office during the November 16 - 23, 2009 filing period. (Special judicial filing) 10 ILCS 5/7-12.1	EL INFO
12/2 /2009		Last day to conduct lottery to determine ballot position for 8 a.m. simultaneous filings for November 16 - 23, 2009 filing period.	EL INFO
12/2 /2009		BOARD MEETING. Certification of the February Primary Election ballot. 10 ILCS	EXEC DIR
12/3 /2009		Mail February General Primary certifications to county clerks. 10 ILCS 5/1A-8 (1, 2, 11)	EL INFO
12/4 /2009		Last day to transmit objections and call for electoral board hearings.	EL INFO
12/4 /2009		The last date that the State Board of Elections shall notify political committees that have filed a Statement of Organization of their obligation to file a SEMI-ANNUAL REPORT OF CAMPAIGN CONTRIBUTIONS AND EXPENDITURES. 10 ILCS 5/9-16	CAMP DISC
12/7 /2009		Prepare and have available for distribution the listing of candidates for the February 2, 2010 General Primary Election. 10 ILCS 5/1	EL INFO, ET&RD
12/15/2009		First day for election authority to submit computerized voter registration file for the December 15, 2009 submission. 10 ILCS 5/4-8,5-7,6-36	VRS
12/26/2009		Last day for election authorities to submit request for extension to file computerized voter registration information for the December 15, 2009 submission. Rules and Regulations	VRS
12/26/2009		Last day for election authority to submit computerized voter registration file for the December 15, 2009 submission. 10 ILCS 5/4-8,5-7,6-36	VRS
1 /1 /2010		Present to the Board a list of legislative proposals for introduction in the next session.	LEG

STATE OF ILLINOIS )  
 )  
COUNTY OF SANGAMON ) SS

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

In the Matter Of: )  
State Board of Elections, )  
Complainant(s), )  
vs. ) 08 CD 036  
 )  
Friends of Alderman Madeline )  
Haithcock, )  
Respondent(s). )

**FINAL ORDER**

TO: Friends of Alderman Madeline Haithcock  
2639 S Michigan Ave.  
Chicago, IL 60616

L5723

This matter coming to be heard this 18<sup>th</sup> day of May, 2009, following a Public Hearing of a Complaint filed pursuant to "An Act to Regulate Campaign Financing" (Illinois Compiled Statutes, 10 ILCS 5/9-1 *et seq.*, herein referred to as the "Act"), alleging that the respondent(s) violated 10 ILCS 5/9-10, 5/9-13 & 5/9-14 in that the respondent committee failed to disclose receipts of approximately \$267,000.00 in contributions; failed to confirm actual receipt of approximately \$24,760.00 in contributions; failed to include on the Semi-annual Report \$2,500.00 in contributions that were reported on Schedule A-1's; failed to correct duplicate entries, which inflates the total receipts by approximately \$91,000.00; 5) failed to substantiate non-itemized contributions totaling \$198,097.18 and expenditures totaling \$380,283.17; and failed to properly secure the employer & occupation of contributors whose donations exceeded \$500.00 as required by law; and the State Board of Elections having read the report of the Hearing Officer and reading the recommendation of the General Counsel and now being fully advised in the premises,

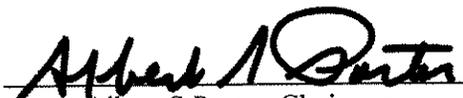
THE BOARD FINDS:

1. That the complaint was filed on justifiable grounds; and

IT IS HEREBY ORDERED:

1. The Respondent file amended reports to correct the discrepancies at issue within ninety (90) days of the effective date of this Order, or by August 17, 2009; and
2. The effective date of this Order is May 19, 2009, and
3. This is a Final Order subject to review under the Administrative Review Law and Section 9-22 of the Election Code.

DATED: 5/19/2009

  
Albert S Porter, Chairman

**STATE OF ILLINOIS  
COUNTY OF COOK**

**BEFORE THE STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS**

Illinois State Board of Elections  
**Complainant**

v.

**Case No. 08 AG 037**

Will County Democratic Central Committee      S560  
**Respondent**

**REPORT OF HEARING EXAMINER**

Appeal of Civil Penalty Assessment for Failure to File Schedule A-1's  
in conjunction with the 2008 General Election.

According to the political committee's December 2008 Semi Annual Report, it received a three (3) contributions totaling \$14,500.00, during the Schedule A-1 filing period, October 6<sup>th</sup>, 2008 through and including November 3<sup>rd</sup>, 2008, which failed to be reported as required by statute. The political committee is therefore fined an assessed civil penalty in the amount of \$14,500.00.

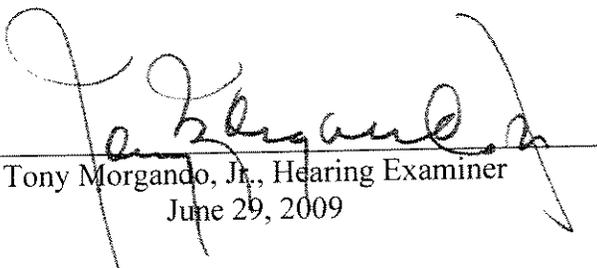
Mr. Thomas M. Brislane, Treasurer, filed a Request for Hearing and Appeal Affidavit, on May 26<sup>th</sup>, 2009, indicating as good reason or defense: "I will stipulate that these three contributions were indeed made and except for the Friends of Debbie Halvorson contribution, the contributions were made on the days indicated in your letter".

Attached to the Affidavit is a copy of a cancelled check originating from the Friends of Debbie Halvorson, dated October 24<sup>th</sup>, 2008, in the amount of \$10,000.00, marked "return reason – endorsement missing".

Hearing in this matter was originally set for Monday, June 29<sup>th</sup>, 2009, telephonically conducted on Thursday, June 25<sup>th</sup>, 2009.

Mr. Brislane, treasurer spoke on behalf of the political committee. Mr. Brislane indicated that these filings were his first experience as the Treasurer of the Will County Democratic Central Committee, which incurred confusion from his unfamiliarity with the electronic filing software. Mr. Brislane stated the contribution received from the Friends of Debbie Halvorson in the amount of \$10,000.00 dated October 24<sup>th</sup>, 2008 was debited from the political committee's account due to an endorsement missing. Mr. Brislane stated such check cleared on November 3<sup>rd</sup>, 2009, at which time a Schedule A-1 was filed, but filed electronically incorrect. Mr. Brislane indicated the contributions received from Glasgow for State's Attorney (\$3,000) and from Friends of Karen Stukel (\$1500) were payments received from the candidates for newspaper ads taken out by the Will County Central Democratic Party promoting several countywide candidates. Mr. Brislane stated his confusion over the proper method to report these reimbursements which he considered expenditures, or a conduit for the ads.

After reviewing statements and the extensive documents provided by the Respondent in this matter, it is the opinion of the Hearing Examiner that (1) due to the debit of the Friends of Debbie Halverson's \$10,000 contribution, the filing of a Schedule A-1 within two (2) business days as reported on the December 2008 Semi-Annual report does not apply, and would ask that the Board grant the Respondents appeal in this instance; and (2) an advance or reimbursements for newspaper ads are considered contributions by the statute, therefore the political committee had an obligation to file Schedule A-1's reporting their receipt, therefore the Hearing Examiner would ask that the Board deny the Respondent's appeal in this instance, and the assessed fine of \$4,500.00 be due and owing. Since this is the second delinquent Schedule A-1 filing by the political committee, the Hearing Examiner recommends that the assessed civil penalty be reduced to \$2,250.00 (or 50% of the amount reflected above).



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Tony Morgando, Jr., Hearing Examiner  
June 29, 2009

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187  
Springfield, Illinois 62708  
217/782-4141  
Fax: 217/782-5959

James R. Thompson Center  
100 West Randolph, Suite 14-100  
Chicago Illinois 60601  
312/814-6440  
Fax: 312/814-6485



BOARD MEMBERS  
Albert Porter, Chairman  
Bryan Schneider, Vice Chairman  
Patrick Brady  
John Keith  
William McGuffage  
Wanda Rednour  
Jesse Smart  
Robert Walters

EXECUTIVE DIRECTOR  
Daniel W. White  
April 29, 2009

Will County Democratic Central Committee  
PO Box 4242  
Joliet, IL 60434

\$560

Dear Will County Democratic Central Committee;

This committee has failed to file the following Schedule A-1's, Report of Campaign contributions of more than \$500.00, within 2 business days of receipt as required by the Illinois Campaign Disclosure Act:

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Fine Assessed</u>	<u>Amount of Contribution</u>	<u>Date A-1 Received</u>	<u>Days Late</u>
Glasgow for State's Attorney	10/29/08	\$3000.00	\$3000.00	1/20/09	1
Friends of Debbie Halvorson	10/28/08	\$10000.00	\$10000.00	1/20/09	1
Friends of Karen Stukel	10/24/08	\$1500.00	\$1500.00	1/20/09	4

The committee is fined a **total** of \$14500.00 for delinquently filing Schedule A-1 reports as required by the Illinois Campaign Disclosure Act. This total **does not** reflect any previously assessed fines.

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b-5) of the Election Code, the Board may impose fines for violations not to exceed 100% of the total amount of the contributions that were untimely reported, but in no case when a fine is imposed shall it be less than 10% of the total amount of the contributions that were untimely reported.

Since this is the second delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$7250.00, (50% of the total amount reflected above) if you do not choose to file an appeal under the Board's present policy. The total amount due will be imposed with the issuance of a Final Board Order after the 30-day appeal period had expired. This amount must be paid (including any previously assessed fines), within 30 days of the issuance of the Order.

Enclosed please find Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fines if you believe the civil penalties have been assessed in error. ***If you have a legitimate reason for your delinquent filing, it would behoove you to send in the appeal form since the Board has the discretion to take extenuating and other circumstances into account in determining the amount of your penalty.*** Notice of Appeal must be filed within 30 days of the date of this assessment for it to be considered.

If you have any questions regarding the appeal procedure, please call Sue McArthur at 217/782-1543.

Sincerely,



Rupert T. Borgsmiller

Director, Division of Campaign Disclosure

RTB:sm

\* This contribution was reported on the December 2008 Semi-Annual Report but should have been reported on a Schedule A-1 Report of Campaign Contributions of more than \$500.00, within 2 business days of receipt.

\*\* This contribution did not, by itself, necessitate filing of a Schedule A-1. No fine was assessed for this contribution – it is listed for informational purposes only. A subsequent contribution, when aggregated with this contribution, exceeded the "more than \$500.00" threshold and was used as the basis for the fine assessment.

State of Illinois )  
County of \_\_\_\_\_ )

CHICAGO

MAY 26 PM 1:41

BEFORE THE STATE BOARD OF ELECTIONS  
OF THE STATE OF ILLINOIS

STATE  
BOARD OF ELECTIONS

IN THE MATTER OF; )

ILLINOIS STATE BOARD OF ELECTIONS, )

Complainant )

Vs. )

Case No. 08AG-037

Will County Democratic Central Committee )  
Respondent(s). )

APPEAL AFFIDAVIT

I, Thomas M. Bristane, the Treasurer of the  
(Name) (Chairman/Treasurer)

Will County Democratic Central Committee  
(Name of the Committee)

Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

Please See Attached letter and Statement  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signed and Sworn to by:  
Thomas M. Bristane  
before me this 26 Day of  
MAY, 2009  
Denise Majewski  
Notary Public

[Signature]  
(Signature of Chairman/Treasurer)



**Will County Democratic Central Committee**

Post Office Box 4242

Joliet, Illinois 60434

Telephone 815-727-1313

May 26, 2009

State Board of Elections  
100 West Randolph Street  
Suite 14-1400  
Chicago, Illinois 60601

Re: Will County Democratic Central Committee  
Committee: State 560 Local 228

Dear Members of the Board:

This following is a statement of explanation in response to your letter of April 29, 2009 assessing our Committee fines in the amount of \$14,500 for late filings of three (3) Schedule A-1s as required by the Illinois Campaign Disclosure Act. I will stipulate that these three contributions were indeed made and except for the "Friends of Debbie Halvorson" contribution, the contributions were made on the days indicated in your letter. In turn, I ask that the Board recognize that we did voluntarily report these contributions on our December 31, 2008 Semi-Annual D-2 and we filed the A-1s at that time. I respectfully request a Hearing from the Board on these matters.

I will address the cases individually.

1. A \$10,000 contribution from "Friends of Debbie Halvorson":  
This contribution had two elements of confusion. First, on or about October 29, 2008 our office received a telephone call from First Midwest Bank informing us that the check presented in payment of this contribution had been dishonored due to a lack of second signature. I was finally able to determine that the check had indeed been paid on Monday November 3, 2008.

The second element of confusion resulted from my unfamiliarity with the IDIS filing software. On November 5, 2008 I filed an A-1 for this contribution but I mistakenly attributed the contribution to a \$10,000 contribution made by the "Construction and General Laborer' District Council of Chicago" that we received on November 4, 2008. This occurred because I selected the wrong contribution to classify as MEMO in the software and the Laborer's District Council contribution was assigned the A-1, not the Halvorson contribution as intended. You can see that by the photocopy of the check received from the Laborer's District Council that we were not required to report it as an A-1 event because it was received after the date of the election.

I have attached documentation as to the debit to our bank account for the Halvorson contribution as well as the photocopy of the Laborer's District Council check that was mistakenly reported on the November 5, 2008 A-1. Should you grant us a hearing I will present an affidavit from our bank regarding this event. I repeatedly called the bank and was able to determine the status of the check until I received the enclosed documentation. Our bank officer, Ms. Kelly Troha of First Midwest was aware of this event.

2. A \$3,000 contribution from "Glasgow For State's Attorney" received on 10/29/08 and a \$1,500 contribution from "Friends of Karen Stukel" received on 10/24/08. Both of these payments were received for a newspaper ad taken by the Will County Democratic Party promoting several countywide candidates. I had a certain amount of confusion about how to report this, as I viewed our committee as a conduit for this ad. I recognize that this is no defense but I request that the Board take into account that this was my first experience as Treasurer in a Presidential election with all the complications and confusion that entailed.

Sincerely,



Thomas M. Brislane  
Treasurer, Will County Democratic Central Committee

(708) 946-6550 (Office)  
(708) 946-6664 (Fax)  
(708) 254-8191 (Cellular)  
[tbrislane@aol.com](mailto:tbrislane@aol.com) (e-mail)

Enclosures:

1. First Midwest Bank documentation of the debit to WCDCC account for the "Friends of Debbie Halvorson" contribution.
2. Photocopy of the Laborer's District Council check dated November 4, 2008
3. Schedule A-1s as filed
4. Will County Democratic Central Committee December 31, 2008 D-2 pertinent pages
5. Board of Elections letter of April 29, 2008
6. Appeal Affidavit and Request for Hearing



# First Midwest Bank

⑆071000301⑆  
11/03/2008  
⑆217877075

This is a LEGAL COPY of  
your check. You can use it  
the same way you would  
use the original check.

RETURN REASON - I  
ENDORSEMENT  
MISSING

9E2EEDLT00000000  
0002742/01 EN91061603

FRIENDS OF DEBBIE HALVORSON 0148		10/24 2008	4578
SENATOR DEBBIE DEFRANCESCA HALVORSON			
P.O. BOX 229			
STIGLER, IL 62450			
RETURN REASON - I ENDORSEMENT MISSING			
FOR <u>CONTRIBUTION</u>			
FIRST UNITED BANK			
PARTNER IN PROGRESS			
WWW.FIRSTUNITEBANK.COM			
⑆071923750⑆		4578	⑆128848⑆
			⑆0001000000⑆

10,000.00  
TEN THOUSAND DOLLARS AND 00/100 DOLLARS

*Susan Mjenkel*

Ck #: 0 - Amt: \$10,000.00 - 11/03/2008



CONSTRUCTION AND GENERAL LABORERS'  
DISTRICT COUNCIL OF CHICAGO & VICINITY  
WORKERS' POLITICAL ACTION & EDUCATION LEAGUE  
999 McCLINTOCK DRIVE, SUITE 300 - BURR RIDGE, IL 60527

**Amalgamated**  
Bank of Chicago

4584

2-340/710

11/4/2008

PAY TO THE ORDER OF Will County Democratic Central Committee

\$ \*\*10,000.00

Ten Thousand and 00/100

DOLLARS

Will County Democratic Central Committee  
P.O. Box 4242  
Joliet, IL 60434

*Richard J. Green*  
*Joseph L. Conato*

MEMO

⑈004584⑈ ⑆071003405⑆ ⑈150001244⑈



UAW ILLINOIS POLITICAL ACTION COMMITTEE (PAC)  
680 Barclay Blvd.  
Lincolnshire, IL 60069

**AMALGAMATED**  
Bank of Chicago  
2-340/710

15898

UNION TREASURY FUNDS, FEDERAL LAW PROHIBITS  
USE IN CONNECTION WITH FEDERAL ELECTION  
This Payment Made Possible by UNION LABOR

PAY TWO HUNDRED AND 00/100 DOLLARS  
TO THE ORDER OF

DATE 10/24/08 AMOUNT \*\*\*200.00

WILL COUNTY DEMOCRATS  
C/O DIANE NYMAN  
20 EAST CASS STREET  
JOLIET IL 60432

VOID AFTER 180 DAYS  
*Dennis E. Kunen*  
*Homer E. Spaulding*

MEMO

⑈015898⑈ ⑆071003405⑆ ⑈150004811⑈



**Will County Democratic Central Committee**

Post Office Box 4242  
Joliet, Illinois 60434  
Telephone 815-727-1313

June 22, 2009

Mr. Tony Morgando  
State Board of Elections  
100 West Randolph Street  
Suite 14-1400  
Chicago, Illinois 60601

Re: Will County Democratic Central Committee  
Committee: State 560 Local 228

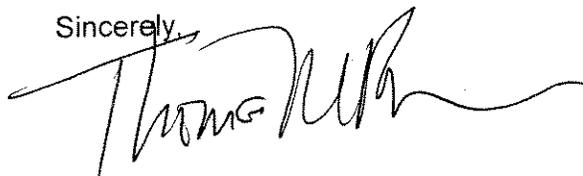
Dear Mr. Morgando:

Attached is the documentation you requested on the "Friends of Debbie Halvorson" contribution to the Will County Democratic Central Committee. Please note that the check appeared to have been paid by the Halvorson campaign bank on October 29, 2008, but as their Treasurer, Susan Jenkins states, was subsequently rejected by that bank on October 31<sup>st</sup>, the day after I received a call from Ms. Kelly Troja of First Midwest Bank, (our bank) informing me of the debit to our account due to the dishonored check on October 30<sup>th</sup>.

I have recently been informed that the check presented was not dishonored due to a lack of second signature, as I first thought, but rather for an insufficient endorsement, i.e., "For Deposit" with no depositor name or account number. I surmise that this was due to the Federal banking regulations regarding transactions of \$10,000 or more. Again, please note that this check was not credited to our account until November 3, 2009, so we did not have access to the funds until that date, and hence I concluded that no valid contribution had been made. When I did discover the error, I then misreported the contribution as coming from the Laborer's Council, not the Halvorson campaign.

Please contact me at your earliest convenience regarding this matter.

Sincerely,



Thomas M. Brislane  
Treasurer, Will County Democratic Central Committee

(708) 946-6550 (Office)  
(708) 946-6664 (Fax)  
(708) 254-8191 (Cellular)  
[tbrislane@aol.com](mailto:tbrislane@aol.com) (e-mail)

Enclosures:

1. First United documentation of the checks paid 69 ds of Debbie Halvorson" account

**Friends of Debbie Halvorson  
P.O. Box 229  
Steger, IL 60475**

**June 19, 2009**

**To: Tom Brislane**

946-6664

**From: Susan Jenkins, Treasurer  
(708) 679-9490, (708) 606-2711 (cell)**

**No. of Pages: (including cover)**

**Tom –**

**This is the story of check # 4578 for \$10,000 to the Will County Democratic Central Committee. It was presented on October 30, 2008, with "For Deposit" marked on the back. The bank accepted it that day, but rejected it on 10/31 for an insufficient endorsement. On 11/4, it was re-presented with a proper endorsement and was accordingly cashed. I've checked both my bank statements, with photocopies of the checks, and talked to the bank. I also have a note on the October statement, because I was really confused about what happened. I believe I talked to Dianne Nyman at the time, and she let me know about what the problem had been before the bank documentation was available.**

**Let me know if I can give you any further information.**

**Susan**

FRIENDS OF DEBBIE HALVORSON

Account: 128848

Page: 3 of 3

FRIENDS OF DEBBIE HALVORSON  
 SENATOR DEBBIE DEFRANCESCO HALVORSON  
 P.O. BOX 229  
 STEGEL, IL 60473

10.10.2008

PAY TO Illinois Senate Democratic Fund \$ 1000.00  
 THE ORDER OF One thousand and 00/100 DOLLARS

FIRST UNITED BANK  
 PARTNER IN PROGRESS  
 WWW.FIRSTUNITEDBANK.COM

FOR contribution Susan M Jenkins

⑆071923750⑆ 4577 ⑆128848⑆ ⑆000100000⑆

10/16/2008 4577 \$1,000.00

FOR DEPOSIT ONLY  
 U.S. Senate Democratic Fund  
 7132123536

0137 49105

0558932520 6109143744

FRIENDS OF DEBBIE HALVORSON  
 SENATOR DEBBIE DEFRANCESCO HALVORSON  
 P.O. BOX 229  
 STEGEL, IL 60473

10.24.2008

PAY TO Will County Democratic Central Comm \$ 10,000.00  
 THE ORDER OF Ten thousand dollars and 00/100 DOLLARS

FIRST UNITED BANK  
 PARTNER IN PROGRESS  
 WWW.FIRSTUNITEDBANK.COM

FOR contribution Susan M Jenkins

⑆071923750⑆ 4578 ⑆128848⑆

10/30/2008 4578 \$10,000.00

1 184 28681823 1 3 8155 WESTR-TELRIE

FOR DEPOSIT

FRIENDS OF DEBBIE HALVORSON  
 SENATOR DEBBIE DEFRANCESCO HALVORSON  
 P.O. BOX 229  
 STEGEL, IL 60473

10.26.07

PAY TO Madden Turner \$ 1374.29  
 THE ORDER OF One thousand three hundred seventy four and 29/100 DOLLARS

FIRST UNITED BANK  
 PARTNER IN PROGRESS  
 WWW.FIRSTUNITEDBANK.COM

FOR political services, mileage Susan M Jenkins

⑆071923750⑆ 4580 ⑆128848⑆ ⑆0000137429⑆

10/29/2008 4580 \$1,374.29

FOR DEPOSIT ONLY

0076-10690

0076-10690

FOR DEPOSIT



**STATE OF ILLINOIS  
COUNTY OF COOK**

**BEFORE THE STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS**

Illinois State Board of Elections  
**Complainant**

Vs.

Case no. **09 DS 185**

Citizens to Elect Andre Thapedi      S9041  
**Respondent**

**REPORT OF HEARING EXAMINER**

Appeal of Civil Penalty Assessment for Delinquently Filing  
the December 2008 Semi-Annual Report

The political committee's December 2008 Semi-Annual Report was received by the State Board of Elections (herein referred to as SBE) on February 2<sup>nd</sup>, 2009, nine (9) days late. As such, the political committee has been assessed a fine of \$900.00. In addition, the political committee was previously assessed a penalty of \$25.00 for the delinquent filing of the June 30<sup>th</sup>, 2008 Semi-Annual Report. The total assessment is \$925.00. Since this is a subsequent violation, it will be required to be paid by the political committee within thirty (30) days of the issuance of a Final Board Order.

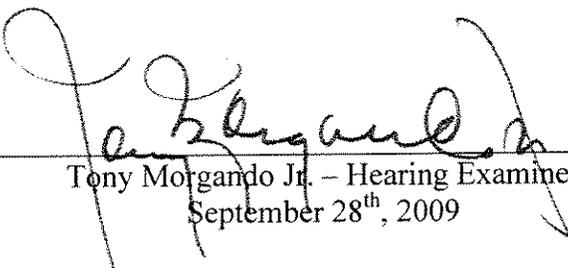
Mr. Llewellyn Thapedi, Chairman/Treasurer, filed a Request for Hearing and Appeal Affidavit, on March 26<sup>th</sup>, 2009, indicating: "Record was accidentally destroyed and had to be reconstructed".

Hearing in this matter was set for Tuesday, April 21<sup>st</sup>, 2009, to be conducted at the Chicago Board office, 100 W. Randolph, 14-100, at 10:00 a.m., rescheduled by request of the Respondent to Thursday, May 6<sup>th</sup>, 2009, at 10:00 a.m.

Ms. Llewellyn Thapedi, Chairman/Treasurer, appeared on behalf of the political committee. Ms. Thapedi indicated that a water pipe broke in the basement of her residence ten (10) days prior to the filing of the political committee's December 31<sup>st</sup> 2008 Semi-Annual Report. Ms. Thapedi indicated financial records were lost in the flooding, causing a request for duplicate bank records. Ms. Thapedi indicated the delay in filing the delinquent report was caused by the delay in receiving duplicate records from the political committee's financial institution. The Hearing Examiner continued this matter to Wednesday, May 20<sup>th</sup>, 2009, to allow Ms. Thapedi the opportunity to secure confirmation from the bank, that duplicate records were actually requested and received by the political committee. On Monday, September 21<sup>st</sup>, 2009, Ms. Thapedi delivered to the Chicago office (1) a signed affidavit of George Tompoe, "a licensed plumber who resides in County of Cook, State of Illinois". Mr. Tompoe certifies "that on Monday, January 19, 2009, I was hired by Andre Thapedi to correct plumbing problems in the building located at 6800 S. Michigan Avenue, Chicago, Illinois. At that time, there was approximately three feet of water filling the basement. I notice there were several boxes and papers that were floating in the three feet of water at that time. It took one full day to pump out the water from the lower level of the building. Clearly, it was necessary to throw out and dispose of the boxes of papers that were soaked with water and contaminated by sewage"; (2) a signed affidavit of Johnny Richardson indicating "that on or about January 27, 2009, I was hired by Andre Thapedi to clean and sanitize the lower level of the building located at 6800 S. Michigan Avenue, Chicago, Illinois. I noticed that the lower level of the building had been flooded. I

saw several boxes of papers and personal items that were soaked with water. It was clearly necessary that the boxes of papers that were soaked with water and contaminated by sewage be thrown out. I threw out several boxes of papers that were soaked with water and contaminated by sewage"; and (3) correspondence dated September 18, 2009, originating from JP Morgan Chase Bank, Stony Island, signed by Oscar C. Edmond IV, Personal Banker, referencing the Citizens to Elect Andre Thapedi, stating "during the period between January 23, 2009 and January 30, 2009, at her request, we were successfully assisting Llewellyn L. Greene Thapedi in her efforts to reconstruct records and information concerning activity in the above described account. She reported that her copies were destroyed by water and sewage that occurred from plumbing problems".

Based upon a review of the documents/statements submitted in this matter, it is the opinion of the Hearing Examiner, that due to the forces of nature, the political committee was unable to file its 2008 December Semi-Annual Report in a timely fashion. Therefore it is the recommendation of the Hearing Examiner that the appeal be granted in this matter.



---

Tony Morgando Jr. – Hearing Examiner  
September 28<sup>th</sup>, 2009

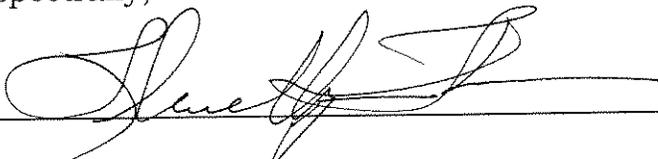
**BEFORE THE STATE BOARD OF ELECTIONS  
OF THE STATE OF ILLINOIS**

<b>IN THE MATTER OF;</b>	]	
<b>ILLINOIS STATE BOARD OF ELECTIONS,</b>	]	
<b>Complainant,</b>	]	<b>No. 09 DS 185</b>
<b>Vs.</b>	]	
<b>CITIZENS TO ELECT ANDRE THAPEDI</b>	]	
<b>Respondent.</b>	]	

**REQUEST FOR CONSIDERATION OF SUPPORTING AFFIDAVITS**

I, LLwellyn Thapedi, the Chairman/Treasurer of the political committee, Citizens to Elect Andre Thapedi, requests that the Board of Elections review the supporting affidavits attached. They prove that there were reasonable grounds for the committee's having filed its December, 2008 Semi-Annual Report 9 days late, and that justice calls for forgiveness of that tardiness and of the fine that could be imposed.

Respectfully,



---

LLwellyn Thapedi, Chairman/Treasurer

LLwellyn Thapedi  
6901 Oglesby Avenue  
Chicago, IL 60649  
(773) 344-4069

September 18, 2009

Pursuant to the provisions of section 1-109 of the Illinois Code of Civil Procedure, I hereby certify that my name is LLwellyn L. Greene Thapedi. I am the Chairman/Treasurer of the political committee Citizens to Elect Andre Thapedi. I prepared and signed this affidavit based upon my personal knowledge.

I also certify that on Monday, January 19, 2009, Martin Luther King's Birthday, in the building located at 6800 S. Michigan Avenue, Chicago, Illinois, in which I have offices, the sewer backed up. The plumbing broke and otherwise malfunctioned. In the resulting flood of water and raw sewage, my records pertaining to Citizens to Elect Andre Thapedi along with other papers and documents, required for filing the December 2008 Semi-Annual Report, were rendered inaccessible, unsafe and unhealthful to handle. They were unavoidably destroyed. (See Exhibits "A" and "B" attached and incorporated).

Because of my limited computer skills and abilities, I electronically file the required reports from the Board of Elections office in Chicago, with the assistance of their personnel.

To file as quickly as possible after the January 19, 2009 disaster, I made every effort to reconstruct the information contained in the destroyed records, including travelling to Sarasota Florida on January 23, 2009 to recover some backup copies of documents I had there. (See Exhibit "C" attached and incorporated.) The personnel at Chase Bank also worked on the matter and assisted me further in reconstructing the data. (See Exhibit "D" attached and incorporated.)

Monday, February 2, 2009 was the earliest date on which I could file the December 2008 Semi-Annual Report based on the reconstructed records.

I worked diligently to solve the problem, beyond my control, that prohibited me from timely filing the committee's December 2008 Semi-Annual Report. Therefore, the 9 day tardiness should be forgiven and no fines should be imposed. We pray for that relief.

 9-18-2009

September 18, 2009

My name is George Tompoe.

I am a licensed plumber who resides in County of Cook, State of Illinois.

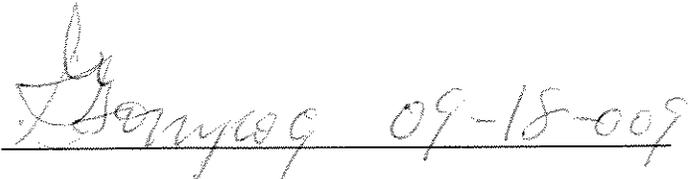
I certify that on Monday, January 19, 2009, I was hired by Andre Thapedi to correct plumbing problems in the building located at 6800 S. Michigan Avenue Chicago, Illinois. At that time, there was approximately three feet of water filling the basement.

I noticed that there were several boxes and papers that were floating in the three feet of water at that time. It took one full day to pump out the water from the lower level of the building.

Clearly, it was necessary to throw out and dispose of the boxes of papers that were soaked with water and contaminated by sewage. It was also clearly necessary that lower level of the building had to be cleaned up and sanitized.

I make this affidavit based upon my own personal knowledge.

This affidavit is made, and signed, pursuant to Section 1-109 of the Illinois Code of Civil Procedure.

  
George Tompoe

September 18, 2009

My name is Johnny Richardson.

I reside in the County of Cook, State of Illinois.

I certify that on or about January 27, 2009, I was hired by Andre Thapedi to clean and sanitize the lower level of the building located at 6800 S. Michigan Avenue Chicago, Illinois.

At that time, I noticed that the lower level of the building had been flooded. I saw several boxes of papers and personal items that were soaked with water.

It was clearly necessary that the boxes of papers that were soaked with water and contaminated by sewage be thrown out. It was also clearly necessary that the lower level of the building be thoroughly cleaned up and sanitized.

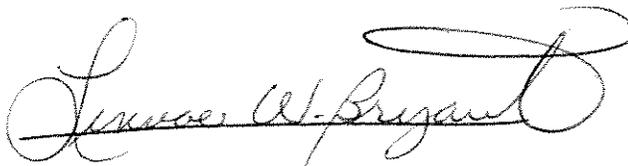
I threw out several boxes of papers that were soaked with water and contaminated by sewage. I also sanitized the entire lower level of the building.

I make this affidavit based upon my own personal knowledge.

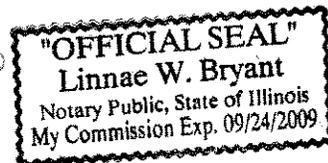
This affidavit is made, and signed, pursuant to Section 1-109 of the Illinois Code of Civil Procedure.

  
\_\_\_\_\_

Johnny Richardson



NOTARY PUBLIC



NO 10  
AirTran Airways  
Boarding Pass

FLY 21 GATE:A16 23Jan09

Name: Thapedi/Llweilyn  
A-Plus Rewards:2134685082 A+ Rewards

Seat Number: 23D  
Boarding Zone: 2

Depart: Chicago, IL - Midway 07:25AM  
Arrive: Atlanta, GA 10:22AM

Confirmation Number: JFUJVR 96

Boarding pass MUST be presented  
at the Gate not later than 10  
minutes before departure.



AirTran Airways  
Customer Copy

FLY 21 GATE:A16 23Jan09

Name: Thapedi/Llweilyn  
A-Plus Rewards:2134685082 A+ Rewards

Seat Number: 23D

Depart: Chicago, IL - Midway  
Arrive: Atlanta, GA 79

Confirmation Number: JFUJVR 96

AirTran Airways  
Boarding Pass

FLY 694 GATE:D6 23Jan09

Name: Thapedi/Llweilyn  
A-Plus Rewards:2134685082 A+ Rewards

Seat Number: 25C  
Boarding Zone: 2

Depart: Atlanta, GA 03:20PM  
Arrive: Sarasota/Bradenton, FL 04:50PM

Confirmation Number: JFUJVR 75

Boarding pass MUST be presented  
at the Gate not later than 10  
minutes before departure.



AirTran Airways  
Customer Copy

FLY 694 GATE:D6 23Jan09

Name: Thapedi/Llweilyn  
A-Plus Rewards:2134685082 A+ Rewards

Seat Number: 25C

Depart: Atlanta, GA 03:20PM  
Arrive: Sarasota/Bradenton, FL 04:50PM

Confirmation Number: JFUJVR 75

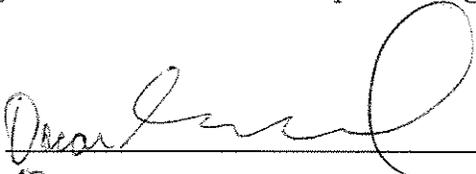
September 18, 2009

Re: JP Morgan Chase Bank, N.A. Stony Island 1, Branch  
Account # 0760729897  
Citizens to Elect Andre Thapedi

To: Board of Elections

Please be advised that LLwellyn L. Greene Thapedi is a person of record with JP Morgan Chase Bank, N.A., who is authorized to deposit funds and sign drafts pertaining to the above described account.

During the period between January 23, 2009 and January 30, 2009, at her request, we were successfully assisting LLwellyn L. Greene Thapedi in her efforts to reconstruct records and information concerning activity in the above described account. She reported that her copies were destroyed by water and sewage that occurred from plumbing problems.

  
OSCAR EDMOND  
JP Morgan Chase  
Personal Banker

9-18-09



Oscar C. Edmond, IV  
Licensed Personal Banker  
Accredited in Small Business

Registered Representative of:  
**Chase Investment Services Corp.**  
Insurance Agent of:  
**Chase Insurance Agency, Inc.**

Office Location  
IL-2140  
5650 S. Stony Island Ave.  
Chicago, IL 60637

Telephone: 773 753 8753  
Facsimile: 773 753 8774

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187  
Springfield, Illinois 62708  
217/782-4141  
Fax: 217/782-5959

James R. Thompson Center  
100 West Randolph, Suite 14-100  
Chicago Illinois 60601  
312/814-6440  
Fax: 312/814-6485



BOARD MEMBERS  
Albert Porter, Chairman  
Bryan Schneider, Vice Chairman  
Patrick Brady  
John Keith  
William McGuffage  
Wanda Rednour  
Jesse Smart  
Robert Walters

EXECUTIVE DIRECTOR  
Daniel W. White  
February 27, 2009

Citizens to Elect Andre Thapedi  
Llwellyn Thapedi  
6901 Oglesby Ave  
Chicago, IL 60649

S9041

Dear Citizens to Elect Andre Thapedi;

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type: Semiannual Report of Campaign Contribution and Expenditures  
Report Period: July 1, 2008 through December 31, 2008  
Filing Period: January 2, 2009 through January 20, 2009

Based upon this committee's failure to comply with the provision of 10 ILCS 5-9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on February 2, 2009, 9 day(s) late. As such, this committee has been assessed a fine of \$900.00.

Enclosed please find the Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. Notice of Appeal must be filed within 30 days of the mailing of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.

If the above listed violation is not appealed and since this is a subsequent violation the previously stayed fine(s) for delinquent filing is now also required to be paid by the committee within 30 days:

Reporting Period	Report Type	Previous Fine Amount
1/1/2008 - 6/30/2008	Semi-annual	\$25.00
<b>TOTAL AMOUNT NOW DUE</b>		<b>\$925.00</b>

If you have any questions regarding the appeal process, please call Sue McArthur at 217/782-1543.

Sincerely,

Rupert T. Borgsmiller  
Director, Division of Campaign Disclosure

RTB:sm  
Enclosure(s) appeal documents

State of Illinois )  
County of Cook )

STATE BOARD OF ELECTIONS  
09 MAR 26 PM 3:10

BEFORE THE STATE BOARD OF ELECTIONS  
OF THE STATE OF ILLINOIS

IN THE MATTER OF; )  
ILLINOIS STATE BOARD OF ELECTIONS, )  
Complainant )  
Vs. )  
Citizens to Elect Andre Thapedi )  
Respondent(s). )

Case No. 09DS185

APPEAL AFFIDAVIT

I, Llwellyn Thapedi, the Chairman/Treasurer of the  
(Name) (Chairman/Treasurer)  
Citizens to Elect Andre Thapedi  
(Name of the Committee)

Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

Record was accidentally destroyed and  
had to be reconstructed

Signed and Sworn to by:  
Llwellyn Thapedi  
before me this 17 Day of  
March, 2009  
Denise Peel  
Notary Public

Llwellyn Thapedi  
(Signature of Chairman/Treasurer)

"OFFICIAL SEAL"  
Denise Peel  
Notary Public, State of Illinois  
Cook County  
My Commission Expires May 23, 2011

STATE OF ILLINOIS  
COUNTY OF COOK

BEFORE THE STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

Illinois State Board of Elections  
**Complainant**

v.

09 AE 008

GOP Action Team  
**Respondent**

L15257

**REPORT OF HEARING EXAMINER**

Appeal of Civil Penalty Assessment for Failure to Timely File a Schedule A-1  
for the April 2009 Consolidated Election

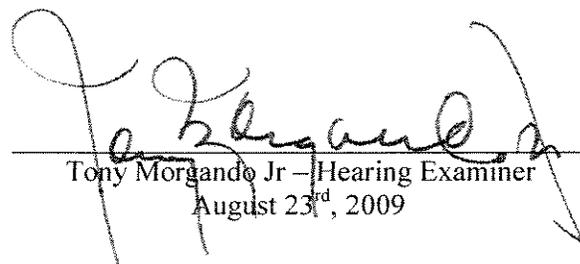
According to the political committee's Schedule A-1, filed on April 7<sup>th</sup>, 2009, it received a contribution from the Wayne Township Republican Organization on March 20<sup>th</sup>, 2009, in the amount of \$4,000.00. Such Schedule A-1 was filed approximately ten (10) days late, requiring a civil penalty in the amount of \$4,000.00 to be assessed

Mr. Kenneth Spitz, Chairman, filed a Request for Hearing and Appeal Affidavit, on July 24<sup>th</sup>, 2009, indicating as good reason or defense in part: "The Committee filed the A-1 Report at 9:02:30 on Tuesday, March 24, 2009 being within two business days of receipt of the disclosed contributions. The email acknowledging receipt for the A-1 Report indicated the file "passed" validation (Exhibit #1). The Committee first became aware of a problem with the March 24<sup>th</sup> filing through a telephone call from Mr. Andy Nauman, an employee of the Illinois State Board of Elections, on April 7, 2009. Mr. Nauman diagnosed the problem as resulting from a failure to "clone the transactions" before uploading the file. Although the transactions were saved in the Committee's database, the failure to clone them *resulted in blank data being inserted* in the telephonic version of the A-1 Report. Mr. Nauman provided assistance to correct the error and a new filing was submitted at 4:24:34 p.m. on Tuesday, April 7, 2009. Mr. Nauman recommended that the Committee submit a letter to ISBE explaining the cause of the error in the March 24<sup>th</sup> A-1 Report filing (see Exhibit 3). The Committee has no history of campaign disclosure violations".

Hearing in this matter was scheduled for Friday, September 18<sup>th</sup>, 2009, to be conducted at the Chicago Board office, 100 W. Randolph, 14<sup>th</sup> Floor, at 10:00 a.m. This matter was discussed via teleconferencing.

Mr. Kenneth Spitz, Chairman, spoke on behalf of the Respondent. Mr. Spitz confirmed statements submitted by written affidavit, and Exhibits attached therein.

After a review of the statements/documents submitted in this matter, discussions with Disclosure staff, and Mr. Kenneth Spitz, on behalf of the Respondent, it is the opinion of the Hearing Examiner that a technical error in cloning the Wayne Township Republican Organization \$4,000.00 contribution, received on March 20<sup>th</sup>, 2009 did occur. This error inadvertently caused the Schedule A-1 to be *electronically uploaded blank*. The Hearing Examiner truly believes the Schedule A-1 uploaded at 9:02:30 p.m., on Tuesday, March 24<sup>th</sup>, 2009, was transmitted with the intent to disclose the Wayne Township Republican Organization contribution. It is therefore the recommendation of the Hearing Examiner that the appeal be granted in this matter.

  
Tony Morgando Jr - Hearing Examiner  
August 23<sup>rd</sup>, 2009

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187  
Springfield, Illinois 62708  
217/782-4141  
Fax: 217/782-5959

James R. Thompson Center  
100 West Randolph, Suite 14-100  
Chicago Illinois 60601  
312/814-6440  
Fax: 312/814-6485



BOARD MEMBERS  
Albert Porter, Chairman  
Bryan Schneider, Vice Chairman  
Patrick Brady  
John Keith  
William McGuffage  
Wanda Rednour  
Jesse Smart  
Robert Walters

EXECUTIVE DIRECTOR  
Daniel W. White  
June 25, 2009

GOP Action Team  
Kenneth Spitz  
266 Laurel Lane  
West Chicago, IL 60185

L15257

Dear GOP Action Team;

This committee has failed to file the following Schedule A-1's, Report of Campaign contributions of more than \$500.00, within 2 business days of receipt as required by the Illinois Campaign Disclosure Act:

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Fine Assessed</u>	<u>Amount of Contribution</u>	<u>Date A-1 Received</u>	<u>Days Late</u>
Wayne Township Republican Org	3/20/09	4000.00	4000.00	4/7/09	10

The committee is fined a **total** of \$4000.00 for delinquently filing Schedule A-1 reports as required by the Illinois Campaign Disclosure Act. This total **does not** reflect any previously assessed fines.

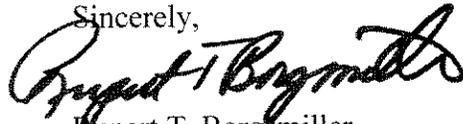
Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b-5) of the Election Code, the Board may impose fines for violations not to exceed 100% of the total amount of the contributions that were untimely reported, but in no case when a fine is imposed shall it be less than 10% of the total amount of the contributions that were untimely reported.

Since this is the first delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$400.00, (10% of the total amount reflected above) if you do not choose to file an appeal under the Board's present policy. The total amount due will be imposed with the issuance of a Final Board Order after the 30-day appeal period had expired. If your committee has no other civil penalty assessments and only one delinquent Schedule A-1 amount is listed above, the penalty will be **stayed** as a first violation and would only become due and owing upon any subsequent delinquent filings by the committee.

Enclosed please find Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fines if you believe the civil penalties have been assessed in error. ***If you have a legitimate reason for your delinquent filing, it would behoove you to send in the appeal form since the Board has the discretion to take extenuating and other circumstances into account in determining the amount of your penalty.*** Notice of Appeal must be filed within 30 days of the date of this assessment for it to be considered.

If you have any questions regarding the appeal procedure, please call Sue McArthur at 217/782-1543.

Sincerely,



Rupert T. Borgsmiller

Director, Division of Campaign Disclosure

RTB:sm

cc: Officer(s), Candidate(s)

\* This contribution was reported on the December 2008 Semi-annual Report but should have been reported on a Schedule A-1 Report of Campaign Contributions of more than \$500.00, within 2 business days of receipt.

\*\* This contribution did not, by itself, necessitate filing of a Schedule A-1. No fine was assessed for this contribution – it is listed for informational purposes only. A subsequent contribution, when aggregated with this contribution, exceeded the "more than \$500.00" threshold and was used as the basis for the fine assessment.

State of Illinois )  
County of DuPage )

BEFORE THE STATE BOARD OF ELECTIONS  
OF THE STATE OF ILLINOIS

**FILED**  
State Board of Elections  
SPRINGFIELD, ILLINOIS

JUL 24 2009  
AM 7:8,9,10,11,12,1,2,3,4,5,6 PM

IN THE MATTER OF; )  
ILLINOIS STATE BOARD OF ELECTIONS, )

Complainant )

Vs. )

Case No 09AE008

GOP Action Team (L15257) )  
Respondent(s). )

APPEAL AFFIDAVIT

I, Kenneth Spitz, the Chairman of the  
(Name) (Chairman/Treasurer)

GOP Action Team (L15257)  
(Name of the Committee)

Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

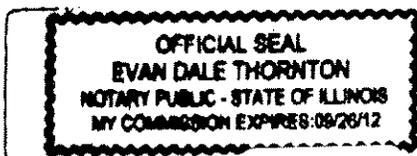
(See Appeal Affidavit on following page plus three exhibits).

Signed and Sworn to by:

Kenneth Spitz  
before me this 25 Day of  
July, 2009

Kenneth Spitz  
(Signature of Chairman/Treasurer)

Notary Public



## APPEAL AFFIDAVIT

I, Kenneth Spitz, the Chairman of the GOP ACTION TEAM Committee (hereafter "the Committee"), first being duly sworn deposes and states that he represents that the said committee can offer good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

1. The Committee filed the A-1 Report at 9:02:30 AM on Tuesday, March 24, 2009 being within two business days of receipt of the disclosed contributions. The e-mail acknowledging receipt of the A-1 Report indicated the file "passed validation" (see Exhibit 1).
2. The timeliness of the filing indicates the Committee was complying with applicable law. Further, the "passed validation" message in the e-mail naturally led the Committee to believe its report had been filed accurately.
3. The Committee first became aware of a problem with the March 24th filing through a telephone call from Mr. Andy Nauman, an employee of the Illinois State Board of Elections, on April 7, 2009. Mr. Nauman diagnosed the problem as resulting from a failure to "clone the transactions" before uploading the file. Although the transactions were saved in the Committee's database, the failure to clone them resulted in blank data being inserted in the electronic version of the A-1 Report.
4. The Committee's technological error was unintentional and was not meant to mislead.
5. Mr. Nauman provided assistance to correct the error and a new filing was submitted at 4:24:34 PM on Tuesday, April 7, 2009. The e-mail acknowledging receipt of the corrected A-1 Report indicated the file "passed validation" (see Exhibit 2). Please note that the corrected report receipt appears exactly as the previously received e-mail of March 24th.
6. Mr. Nauman recommended that the Committee submit a letter to ISBE explaining the cause of the error in the March 24th A-1 Report filing (see Exhibit 3).
7. The Committee has no history of campaign disclosure violations.

Based upon these reasons and defenses, the Committee respectfully requests that the violation and civil penalty be expunged.

  
Kenneth Spitz  
GOP ACTION TEAM  
July 25, 2009



**Illinois Electronic Filing Acknowledgement**

Tuesday, March 24, 2009 9:02 AM

From: "Disclose@elections.il.gov" <Disclose@elections.il.gov>  
To: spitzka@sbcglobal.net

EXHIBIT 1

**DISCLOSE -- Illinois Political Financial Disclosure Filing Acknowledgement**

This is to acknowledge the receipt and acceptance of your electronic filing via the DISCLOSE protocol.

Your filing was received and accepted by our system at Tue Mar 24 09:02:30 2009, and was assigned the Filing ID of: IL-110310

Please make a note of this, as it will be necessary to refer to this information in the future.

Thank you for using DISCLOSE.

For your reference, the output of the validation check was as follows:

Illinois PDP File Validator Ver: IL-1.00.17

Developed by NIC Technologies, Inc. 1996-2001

=====  
Committee ID: FID5379  
Committee Name: GOP Action Team  
Filing Type: A-1

>>>----> PDP data file PASSED validation! <----<<<

*This is the e-mail received after filing the report with the "blank" data. The file passed validation despite the inadvertent error.*



Illinois Electronic Filing Acknowledgement

Tuesday, April 7, 2009 4:24 PM

From: "Disclose@elections.il.gov" <Disclose@elections.il.gov>  
To: spitzka@sbcglobal.net

EXHIBIT Z

DISCLOSE -- Illinois Political Financial Disclosure Filing Acknowledgement

This is to acknowledge the receipt and acceptance of your electronic filing via the DISCLOSE protocol.

Your filing was received and accepted by our system at Tue Apr 07 16:24:34 2009, and was assigned the Filing ID of: IL-110956

Please make a note of this, as it will be necessary to refer to this information in the future.

Thank you for using DISCLOSE.

For your reference, the output of the validation check was as follows:

Illinois PDP File Validator Ver: IL-1.00.17

Developed by NIC Technologies, Inc. 1996-2001

=====  
Committee ID: FID5379  
Committee Name: GOP Action Team  
Filing Type: A-1

>>>----> PDP data file PASSED validation! <----<<<

*This is the e-mail received after filing the report with the "blank" data replaced. It is exactly the same as the ~~Apr~~ March 24th e-mail.*

EXHIBIT 3

CHICAGO

**GOP ACTION TEAM**  
28W 470 Wynn Avenue  
West Chicago IL 60185

APR 7 9:00 AM  
STATE BOARD OF ELECTIONS

April 7, 2009

**Mr. Andy Nauman**  
Illinois State Board of Elections  
100 W. Randolph, Suite 14-100  
Chicago IL 60801

L 15257-12

Via fax to (312) 814-6485

**RE: A-1-N Filing Issue**

Mr. Nauman,

Thank you for your assistance in correcting our A-1-N filing.

Having received an e-mail verification that our March 24th electronic filing was accepted, I was unaware that it was "blank". I have never filed an electronic A-1-N and did not know that I needed to "clone" the transaction(s) prior to uploading.

This was also the case for the electronic filing I made on the morning of April 7th. I noticed the "preview hard copy" screen was blank, but, the validation window indicated "no errors". Therefore, I uploaded the report. Again, I received a verification e-mail and assumed the filing was complete.

I first became aware of the problems with the March 24th and April 7th filings when I received your voice mail message this morning.

Thank you for your help in walking me through the A-1-N electronic filing process. If we need to make future filings of this type, I now have the knowledge I was earlier lacking.



**Kenneth Spitz**  
**GOP ACTION TEAM**

STATE OF ILLINOIS  
COUNTY OF SANGAMON

BEFORE THE STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

Illinois State Board of Elections  
**Complainant**

vs.

08 DS 122

Mason County Democratic Central Committee      S388  
**Respondent**

**REPORT OF HEARING EXAMINER**  
Appeal of Civil Penalty Assessment for Delinquently Filing  
The 2008 December Semi-Annual Report

This Report was received by the Board on January 22, 2009, 2 business days late, resulting in a civil penalty assessment of \$100. In addition, the Committee had previously been assessed a \$50 civil penalty (appealed, denied, stayed) for delinquently filing the 2006 December Semi Annual Report. The total assessment is \$150.

Carol Tomlin, the Treasurer of the Committee, filed a Waiver of Appearance, and submitted on the Appeal Affidavit the following:

On the Affidavit, Ms. Tomlin stated that in December her mother-in-law passed away. Shortly after that, Ms. Tomlin's father was hospitalized for most of December and then passed away. December and January were terrible months for their families and this report was not on the top of her mind. Also, when she got the receipt, it stated that the envelope did not have a postmark—she did not believe it could have been received that late. In order to determine when the report was actually mailed, I contacted Ms. Tomlin by phone. She stated that she is sure that she mailed it prior to Saturday, the 17<sup>th</sup>, as they live in the country and she would not have made a special trip to the post office on Saturday. She submitted a sworn document supporting her defense.

Section 100.125(b) of Board Rules reads in part: *"...if the political committee is assessed a civil penalty for...delinquently filing... and, as part of the committee's appeal of the civil penalty assessment, it is alleged by the treasurer, chairman or candidate on a signed and notarized affidavit verifying that the report was mailed more than 72 hours prior to the filing deadline, and this is the first time the committee has made this claim as part of its appeal, the presumptive date of receipt will be rebutted by the testimony contained in the affidavit and the report will be deemed to have been timely received."* Based upon the affidavit and additional documentation submitted by Ms. Tomlin, I recommend that the appeal be granted.



Sharon Steward – Hearing Examiner

October 6, 2009

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187  
Springfield, Illinois 62708  
217/782-4141  
Fax: 217/782-5959

James R. Thompson Center  
100 West Randolph, Suite 14-100  
Chicago Illinois 60601  
312/814-6440  
Fax: 312/814-6485



BOARD MEMBERS  
Albert Porter, Chairman  
Bryan Schneider, Vice Chairman  
Patrick Brady  
John Keith  
William McGuffage  
Wanda Rednour  
Jesse Smart  
Robert Walters

EXECUTIVE DIRECTOR  
Daniel W. White  
February 27, 2009

Mason County Democratic Central Committee  
Jay Briney  
626 E Washington St  
Havana, IL 62644

S388

Dear Mason County Democratic Central Committee;

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type: Semiannual Report of Campaign Contribution and Expenditures  
Report Period: July 1, 2008 through December 31, 2008  
Filing Period: January 2, 2009 through January 20, 2009

Based upon this committee's failure to comply with the provision of 10 ILCS 5-9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on January 22, 2009, 2 day(s) late. As such, this committee has been assessed a fine of \$100.00.

Enclosed please find the Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. Notice of Appeal must be filed within 30 days of the mailing of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.

If the above listed violation is not appealed and since this is a subsequent violation the previously stayed fine(s) for delinquent filing is now also required to be paid by the committee within 30 days:

Reporting Period	Report Type	Previous Fine Amount
7/1/2006 - 12/31/2006	Semi-annual	\$50.00
<b>TOTAL AMOUNT NOW DUE</b>		<b>\$150.00</b>

If you have any questions regarding the appeal process, please call Sue McArthur at 217/782-1543.

Sincerely,  
  
Rupert T. Borgsmiller  
Director, Division of Campaign Disclosure

RTB:sm  
Enclosure(s) appeal documents

State of Illinois )  
County of Mason )

STATE BOARD OF ELECTIONS

09 MAR -4 PM 2:01

BEFORE THE STATE BOARD OF ELECTIONS  
OF THE STATE OF ILLINOIS

IN THE MATTER OF; )  
ILLINOIS STATE BOARD OF ELECTIONS, )  
Complainant )

Vs. )  
Mason Co. Dem. Central Comm. )  
Respondent(s). )

Case No. 09 DS 122

APPEAL AFFIDAVIT

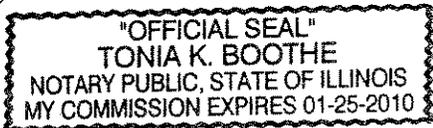
I, CAROL TOMLIN, the Treasurer of the  
(Name) (Chairman/Treasurer)  
Mason County Democratic Central Committee  
(Name of the Committee)

Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

I will get straight to the point. In Dec. my mother-in-law suffered  
a brain aneurysm - passed away on her <sup>61st</sup> anniversary. Shortly after her funeral  
my father suffered from congestive heart failure, spent most of Dec. in &  
out of the hospital (MDH + St. John's), then passed away also. Dec + Jan.  
were terrible months for our families, and this report was not  
on the top of my mind. I will provide copies of death certs. if necessary.  
Also, when I got the 1st letter about the report being late, I was told  
that the envelope did not have a postmark as to when it was received. So I don't believe it was that late.

Signed and Sworn to by:  
Carol Tomlin  
before me this 2nd Day of  
March, 2008  
Tonia K. Boothe  
Notary Public

Carol Tomlin  
(Signature of Chairman/Treasurer)  
309-562-7359  
Thank you!



9/22/09

Carol D. Tomlin  
29058 CR 1500 N  
Mason City, IL 62464

STATE BOARD OF ELECTIONS  
09 SEP 25 AM 8:09

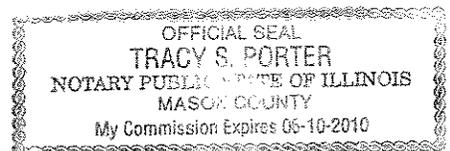
In Re: Filing of Election Report,  
Mason County Democrats.

I, Carol D. Tomlin, hereby state that the election report in question was mailed prior to the Saturday before the due date. I know there was no postmark on the envelope to support this.

Thank you. I hope this matter gets resolved quickly.

Carol C. Tomlin

Tracy S. Porter 9/22/09  
Notary



## Steward, Sharon

---

**From:** Steward, Sharon  
**Sent:** Tuesday, September 22, 2009 12:10 PM  
**To:** 'Candy Tomlin'  
**Subject:** RE: Mason County

Sharon Steward  
Illinois State Board of Elections  
Campaign Disclosure  
1020 So Spring Street  
Springfield IL 62704

And we'll need a notarized affidavit; thanx, sorry I didn't look at the rule before I talked to you. I had forgotten it had to be notarized, and I know someone on the Board would bring that up.

Any questions, let me know.

sharon

Sharon Steward, Deputy Director  
Campaign Disclosure Division  
[sseward@elections.il.gov](mailto:sseward@elections.il.gov)  
(217) 782-1556

---

**From:** Candy Tomlin [<mailto:mctreas@grics.net>]  
**Sent:** Tuesday, September 22, 2009 12:04 PM  
**To:** Steward, Sharon  
**Subject:** Mason County

Sharon,

Could you please give me the address to mail my letter to? I'll get it out in the mail today.

Thank you

Carol Tomlin  
Mason County Democrats

STATE OF ILLINOIS  
COUNTY OF SANGAMON

BEFORE THE STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

Illinois State Board of Elections

**Complainant**

v.

08 GE 060

St. Clair County Republican Central Comm.

S 962

**Respondent**

**REPORT OF HEARING EXAMINER**

Appeal of Civil Penalty Assessment For Delinquently Filing the  
Pre-Election Report for the 2008 General Election

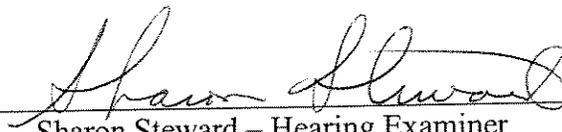
This electronically filed report was received December 7, 2008, 11 days late, resulting in a civil penalty assessment of \$1100. The total assessment is \$1100.

Laura Koelling, the Treasurer of the Committee, filed a Waiver of Appearance and submitted on the Appeal Affidavit the following:

On the Affidavit, Ms. Koelling stated that she was given the responsibility of this filing and unfortunately filed a paper report instead of an electronic one. When this was brought to her attention she processed it electronically. Unfortunately, it took time to get the report uploaded due to software errors. I contacted Ms. Koelling in order to obtain additional information supporting her defense. She indicated to me that her computer had the Windows Vista operating system, which caused a problem when she tried to upload.

To clarify, this civil penalty was assessed because the Committee, which had been required to file electronically since 2004, initially filed its pre-election report on paper. A letter was mailed to the Committee on October 29, 2008, giving the Committee 30 days to file the report electronically or the report would be considered as never having been filed. The Committee then missed this 30-day electronic filing deadline.

In order to be consistent with previous Board decisions when an electronic filing issue was presented as a defense, I recommend that the appeal be granted. However, since the Committee is now aware that an additional step is required when Windows Vista is involved, it is unlikely the Board would look favorably upon the use of this defense a second time.



Sharon Steward – Hearing Examiner

October 7, 2009

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187  
Springfield, Illinois 62708  
217/782-4141 TTY: 217/782-1518  
Fax: 217/782-5959

James R. Thompson Center  
100 West Randolph, Suite 14-100  
Chicago, Illinois 60601  
312/814-6440 TTY: 312/814-6431  
Fax: 312/814-6485



BOARD MEMBERS  
Albert S. Porter, Chairman  
Bryan A. Schneider, Vice Chairman  
Patrick A. Brady  
John R. Keith  
William M. McGuffage  
Wanda L. Rednour  
Jesse R. Smart  
Robert J. Walters

EXECUTIVE DIRECTOR  
Daniel W. White

St Clair County Republican Central Committee  
25 Sapphire Ln  
Fairview Heights, IL 62208

October 29, 2008

Re: Electronic Filing (S-962)

Dear Committee:

Thank you for filing a Pre-Election Report (7/1/08 – 10/5/08) with us. However, please be advised that under the Campaign Disclosure Act, your committee is required to file its reports electronically. The act states:

*"Beginning July 1, 2003, electronic filing is required for all political committees that during the reporting period (i) had at any time a balance or an accumulation of contributions of \$10,000 or more, (ii) made aggregate expenditures of \$10,000 or more, or (iii) received loans of an aggregate of \$10,000 or more."*

Because your committee exceeded the \$10,000 threshold, it is required to file its reports electronically. Electronic filing software is available free of charge at the State Board of Elections website at [www.elections.il.gov](http://www.elections.il.gov), or by contacting us at (217) 782-4141. Technical support in using the software is similarly available.

**Your committee's report must be re-filed electronically within 30 days of this notice.** Since your paper report was received by the Board by the filing deadline, if the report is re-filed electronically within 30 days of this notice the paper report will be considered a timely filing. If the report is not filed electronically within 30 days of this notice, the paper report will be considered as never having been filed and penalties for late filing will accrue from the date of the filing deadline.

**This letter serves as your committee's written warning, under Section 100.150 of the Board's Rules and Regulations, that your committee's reports must be filed electronically. This is the one and only time a report filed on paper by your committee can qualify as a timely filing. In the future, reports from your committee will not be considered filed until they are filed electronically.**

If you have any questions or if you need assistance please contact the Campaign Disclosure Division at (217) 782-4141.

Sincerely,

A handwritten signature in black ink, appearing to read "Rupert T. Borgsmiller".

Rupert T. Borgsmiller, Director  
Division of Campaign Disclosure

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187  
Springfield, Illinois 62708  
217/782-4141  
Fax: 217/782-5959

James R. Thompson Center  
100 West Randolph, Suite 14-100  
Chicago Illinois 60601  
312/814-6440  
Fax: 312/814-6485



BOARD MEMBERS  
Albert Porter, Chairman  
Bryan Schneider, Vice Chairman  
Patrick Brady  
John Keith  
William McGuffage  
Wanda Rednour  
Jesse Smart  
Robert Walters

EXECUTIVE DIRECTOR  
Daniel W. White  
February 27, 2009

St Clair County Republican Central Committee  
Laura Koelling  
25 Sapphire Ln  
Fairview Heights, IL 62208

S962

Dear St Clair County Republican Central Committee;

As you have been previously notified, this committee failed to electronically file the following document during the requisite filing period:

Report Type:	Pre-Election Report of Campaign Contributions
Report Period:	July 1, 2008 through October 5, 2008
Filing Period:	October 6, 2008 through October 20, 2008

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received by the Board on December 7, 2008, 11 day(s) late. As such, this committee has been assessed a fine of \$1100.00.

Enclosed please find Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. Notice of Appeal must be filed within 30 days of the mailing of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.

Since this is a first time violation, the assessed civil penalty will be *stayed*. Any subsequent violation of any provision of Article 9 of the Election Code or of a Board Order shall result in the assessment of an additional penalty as provided in Section 125.425 of the Rules and Regulations governing the State Board of Elections, with that civil penalty and any previously assessed penalty to be paid within 30 days. Therefore, you need not pay this assessed civil penalty unless another violation occurs.

If you have questions regarding the appeal process, please call Sue McArthur at 217/782-1543.

Sincerely,

Rupert T. Borgsmiller  
Director, Campaign Disclosure

RTB:sm  
Enclosure(s): appeal packet

State of Illinois )  
County of St Clair )

STATE BOARD OF ELECTIONS

09 MAR -9 PM 1:39

BEFORE THE STATE BOARD OF ELECTIONS  
OF THE STATE OF ILLINOIS

IN THE MATTER OF; )

ILLINOIS STATE BOARD OF ELECTIONS, )

Complainant )

Vs. )

Case No. 08GE 060

St. Clair Co. Republican Central  
Respondent(s). Committee

APPEAL AFFIDAVIT

I, Laura Koelling, the Treasurer of the  
(Name) (Chairman/Treasurer)  
St Clair Co. Republican Central Cmte  
(Name of the Committee)

Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

I was just given the responsibility of this one  
unfortunately filed a paper report instead of  
an electronic one. When this was brought to  
my attention I processed it electronically. Unfortunately,  
it took time to get the report uploaded to to

Schwabene  
Signed and Sworn to by: [Signature]  
before me this 5th Day of March, 2009  
[Signature]  
Notary Public

DIORITA VIRENE REICHERT  
My Commission Expires  
July 20, 2011  
St. Louis City  
Commission #07420906

[Signature]  
(Signature of Chairman/Treasurer)

RECEIVED  
MAR 05 2009

**STATE OF ILLINOIS  
COUNTY OF COOK**

**BEFORE THE STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS**

Illinois State Board of Elections  
**Complainant**

**Vs.**

**Case No. 08 AG 032 & 08 AG 065**

Citizens for Rosemary Mulligan      S4707  
**Respondent**

**REPORT OF HEARING EXAMINER**

Appeal of Civil Penalty Assessment for Failure to File and Failure to Timely File  
Schedule A-1 Reports in conjunction with the November 2008 General Election

According to the political committee's December 2008 Semi Annual Report, it received a contributions in the amount of \$500.00, during the Schedule A-1 filing period, October 6<sup>th</sup>, 2008 through and including November 3<sup>rd</sup>, 2008, which failed to be reported as required by statute. The political committee also received four (4) contributions which were disclosed on Schedule A-1's beyond the mandatory 2-day requirement. The political committee has been fined an assessed civil penalty in the amount of \$15,451.69.

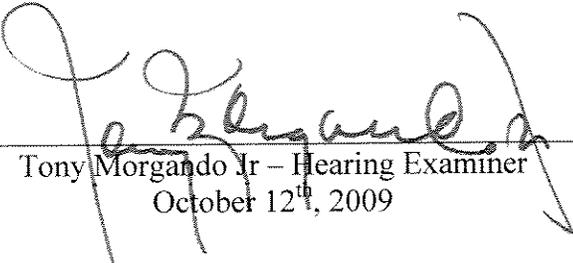
Hearing in this matter was originally scheduled for Tuesday, August 18<sup>th</sup>, 2009, to be conducted at the Chicago Board office, 100 W. Randolph, 14<sup>th</sup> Floor, at 9:00 a.m., subsequently continued to Thursday, September 3<sup>rd</sup>, 2009, at 9:00 a.m.

Mr. Eugene Carpino, Executive Director, House Republican Campaign Committee, and Mr. John Fogarty, Counsel, appeared on behalf of the Respondent.

Ms. Rosemary Mulligan, Candidate/Co-Chair, filed a Request for Hearing and Appeal Affidavit, on July 27<sup>th</sup>, 2009, indicating as good reason or defense: "As for the alleged Planned Parenthood Votes IL violation, the in-kind contribution was in the form of a mailing that apparently was mailed on or about October 10, 2008. The Committee has been having some difficulty with receiving its mail in it P.O. Box in Park Ridge, and did not receive notice of this in-kind contribution until October 19, 2008. The Committee then immediately filed its A-1, which was apparently received on October 20, 2008". In defense, Counsel for the Respondent, provided the Hearing Examiner with mail addressed to Citizens for Rosemary E. Mulligan, PO Box 1327, Park Ridge, Illinois, 60068-7327, which was marked "Return to Sender, Not Deliverable as Addressed, Unable to forward". "As for the alleged Health Care Council of IL PAC violation, the Committee did not receive a receipt for the in-kind contribution until October 17, 2008, and immediately filed its A-1, which was received 2-days later, on October 19, 2008". In defense, Counsel submitted correspondence dated October 17<sup>th</sup>, 2008, originating from the Health Care Council of Illinois, detailing "In-Kind Services Provided to Rosemary Mulligan" during the period October 1-15, 2008. "As for the alleged House Republican Organization violations, the Committee received notice of these contributions all at once, on October 17, 2008, and again, immediately filed its A-1 for each contribution, which was received 2 days later, on October 19, 2008".

In defense, Counsel submitted In-Kind Contribution Notification forms, originating from the House Republican Organization, which would indicate dates reported by the Respondent were the dates the in-kind contributions were actually made, not the dates notification was received. Mr. Eugene Carpino noted the in-kind contribution made by the House Republican Organization on October 4<sup>th</sup>, 2008, in the amount of \$5,522.00, was batched incorrectly and inadvertently not forwarded to the Respondent until the October 17<sup>th</sup>, 2008 batching. "As for the alleged Personal PAC violation, the Committee did not receive a receipt for the in-kind contribution until October 17, 2008, and immediately filed its A-1, which was received 2 days later on October 19, 2008". In defense, Counsel submitted an In-Kind Notification form, originating/signed by Ms. Margot Kahn Rosenbaum, Treasurer, Personal PAC, dated October 15<sup>th</sup>, 2008, indicating an in-kind contribution in the amount of \$750, dated October 14<sup>th</sup>, 2008. "As for the alleged Brady Campaign to Prevent Gun Violence violation, the Committee did not receive notice of said in-kind contribution until after the election". In defense, Counsel submitted the Sworn Affidavit of Rosemary Mulligan, indicating "During the last election cycle, the Mulligan campaign received a contribution from the Brady Campaign to Prevent Gun Violence in the amount of \$500.00. This contribution was made by the Brady Campaign on November 3, 2008, one day before the General Election. I did not receive, nor was I otherwise aware of this contribution until after the election".

Based upon a review of the documents/statements submitted in this matter, it is the opinion of the Hearing Examiner that (1) in-kind contributions assessed in this matter were reported on the political committee's December 2008 Semi-Annual Report, as the date such in-kinds were made, rather than the date of actual notification, (2) the unintentional error of the House Republican Organization to forward Notice of an In-Kind contribution, was reason for the political committee to file a Schedule A-1 in a timely manner, and, (3) the receipt of a \$500.00 contribution dated November 3<sup>rd</sup>, 2008, was received following the November 4<sup>th</sup>, General Election, therefore no Schedule A-1 filing was required. Therefore, it is the recommendation of the Hearing Examiner that the appeal be granted in this matter. The Hearing Examiner further recommends that the political committee amends its December 2008 Semi-Annual Report to correctly reflect the date such contributions were acknowledged received.



---

Tony Morgando Jr - Hearing Examiner  
October 12<sup>th</sup>, 2009

STATE BOARD OF ELECTIONS

09 OCT -8 PM 12:37

State of Illinois )  
County of Cook )

**BEFORE THE STATE BOARD OF ELECTIONS  
OF THE STATE OF ILLINOIS**

In The Matter Of )  
Illinois State Board Of Elections, )  
Complainant )  
v. ) No. 09 CD  
Citizens For Rosemary Mulligan, )  
Respondent. )

**AFFIDAVIT**

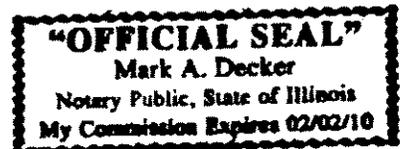
I, Rosemary Mulligan, first being duly sworn, depose and state as follows:

1. I have personal knowledge of the facts stated herein, and could so testify if called.
2. I am the Candidate for Citizens For Rosemary Mulligan.
3. During the last election cycle, the Mulligan campaign received a contribution from the Brady Campaign to Prevent Gun Violence ("Brady Campaign") in the amount of \$500.00. This contribution was made by the Brady Campaign on November 3, 2008, one day before the General Election.
4. I did not receive, nor was I otherwise aware of this contribution until after the election.
5. Affiant further sayeth not

*Rosemary Mulligan*  
\_\_\_\_\_  
Candidate  
Citizens For Rosemary Mulligan

Subscribed and sworn to before me  
this 8<sup>th</sup> day of October, 2009.

*Mark A Decker*  
\_\_\_\_\_  
Notary Public



STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187  
Springfield, Illinois 62708  
217/782-4141  
Fax: 217/782-5959

James R. Thompson Center  
100 West Randolph, Suite 14-100  
Chicago Illinois 60601  
312/814-6440  
Fax: 312/814-6485



BOARD MEMBERS  
Albert Porter, Chairman  
Bryan Schneider, Vice Chairman  
Patrick Brady  
John Keith  
William McGuffage  
Wanda Rednour  
Jesse Smart  
Robert Walters

EXECUTIVE DIRECTOR  
Daniel W. White  
June 25, 2009

Citizens for Rosemary E Mulligan  
PO Box 1327  
Park Ridge, IL 60068

S4707

Dear Citizens for Rosemary E Mulligan;

This committee has failed to file the following Schedule A-1's, Report of Campaign contributions of more than \$500.00, within 2 business days of receipt as required by the Illinois Campaign Disclosure Act:

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Fine Assessed</u>	<u>Amount of Contribution</u>	<u>Date A-1 Received</u>	<u>Days Late</u>
Brady Campaign to Prevent Gun Violence	10/15/08		**200.00		
Brady Campaign to Prevent Gun Violence	11/3/08	500.00	500.00	*not filed	1

The committee is fined a **total** of \$500.00 for delinquent filing Schedule A-1 reports as required by the Illinois Campaign Disclosure Act. This total **does not** reflect any previously assessed fines.

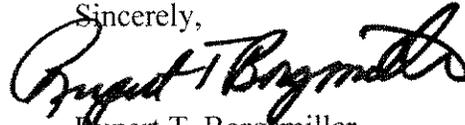
Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b-5) of the Election Code, the Board may impose fines for violations not to exceed 100% of the total amount of the contributions that were untimely reported, but in no case when a fine is imposed shall it be less than 10% of the total amount of the contributions that were untimely reported.

Since this is the first delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$50.00, (10% of the total amount reflected above) if you do not choose to file an appeal under the Board's present policy. The total amount due will be imposed with the issuance of a Final Board Order after the 30-day appeal period had expired. This amount must be paid (including any previously assessed fines), within 30 days of the issuance of the Order. If your committee has no other civil penalty assessments and only one delinquent Schedule A-1 amount is listed above, the penalty will be **stayed** as a first violation and would only become due and owing upon any subsequent delinquent filings by the committee.

Enclosed please find Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fines if you believe the civil penalties have been assessed in error. **If you have a legitimate reason for your delinquent filing, it would behoove you to send in the appeal form since the Board has the discretion to take extenuating and other circumstances into account in determining the amount of your penalty.** Notice of Appeal must be filed within 30 days of the date of this assessment for it to be considered.

Enclosed please find Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fines if you believe the civil penalties have been assessed in error. ***If you have a legitimate reason for your delinquent filing, it would behoove you to send in the appeal form since the Board has the discretion to take extenuating and other circumstances into account in determining the amount of your penalty.*** Notice of Appeal must be filed within 30 days of the date of this assessment for it to be considered. If you have any questions regarding the appeal procedure, please call Sue McArthur at 217/782-1543.

Sincerely,



Rupert T. Borgsmiller

Director, Division of Campaign Disclosure

RTB:sm

cc: Officer(s), Candidate(s)

\* This contribution was reported on the December 2008 Semi-annual Report but should have been reported on a Schedule A-1 Report of Campaign Contributions of more than \$500.00, within 2 business days of receipt.

\*\* This contribution did not, by itself, necessitate filing of a Schedule A-1. No fine was assessed for this contribution – it is listed for informational purposes only. A subsequent contribution, when aggregated with this contribution, exceeded the "more than \$500.00" threshold and was used as the basis for the fine assessment.

STATE BOARD OF ELECTIONS

09 JUL 27 PM 4:23

State of Illinois )  
County of Cook )

**BEFORE THE STATE BOARD OF ELECTIONS  
OF THE STATE OF ILLINOIS**

In The Matter Of )  
Illinois State Board Of Elections, )  
Complainant )

v. )

Citizens For Rosemary Mulligan, )  
Respondent. )

No. 08AG 065

APPEAL AFFIDAVIT

1. Rosemary Mulligan, the Co-Chair of Citizens For

Rosemary Mulligan, first being duly sworn deposes and states that she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

1. As for the alleged Planned Parenthood Votes II violation, the in-kind contribution was in the form of a mailing that apparently was mailed on or about October 10, 2008. The Committee has been having some difficulty with receiving its mail in its P.O. Box in Park Ridge, and did not receive notice of this in-kind contribution until October 19, 2008. The Committee then immediately filed it's A-1, which was apparently received on October 20, 2008.

2. As for the alleged Health Care Council of IL PAC violation, the Committee did not receive a receipt for the in-kind contribution until October 17, 2008, and immediately filed it's A-1, which was received 2 days later, on October 19, 2008.

3. As for the four alleged House Republican Organization violations, the Committee received notice of these contributions all at once, on October 17, 2008, and again, immediately filed it's A-1 for each contribution, which was received 2 days later, on October 19, 2008.

4. As for the alleged Personal PAC violation, the Committee did not receive a receipt for the in-kind contribution until October 17, 2008, and immediately filed it's A-1, which was received 2 days later, on October 19, 2008.

5. As for the alleged Brady Campaign to Prevent Gun Violence violation, the committee did not receive notice of said in-kind contribution until after the election.

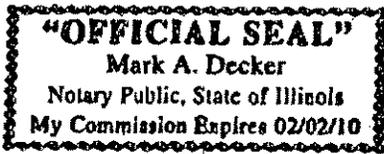
6. Any of the actions that are alleged to be violations referred were committed inadvertently, and without any intent whatsoever to violate the Campaign Finance Law.

7. Affiant further sayeth not.

*Rosemary Mulligan*  
Chairman/Treasurer  
Citizens For Rosemary Mulligan

Subscribed and sworn to before me  
this 27 day of July, 2009.

*Mark A. Decker*  
\_\_\_\_\_  
Notary Public





# IN-KIND CONTRIBUTION NOTIFICATION

SEE PAMPHLET "A GUIDE TO CAMPAIGN DISCLOSURE" FOR GUIDANCE.

The Contributor shall notify the committee of donated goods or services of more than \$50 within five (5) business days.

Do not send this form to the State Board of Elections or the County Clerk.

### Full Name, Mailing Address, and Zip Code

If the In-Kind was donated by an individual, and its value exceeded \$500, occupation & employer must be provided.

To:  
 Citizens for Rosemary Mulligan  
 P.O. Box 1327  
 Park Ridge, IL 60068

From:  
 House Republican Organization  
 24047 W. Lockport Road Suite 201  
 Plainfield, IL 60544  
 Occupation & Employer (If applicable)

### In-Kind Contribution

Full Name, Mailing Address and Zip Code of Vendor (if applicable)	Date	Value
Dynamic Printing Source, Inc. 12249 S. Rhea Drive, Unit #5 Plainfield, IL 60585	October 4, 2008	\$5,522.00
	Description Printing	

The political committee must report these donations on a Form D-2, Report of Campaign Contributions and Expenditures, Part 5.

  
 \_\_\_\_\_  
 Signature of Contributor

Revised 5/12/00

# IN-KIND CONTRIBUTION NOTIFICATION

SEE PAMPHLET "A GUIDE TO CAMPAIGN DISCLOSURE" FOR GUIDANCE.

The Contributor shall notify the committee of donated goods or services of more than \$50 within five (5) business days.

Do not send this form to the State Board of Elections or the County Clerk.

### Full Name, Mailing Address, and Zip Code

If the In-Kind was donated by an Individual, and its value exceeded \$500, occupation & employer must be provided.

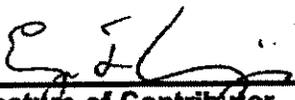
**To:**  
 Citizens for Rosemary Mulligan  
 P.O. Box 1327  
 Park Ridge, IL 60068

**From:**  
 House Republican Organization  
 24047 W. Lockport Road Suite 201  
 Plainfield, IL 60544  
 Occupation & Employer (If applicable)

### In-Kind Contribution

Full Name, Mailing Address and Zip Code of Vendor (if applicable)	Date	Value
American Viewpoint 300 North Lee Street - Suite 400 Alexandria, VA 22314	October 14, 2008	\$4,500.00
	Description Polling	

The political committee must report these donations on a Form D-2, Report of Campaign Contributions and Expenditures, Part 5.

  
 \_\_\_\_\_  
 Signature of Contributor

Revised 5/12/00





*Ex # 4*

**Citizens For  
Rosemary Mulligan**  
1043 Wicke Avenue, Des Plaines, Illinois 60018  
Fax: 847-827-6535

ITEM	DATE PAID	VALUE	VENDOR
VOTER CONTACT	9/22/2008	\$2939.85*	Powell Phones 607 NW 22nd Avenue Portland, OR 97210
POSTAGE	10/3/2008	\$63.00*	US Postal Service Amoco Finance Facility Chicago, IL 60601-9998
DESIGN	10/3/2008	\$60.00*	BKD Graphic Solutions 655 N. California Ave. Mundelein, IL 60060
POSTAGE & MAILHOUSE FEES	9/30/2008	\$4023.47*	Corsair Systems & Equipment 700 Industrial Drive, Unit K Cary, IL 60013
POSTAGE & MAILHOUSE FEES	10/3/2008	\$994.63*	Corsair Systems & Equipment 700 Industrial Drive, Unit K Cary, IL 60013
VOTER CONTACT	9/5/2008	\$11.24*	Voter Contact Services P.O. Box 390817 Mountain View, CA 94039
VOTER CONTACT	10/3/2008	\$594.44*	Voter Contact Services P.O. Box 390817 Mountain View, CA 94039
PRINTING	10/7/2008	\$1489.95*	Sioux Printing 500 East 52nd Street North Sioux Falls, SD 57104
POSTAGE & MAILHOUSE FEES	10/10/2008	\$1799.75*	Corsair Systems & Equipment 700 Industrial Drive, Unit K Cary, IL 60013
DESIGN	10/14/2008	\$750.00	Roosevelt Media 1 N. LaSalle, Suite 4500 Chicago, IL 60602

\*Already reported in previous notice of in-kind contributions

Your committee must report these donations on a Form D-2, Report of Campaign Contributions and Expenditures, Part 5, in order to be in compliance with the Illinois Campaign Financing Act.

*Margot Kahn Rosenbaum/SS*  
Personal PAC Treasurer (Margot Kahn Rosenbaum)

*10-15-08*  
Date

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187  
Springfield, Illinois 62708  
217/782-4141  
Fax: 217/782-5959

James R. Thompson Center  
100 West Randolph, Suite 14-100  
Chicago Illinois 60601  
312/814-6440  
Fax: 312/814-6485



BOARD MEMBERS  
Albert Porter, Chairman  
Bryan Schneider, Vice Chairman  
Patrick Brady  
John Keith  
William McGuffage  
Wanda Rednour  
Jesse Smart  
Robert Walters

EXECUTIVE DIRECTOR  
Daniel W. White  
April 29, 2009

Citizens for Rosemary E Mulligan  
PO Box 1327  
Park Ridge, IL 60068

S4707

Dear Citizens for Rosemary E Mulligan;

This committee has failed to file the following Schedule A-1's, Report of Campaign contributions of more than \$500.00, within 2 business days of receipt as required by the Illinois Campaign Disclosure Act:

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Fine Assessed</u>	<u>Amount of Contribution</u>	<u>Date A-1 Received</u>	<u>Days Late</u>
Planned Parenthood Votes IL	10/10/08	\$855.00	\$855.00	10/20/08	13
Health Care Council of IL PAC	10/15/08	\$1202.50	\$1202.50	10/19/08	11
House Republican Organization	10/6/08	\$5522.00	\$5522.00	10/19/08	17
House Republican Organization	10/14/08	\$4500.00	\$4500.00	10/19/08	12
House Republican Organization	10/15/08	\$924.92	\$924.92	10/19/08	11
House Republican Organization	10/15/-8	\$1197.27	\$1197.27	10/19/08	11
Personal PAC	10/14/08	\$750.00	\$750.00	10/19/08	12

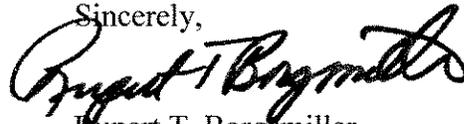
The committee is fined a **total** of \$14951.69 for delinquently filing Schedule A-1 reports as required by the Illinois Campaign Disclosure Act. This total **does not** reflect any previously assessed fines.

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b-5) of the Election Code, the Board may impose fines for violations not to exceed 100% of the total amount of the contributions that were untimely reported, but in no case when a fine is imposed shall it be less than 10% of the total amount of the contributions that were untimely reported.

Since this is the first delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$1496.00, (10% of the total amount reflected above) if you do not choose to file an appeal under the Board's present policy. The total amount due will be imposed with the issuance of a Final Board Order after the 30-day appeal period had expired. This amount must be paid (including any previously assessed fines), within 30 days of the issuance of the Order.

Enclosed please find Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fines if you believe the civil penalties have been assessed in error. *If you have a legitimate reason for your delinquent filing, it would behoove you to send in the appeal form since the Board has the discretion to take extenuating and other circumstances into account in determining the amount of your penalty.* Notice of Appeal must be filed within 30 days of the date of this assessment for it to be considered. If you have any questions regarding the appeal procedure, please call Sue McArthur at 217/782-1543.

Sincerely,



Rupert T. Borgsmiller

Director, Division of Campaign Disclosure

RTB:sm

cc: Officer(s), Candidate(s)

\* This contribution was reported on the December 2008 Semi-annual Report but should have been reported on a Schedule A-1 Report of Campaign Contributions of more than \$500.00, within 2 business days of receipt.

\*\* This contribution did not, by itself, necessitate filing of a Schedule A-1. No fine was assessed for this contribution – it is listed for informational purposes only. A subsequent contribution, when aggregated with this contribution, exceeded the "more than \$500.00" threshold and was used as the basis for the fine assessment.

STATE BOARD OF ELECTIONS

09 MAY 21 AM 10:31

State of Illinois )  
County of Cook )

BEFORE THE STATE BOARD OF ELECTIONS  
OF THE STATE OF ILLINOIS

IN THE MATTER OF; )  
ILLINOIS STATE BOARD OF ELECTIONS, )  
Complainant )

Vs.

Case No. 08 AG 032

Citizens for Rosemary  
Respondent(s). )  
Mulligan )

APPEAL AFFIDAVIT

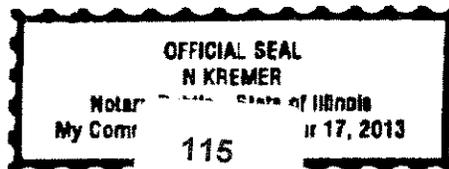
I, Barbara Scharrinhausen, the \_\_\_\_\_ of the  
(Name) (Chairman/Treasurer)  
Citizens for Rosemary Mulligan  
(Name of the Committee)

Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

Please see attached  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signed and Sworn to by:  
BARBARA SCHARRINGHAUSEN  
before me this 21 Day of  
May, 2009  
[Signature]  
Notary Public

Barbara Scharrinhausen  
(Signature of Chairman/Treasurer)





# CITIZENS FOR ROSEMARY MULLIGAN

*State Representative for the 65th District*

P.O. Box 1327

Park Ridge, Illinois 60068

Phone: (847) 692-5555

Website: [www.repmulligan.org](http://www.repmulligan.org)

Email: [citizensformulligan@hotmail.com](mailto:citizensformulligan@hotmail.com)

May 19, 2009

State Board of Elections  
1020 S. Spring St.  
Springfield, IL 62704  
Attn: Rupert T. Borgsmiller

Dear Mr. Borgsmiller,

In regards to the letter I received from your office, I offer the following defense of what you said were late filings of A-1 reports:

Those corporations who have donated in kind donations to our campaign have 5 days to notify of us their contribution. We, in turn, have 2 business days to file the In Kind contribution.

Over the last 20 years I have done my utmost to keep on top of all aspects of being Rosemary Mulligan's treasurer, making sure all entries are complete and on time. When I originally received the contributions listed on the epistle from you, I sent in the A-1 forms within two days **but listed the date of the contribution**, not the date the notification was received in the office. The column on the In Kind form says 'Date incurred', not date received.

I have signed the Waiver of Hearing and hope that the above will serve to validate our reasons for the supposed 'late' filings.

Sincerely,

Barbara I. Scharringhausen  
Treasurer, Citizens for Rosemary Mulligan  
847 825 4630

P.S. I would love to know how the 'days late' column was determined. Makes no sense to me.



STATE OF ILLINOIS  
COUNTY OF COOK

BEFORE THE STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

Illinois State Board of Elections

**Complainant**

v.

**08 AG 068**

Citizens for Durkin

S6345

**Respondent**

**REPORT OF HEARING EXAMINER**

Appeal of Civil Penalty Assessment for Failure to File Schedule A-1's  
For the November 2008 General Election

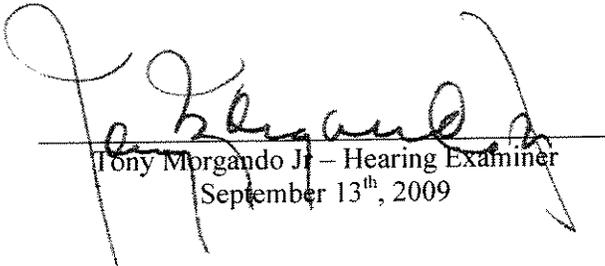
According to the political committee's December 2008 Semi Annual Report, it received five (5) contributions totaling \$5,000.00, during the Schedule A-1 filing period, October 6<sup>th</sup>, 2008 through and including November 3<sup>rd</sup>, 2008, which failed to be reported as required by statute. The political committee has been fined an assessed civil penalty in the amount of \$5,000.00.

Ms. Mary Morris - LeCompte, Treasurer, filed a Request for Hearing and Appeal Affidavit, on July 27<sup>th</sup>, 2009, indicating as good reason or defense: As for the alleged Meijer, Merrillville Partners, Midwest Generation EME, SFAA-PAC, and Workers Compensation Lawyers Association, "the Committee did not receive notice of said contribution until after the election. Any of the actions that are alleged to be violations referred to herein were committed inadvertently, and without any intent whatsoever to violate the Campaign Finance Law".

Hearing in this matter was originally scheduled for Tuesday, August 18<sup>th</sup>, 2009, to be conducted at the Chicago Board office, 100 W. Randolph, 14<sup>th</sup> Floor, at 9:00 a.m., subsequently continued to Thursday, September 3<sup>rd</sup>, 2009, at 9:00 a.m.

Mr. Eugene Caprino, Executive Director, House Republican Campaign Committee, and Mr. John Fogarty, Counsel, appeared on behalf of the Respondent. Counsel submitted on behalf of the political committee deposit slips for the Citizens for Durkin, First National Bank of LaGrange, LaGrange, Illinois, dated November 13<sup>th</sup>, 2008, and December 4<sup>th</sup>, 2008, along with copies of checks corresponding to the deposits. Such documents reflect date of receipt and/or deposit occurred after the close of the Schedule A-1 reporting period.

Based upon a review of the documents/statements submitted in this matter, it is the opinion of the Hearing Examiner that the contributions assessed in this matter were received following the close of the Schedule A-1 filing period, therefore no filing was required. Therefore, it is the recommendation of the Hearing Examiner that the appeal be granted in this matter. The Hearing Examiner further recommends that the political committee amends its December 2008 Semi-Annual Report to correctly reflect the date such contributions were acknowledged received within 30 days of the effective date of the Final Board Order.

  
Tony Morgando Jr. - Hearing Examiner  
September 13<sup>th</sup>, 2009

DEPOSIT TICKET  
DEPOSIT RECORD COPY

**FIRST NATIONAL BANK**  
of LaGrange

620 W. Burlington Ave.  
La Grange, IL 60525  
708-483-7700  
Member F.D.I.C.

DATE 12 4 08

CHECKS AND OTHER ITEMS ARE RECEIVED FOR DEPOSIT SUBJECT TO THE PROVISIONS OF THE UNIFORM COMMERCIAL CODE OR ANY APPLICABLE COLLECTION AGREEMENT

**CITIZENS FOR DURKIN**  
P.O. BOX 367  
WESTERN SPRINGS, IL 60558

	DOLLARS	CENTS
CURRENCY		
COIN		
LIST EACH CHECK		
1 1207	1000	00
2 1200	1000	00
3 122	1000	00
4 44977	1000	00
5 6714	1000	00
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		

\$ 5000 00

500000

70-392-719  
TOTAL 5  
PLEASE BE SURE ALL ITEMS ARE PROPERLY ENDORSED.  
DEPOSITS MAY NOT BE AVAILABLE FOR IMMEDIATE WITHDRAWAL.

600

**nicor**  
G A S  
P.O. Box 190  
Aurora, IL 60507-0190

The Northern Trust Company  
Chicago, IL 0710  
Payable Through Northern Trust Bank/DuPage  
Oakbrook Terrace, IL  
70-2382 / 719

*MP*

No. 442972

Check Date: 11/03/2008

PAY *One Thousand and 00/100*

Amount  
\$ \*\*\*\*\*1,000.00  
Void After 120 Days

TO THE ORDER OF  
CITIZENS FOR JIM DURKIN  
312 SOUTH FOURTH ST  
STE 200  
SPRINGFIELD IL 62701

285517

*Donna M. ...*

**SFAA-PAC**  
P.O. BOX 7913  
GURNEE, IL 60031-7006  
*Protecting Our Future*

**Bank**  
P.O. Box 218  
Naperville, IL 61760-2118 877/74-2266  
70-7443/711

1223  
10/21/2008

PAY TO THE ORDER OF Citizens For Jim Durkin \$ 1,000.00  
One Thousand and 00/100 DOLLARS

MEMO Contribution

AUTHORIZED SIGNATURE *[Signature]*

**MIDWEST GENERATION**  
An EDISON INTERNATIONAL Company

Midwest Generation EME, LLC  
400 South LaSalle street, Suite 3500  
Chicago IL 60605

CITIBANK N.A.  
New Castle, DE 19720

62-20-311

CHECK DATE	CHECK NUMBER	AMOUNT
10/23/2008	1000656	*****\$1,000.00

PAY ONE THOUSAND and 00/100 dollars

TO THE ORDER OF  
CITIZENS FOR DURKIN  
PO BOX 367  
WESTERN SPRINGS, IL 60558

*John ...*

AUTHORIZED SIGNATURE

THE FACE OF THIS DOCUMENT HAS A RED BACKGROUND ON WHITE PAPER • THE BACK CONTAINS AN ARTIFICIAL WATERMARK - HOLD AT AN ANGLE TO VIEW

**TAYLOR UHE LLC**

312 S. 4TH ST., # 200  
SPRINGFIELD, IL 62701

2-16  
710 01

DATE 12/1/08

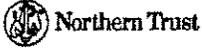
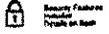
PAY  
TO THE  
ORDER OF

Citizens for Durkin

\$ 1,000.<sup>00</sup>

One Thousand and <sup>no</sup>/<sub>100</sub>

DOLLARS



*Robert A. Uhe*

FOR \_\_\_\_\_

MULTI-TONE AREA OF THE DOCUMENT CHANGES COLOR GRADUALLY AND EVENLY FROM DARK TO LIGHT WITH DARKER AREAS BOTH TOP AND BOTTOM.

MEIJER  
OF THE  
MECHANICAL DEPARTMENT

Vendor's Website: [www.meijer.com](http://www.meijer.com) Vendor's Website: [www.meijer.com](http://www.meijer.com) Vendor's Website: [www.meijer.com](http://www.meijer.com)

Printed on the paper claims will be accepted. Log on to [www.meijer.com](http://www.meijer.com) to submit a claim.

VOID AFTER 60 DAYS

CHECK DATE		AMOUNT OF CHECK
MO.	DAY	YR.
08	12	08
		*****1,000.00

**CITIZENS FOR DURKIN**

\$1,000<sup>00</sup>

TO THE ORDER OF

CITIZENS FOR DURKIN  
PO BOX 367  
WESTERN SPRINGS IL 60558-0367

MEIJER  
GENERAL ACCOUNT

*[Signature]*  
AUTHORIZED SIGNATURE

THE ORIGINAL DOCUMENT HAS A REFLECTIVE WATERMARK ON THE BACK. HOLD AT AN ANGLE TO VIEW WHEN CHECKING THE ENDORSEMENT.

DEPOSIT TICKET  
DEPOSIT RECORD COPY

**FIRST NATIONAL BANK**  
of La Grange

620 W. Burlington Ave.  
La Grange, IL 60525  
708-482-7700  
Member F.D.I.C.

DATE 11.13.08

CHECKS AND OTHER ITEMS ARE RECEIVED FOR DEPOSIT SUBJECT TO THE PROVISIONS OF THE UNIFORM COMMERCIAL CODE OR ANY APPLICABLE COLLECTION AGREEMENT

**CITIZENS FOR DURKIN**  
P.O. BOX 387  
WESTERN SPRINGS, IL 60558

CURRENCY	DOLLARS		CENTS
COIN			
LIST EACH CHECK			
1	1144	250	00
2	2289	1000	00
3	63091	1000	00
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			
16			
17			

\$ 2250 00

2250 00

PLEASE TOTAL

PLEASE BE SURE ALL ITEMS ARE PROPERLY ENDORSED. DEPOSITORS MAY NOT BE AVAILABLE FOR IMMEDIATE WITHDRAWAL.

TOTAL ITEMS **3**

70-392-719

VOID WHEN COPIED

Merrillville Partners  
c/o Next Property Management, Inc.  
400 Skokie Blvd - Suite 800  
Northbrook, IL 60062

LaSalle National Bank  
Chicago, Illinois 60603

2-50  
710

Date  
10/22/2008

Check No.  
020191

Check Amount  
1,000.00

One Thousand AND 00/100 DOLLARS

Pay to the order of:

VOID IF NOT CASHED WITHIN 90 DAYS WITHIN DATE OF ISSUE

Citizens for Durkin

PO Box 367  
Western Springs, IL 60558-0367

*Andrew Hochley*

1187

WORKERS COMPENSATION  
LAWYERS ASSOCIATION  
POLITICAL ACTION COMMITTEE

35 E WACKER DR.  
Suite 1760  
Chicago, IL 60601

2289

DATE October 27, 2008

Pay to the order of Citizens for Tom Durkin

One Thousand and no/100

\$ 1,000.00

American National Bank  
and Trust Company of Chicago • Chicago, Illinois 60603

A BANK ONE Company

*Andrew Hochley*

ILLINOIS BEVERAGE ASSOCIATION  
PAC

925 S. Spring St  
Springfield 62704

1144

DATE 10/13/08

PAY TO THE ORDER OF Citizens for Durkin

Two hundred fifty + no/100

\$ 250.00

METROPOLITAN BANK AND TRUST CO.  
CHICAGO, ILL. 60608

FOR \_\_\_\_\_

*Tommy Ruelas*  
TOMMY RUELAS, TREAS.

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187  
Springfield, Illinois 62708  
217/782-4141  
Fax: 217/782-5959

James R. Thompson Center  
100 West Randolph, Suite 14-100  
Chicago Illinois 60601  
312/814-6440  
Fax: 312/814-6485



BOARD MEMBERS  
Albert Porter, Chairman  
Bryan Schneider, Vice Chairman  
Patrick Brady  
John Keith  
William McGuffage  
Wanda Rednour  
Jesse Smart  
Robert Walters

EXECUTIVE DIRECTOR  
Daniel W. White  
June 25, 2009

Citizens for Durkin  
Mary Lecompte  
1458 Evers  
Westchester, IL 60558

S6345

Dear Citizens for Durkin;

This committee has failed to file the following Schedule A-1's, Report of Campaign contributions of more than \$500.00, within 2 business days of receipt as required by the Illinois Campaign Disclosure Act:

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Fine Assessed</u>	<u>Amount of Contribution</u>	<u>Date A-1 Received</u>	<u>Days Late</u>
Meijer	10/21/08	1000.00	1000.00	*not filed	7
Merrillville Partners	10/22/08	1000.00	1000.00	*not filed	6
Midwest Generation EME	10/23/08	1000.00	1000.00	*not filed	5
SFAA-PAC	11/3/08	1000.00	1000.00	*not filed	1
Workers Comp. Lawyers Assoc	10/27/08	1000.00	1000.00	*not filed	3

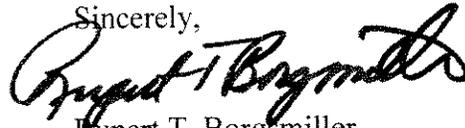
The committee is fined a **total** of \$5000.00 for delinquently filing Schedule A-1 reports as required by the Illinois Campaign Disclosure Act. This total *does not* reflect any previously assessed fines.

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b-5) of the Election Code, the Board may impose fines for violations not to exceed 100% of the total amount of the contributions that were untimely reported, but in no case when a fine is imposed shall it be less than 10% of the total amount of the contributions that were untimely reported.

Since this is the first delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$500.00, (10% of the total amount reflected above) if you do not choose to file an appeal under the Board's present policy. The total amount due will be imposed with the issuance of a Final Board Order after the 30-day appeal period had expired. This amount must be paid (including any previously assessed fines), within 30 days of the issuance of the Order.

Enclosed please find Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fines if you believe the civil penalties have been assessed in error. ***If you have a legitimate reason for your delinquent filing, it would behoove you to send in the appeal form since the Board has the discretion to take extenuating and other circumstances into account in determining the amount of your penalty.*** Notice of Appeal must be filed within 30 days of the date of this assessment for it to be considered. If you have any questions regarding the appeal procedure, please call Sue McArthur at 217/782-1543.

Sincerely,



Rupert T. Borgsmiller

Director, Division of Campaign Disclosure

RTB:sm

cc: Officer(s), Candidate(s)

\* This contribution was reported on the December 2008 Semi-annual Report but should have been reported on a Schedule A-1 Report of Campaign Contributions of more than \$500.00, within 2 business days of receipt.

\*\* This contribution did not, by itself, necessitate filing of a Schedule A-1. No fine was assessed for this contribution – it is listed for informational purposes only. A subsequent contribution, when aggregated with this contribution, exceeded the "more than \$500.00" threshold and was used as the basis for the fine assessment.

STATE BOARD OF ELECTIONS

09 JUL 27 PM 3:53

State of Illinois )  
County of COOK )

**BEFORE THE STATE BOARD OF ELECTIONS  
OF THE STATE OF ILLINOIS**

In The Matter Of )  
Illinois State Board Of Elections, )  
Complainant )  
v. )  
Citizens for Durkin, )  
Respondent. )

No. 08 AG 068

**APPEAL AFFIDAVIT**

I, Mary Morris - LeCompte the Treasurer of Citizens for Durkin ("the Committee"), first being duly sworn, depose and state that I represent that the Committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

1. As for the alleged Meijer violation, the Committee did not receive notice of said contribution until after the election.
2. As for the alleged Merrillville Partners violation, the Committee did not receive notice of said contribution until after the election.
3. As for the Midwest Generation EME violation, the Committee did not receive notice of said contribution until after the election.
4. As for the alleged SFAA-PAC violation, the Committee did not receive notice of said contribution until after the election.
5. As for the Workers Comp. Lawyers Association violation, the Committee did not receive notice of said contribution until after the election.

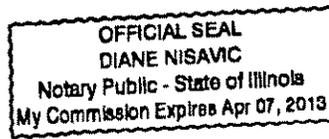
6. Any of the actions that are alleged to be violations referred to herein were committed inadvertently, and without any intent whatsoever to violate the Campaign Finance Law.

7. Affiant further sayeth not.

Mary Morris-LeCange  
Chairman/Treasurer  
Citizens for Durkin

Subscribed and sworn to before me  
this 27 day of July, 2009.

Diane Nisavic  
Notary Public



**STATE OF ILLINOIS  
COUNTY OF COOK**

**BEFORE THE STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS**

Illinois State Board of Elections  
**Complainant**

v.

**08 AG 068**

Coulson Campaign Committee S6474  
**Respondent**

**REPORT OF HEARING EXAMINER**  
Appeal of Civil Penalty Assessment for Failure to File Schedule A-1's  
For the November 2008 General Election

According to the political committee's December 2008 Semi Annual Report, it received two (2) contributions totaling \$17,001.47, during the Schedule A-1 filing period, October 6<sup>th</sup>, 2008 through and including November 3<sup>rd</sup>, 2008, which failed to be reported as required by statute. The political committee has been fined an assessed civil penalty in the amount of \$17,001.47.

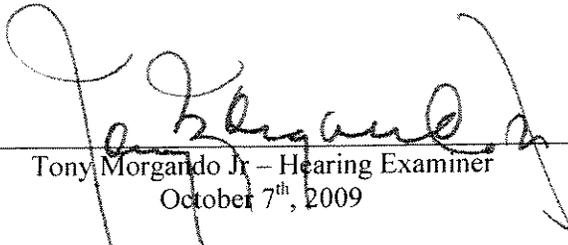
Ms. Karen Jacobsen, Treasurer, filed a Request for Hearing and Appeal Affidavit, on July 27<sup>th</sup>, 2009, indicating as good reason or defense: "As for the alleged Healthcare Council of IL PAC violation, notice of this in-kind contribution was sent to State Rep. Coulson's district office, rather than the campaign office. Neither the candidate, Chairman or Treasurer was aware of this in-kind contribution until after the election. As for the alleged House Republican Organization violation, the Committee was not aware of this in-kind contribution until after the election. Any of the actions that are alleged to be violations referred to herein were committed inadvertently, and without any intent whatsoever to violate the Campaign Finance Law".

Hearing in this matter was originally scheduled for Tuesday, August 18<sup>th</sup>, 2009, to be conducted at the Chicago Board office, 100 W. Randolph, 14<sup>th</sup> Floor, at 9:00 a.m., subsequently continued to Thursday, September 3<sup>rd</sup>, 2009, at 9:00 a.m.

Mr. Eugene Caprino, Executive Director, House Republican Campaign Committee, and Mr. John Fogarty, Counsel, appeared on behalf of the Respondent. Counsel submitted on behalf of the political committee the signed Affidavit of Ms. Karen Jacobsen, Treasurer of record. Such Affidavit stated "The Coulson campaign office received a notice from the Health Care Council of Illinois ("HCCI") PAC of an In-Kind donation on November 3, 2008", to which "a true and correct copy of that notice is attached"; "HCCI apparently faxed the notice of its In-Kind donation to Representative Coulson's District Office, fax number (847) 724-8682, rather than to the Coulson campaign office"; "The Coulson District Office staff then forwarded this In-Kind donation notice to the Coulson campaign office, where it was received on November 3, 2008. Our campaign staff noted receipt of this notice by marking it "RCVD 11/3/08", and "While our campaign staff received notice on November 3, 2008, neither I, nor the Campaign Chairman, nor Representative Coulson were aware of this In-Kind contribution until after the election". In relation to the House Republican Organization contribution dated October 14<sup>th</sup>, 2008, in the amount of \$4,500.00, Mr. Eugene Caprino provided the Hearing Examiner with Respondents Group Exhibit #1, which consisted of five (5) In-Kind Contribution Notifications directed to the Coulson Campaign Committee.

Mr. Caprino indicated that the political committee properly reported three (3) in-kind contributions donated by the House Republican Organization dated October 15<sup>th</sup>, 2008, and one (1) dated September 29<sup>th</sup>, 2008, but feels the In-Kind Notification dated October 14<sup>th</sup>, 2008, in the amount of \$4,500.00 was inadvertently lost in the transmission of documents. Mr. Caprino stated this lapse in forwarding the In-Kind Notification was not the result of any negligence on the part of the political committee.

Based upon a review of the documents/statements submitted in this matter, it is the opinion of the Hearing Examiner that (1) the contribution assessed in this matter originating from the Healthcare Council of IL PAC, was received following the close of the Schedule A-1 filing period, therefore no filing was required, and, (2) The unintentional error of the House Republican Organization to forward Notice of an In-Kind contribution, was reason for the political committees failure to file a Schedule A-1 in a timely manner. Therefore, it is the recommendation of the Hearing Examiner that the appeal be granted in this matter. The Hearing Examiner further recommends that the political committee amends its December 2008 Semi-Annual Report to correctly reflect the date such contributions were acknowledged received.



---

Tony Morgando Jr - Hearing Examiner  
October 7<sup>th</sup>, 2009

State of Illinois )  
County of Peoria )

**BEFORE THE STATE BOARD OF ELECTIONS  
OF THE STATE OF ILLINOIS**

In The Matter Of )  
Illinois State Board Of Elections, )  
Complainant )  
v. ) No. 09 CD  
Coulson Campaign Committee, )  
Respondent. )

**AFFIDAVIT**

I, Karen Jacobsen, first being duly sworn, depose and state as follows:

1. I have personal knowledge of the facts stated herein, and could so testify if called upon.

2. I am the Treasurer for the Coulson Campaign Committee.

3. The Coulson campaign office received a notice from the Health Care Council of Illinois ("HCCI") PAC of an In-Kind donation on November 3, 2008. A true and correct copy of that notice is attached to this Affidavit as Exhibit A.

4. HCCI apparently faxed the notice of this In-Kind donation to Representative Coulson's District Office, fax number (847) 724-8682, rather than to the Coulson campaign office.

5. The Coulson District Office staff then forwarded this In-Kind donation notice to the Coulson campaign office, where it was received on November 3, 2008. Our campaign staff noted receipt of this notice by marking it "RCVD 11/3/08."

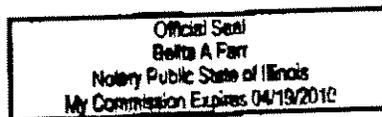
6. While our campaign staff received this notice on November 3, 2008, neither I, nor the Campaign Chairman, nor Representative Coulson were aware of this In-Kind contribution until after the election.

7. Affiant further sayeth not.

Karen Jacobsen  
Treasurer  
Coulson Campaign Committee

Subscribed and sworn to before me  
this 23<sup>rd</sup> day of September, 2009.

Belita A. Tom  
Notary Public



10/31/2008 FRI 13:13 FAX

001/002



# POLITICAL ACTION COMMITTEE

1029 S. Fourth Street • Springfield, IL 62703  
Phone: 217.527.3615 Fax: 217.528.0452

To: Both Coelean Campaign Fax#: 847-724-8682

From: Dina Alex

Date: 10/31/08

Re: In kind Donations

# pages, inc. cover: 2

- Urgent
- Please Review
- For Your Approval
- Please Reply
- Per Your Request
- For Your Use
- Please Comment
- For Your Information

Comment:

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If you received this communication in error or did not receive all of the pages as indicated above, please notify the sender at HCCI.

"A"

10/31/2008 FRI 13:14 FAX

0002/002



October 31, 2008

In-Kind Services Provided To Beth Coulson for State Representative Campaign

Health Care Mailing - 33,000 pieces and all associated costs	\$12,501.47
Through Diamond Graphics & Urquhart Media	

URQUHART MEDIA LLC  
118 N CLINTON ST STE 102  
CHICAGO IL 60661 ?

312-575-9500 TEL  
312-575-9051 FAX

RWD 11/3/08

1029 S. Fourth St., Springfield, Illinois 62704 217-527-3815 Fax: 877-719-7297

Group Ex #1

# IN-KIND CONTRIBUTION NOTIFICATION

SEE PAMPHLET "A GUIDE TO CAMPAIGN DISCLOSURE" FOR GUIDANCE.

The Contributor shall notify the committee of donated goods or services of more than \$50 within five (5) business days.

Do not send this form to the State Board of Elections or the County Clerk.

### Full Name, Mailing Address, and Zip Code

If the In-Kind was donated by an Individual, and its value exceeded \$500, occupation & employer must be provided.

**To:**  
Coulson Campaign Committee  
P.O. Box 2344  
Glenview, IL 60025

**From:**  
House Republican Organization  
24047 W. Lockport Road Suite 201  
Plainfield, IL 60544

Occupation & Employer (If applicable)

### In-Kind Contribution

Full Name, Mailing Address and Zip Code of Vendor (if applicable)	Date	Value
American Viewpoint 300 North Lee Street - Suite 400 Alexandria, VA 22314	October 14, 2008	\$4,500.00
	Description	
	Polling	

The political committee must report these donations on a Form D-2, Report of Campaign Contributions and Expenditures, Part 5.

  
\_\_\_\_\_  
Signature of Contributor

Revised 5/12/00

# IN-KIND CONTRIBUTION NOTIFICATION

SEE PAMPHLET "A GUIDE TO CAMPAIGN DISCLOSURE" FOR GUIDANCE.

The Contributor shall notify the committee of donated goods or services of more than \$50 within five (5) business days.

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## Full Name, Mailing Address, and Zip Code

If the In-Kind was donated by an Individual, and its value exceeded \$500, occupation & employer must be provided.

**To:**

Coulson Campaign Committee

P.O. Box 2344

Glenview, IL 60025

**From:**

House Republican Organization

24047 W. Lockport Road Suite 201

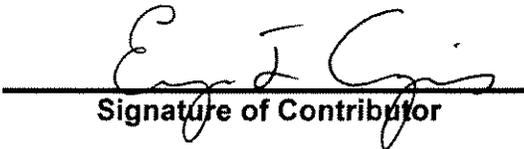
Plainfield, IL 60544

Occupation & Employer (If applicable)

## In-Kind Contribution

Full Name, Mailing Address and Zip Code of Vendor (if applicable)	Date	Value
Amanda Siedel 629 Forest Road LaGrange Park, IL 60526	September 29, 2008	\$1,104.58
	Description	
	Payroll	

The political committee must report these donations on a Form D-2, Report of Campaign Contributions and Expenditures, Part 5.

  
Signature of Contributor

Revised 5/12/00

# IN-KIND CONTRIBUTION NOTIFICATION

SEE PAMPHLET "A GUIDE TO CAMPAIGN DISCLOSURE" FOR GUIDANCE.

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Do not send this form to the State Board of Elections or the County Clerk.

## Full Name, Mailing Address, and Zip Code

If the In-Kind was donated by an Individual, and its value exceeded \$500, occupation & employer must be provided.

**To:**  
Coulson Campaign Committee  
P.O. Box 2344  
Glenview, IL 60025

**From:**  
House Republican Organization  
24047 W. Lockport Road Suite 201  
Plainfield, IL 60544

Occupation & Employer (If applicable)

## In-Kind Contribution

Full Name, Mailing Address and Zip Code of Vendor (if applicable)	Date	Value
Amanda Siedel 629 Forest Road LaGrange Park, IL 60526	October 15, 2008	\$1,104.58
	Description	
	Payroll	

The political committee must report these donations on a Form D-2, Report of Campaign Contributions and Expenditures, Part 5.

  
\_\_\_\_\_  
Signature of Contributor

Revised 5/12/00

# IN-KIND CONTRIBUTION NOTIFICATION

SEE PAMPHLET "A GUIDE TO CAMPAIGN DISCLOSURE" FOR GUIDANCE.

The Contributor shall notify the committee of donated goods or services of more than \$50 within five (5) business days.

Do not send this form to the State Board of Elections or the County Clerk.

## Full Name, Mailing Address, and Zip Code

If the In-Kind was donated by an individual, and its value exceeded \$500, occupation & employer must be provided.

**To:**  
Coulson Campaign Committee  
P.O. Box 2344  
Glenview, IL 60025

**From:**  
House Republican Organization  
24047 W. Lockport Road Suite 201  
Plainfield, IL 60544  
Occupation & Employer (if applicable)

## In-Kind Contribution

Full Name, Mailing Address and Zip Code of Vendor (if applicable)	Date	Value
Jennifer B. Belkov 6444 Lyons Morton Grove, IL 60053	October 15, 2008	\$1,058.47
	Description	
	Payroll	

The political committee must report these donations on a Form D-2, Report of Campaign Contributions and Expenditures, Part 5.

  
Signature of Contributor

Revised 5/12/00

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187  
Springfield, Illinois 62708  
217/782-4141  
Fax: 217/782-5959

James R. Thompson Center  
100 West Randolph, Suite 14-100  
Chicago Illinois 60601  
312/814-6440  
Fax: 312/814-6485



BOARD MEMBERS  
Albert Porter, Chairman  
Bryan Schneider, Vice Chairman  
Patrick Brady  
John Keith  
William McGuffage  
Wanda Rednour  
Jesse Smart  
Robert Walters

EXECUTIVE DIRECTOR  
Daniel W. White  
June 25, 2009

Coulson Campaign Committee  
POB 2344  
Glenview, IL 60025

S6474

Dear Coulson Campaign Committee;

This committee has failed to file the following Schedule A-1's, Report of Campaign contributions of more than \$500.00, within 2 business days of receipt as required by the Illinois Campaign Disclosure Act:

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Fine Assessed</u>	<u>Amount of Contribution</u>	<u>Date A-1 Received</u>	<u>Days Late</u>
Healthcare Council of IL PAC	11/3/08	12501.47	12501.47	*not filed	1
House Republican Org	10/14/08	4500.00	4500.00	*not filed	12

The committee is fined a **total** of \$17001.47 for delinquently filing Schedule A-1 reports as required by the Illinois Campaign Disclosure Act. This total **does not** reflect any previously assessed fines.

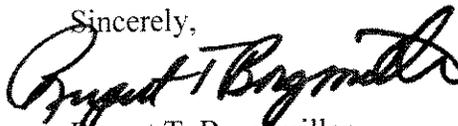
Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b-5) of the Election Code, the Board may impose fines for violations not to exceed 100% of the total amount of the contributions that were untimely reported, but in no case when a fine is imposed shall it be less than 10% of the total amount of the contributions that were untimely reported.

Since this is the first delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$1701.00, (10% of the total amount reflected above) if you do not choose to file an appeal under the Board's present policy. The total amount due will be imposed with the issuance of a Final Board Order after the 30-day appeal period had expired. This amount must be paid (including any previously assessed fines), within 30 days of the issuance of the Order.

Enclosed please find Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fines if you believe the civil penalties have been assessed in error. ***If you have a legitimate reason for your delinquent filing, it would behoove you to send in the appeal form since the Board has the discretion to take extenuating and other circumstances into account in determining the amount of your penalty.*** Notice of Appeal must be filed within 30 days of the date of this assessment for it to be considered.

If you have any questions regarding the appeal procedure, please call Sue McArthur at 217/782-1543.

Sincerely,



Rupert T. Borgsmiller

Director, Division of Campaign Disclosure

RTB:sm

cc: Officer(s), Candidate(s)

\* This contribution was reported on the December 2008 Semi-annual Report but should have been reported on a Schedule A-1 Report of Campaign Contributions of more than \$500.00, within 2 business days of receipt.

\*\* This contribution did not, by itself, necessitate filing of a Schedule A-1. No fine was assessed for this contribution – it is listed for informational purposes only. A subsequent contribution, when aggregated with this contribution, exceeded the "more than \$500.00" threshold and was used as the basis for the fine assessment.

State of Illinois )  
County of Cook )

**FILED**  
State Board of Elections  
SPRINGFIELD, ILLINOIS

JUL 27 2009  
AM 7 8 9 10 11 12 1 2 3 4 5 6 PM

**BEFORE THE STATE BOARD OF ELECTIONS  
OF THE STATE OF ILLINOIS**

In The Matter Of )  
Illinois State Board Of Elections, )  
Complainant )  
v. )  
Coulson Campaign Committee, )  
Respondent. )

No. *08 AG 069*

**APPEAL AFFIDAVIT**

I, Karen Jacobsen, the treasurer of the Coulson Campaign Committee ("the Committee"), first being duly sworn, depose and state that I represent that the Committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

1. As for the alleged Healthcare Council of IL PAC violation, notice of this in-kind contribution was sent to State Rep. Coulson's district office, rather than the campaign office. Neither the candidate, Chairman or Treasurer was aware of this in-kind contribution until after the election.

2. As for the alleged House Republican Organization violation, the Committee was not aware of this in-kind contribution until after the election.

3. Any of the actions that are alleged to be violations referred to herein were committed inadvertently, and without any intent whatsoever to violate the Campaign Finance Law.

4. Affiant further sayeth not.

*Karen Jacobsen*

Chairman/Treasurer  
Coulson Campaign Committee

Subscribed and sworn to before me  
this 27<sup>th</sup> day of July, 2009.

*Jeffrey S Platt*  
Notary Public



STATE OF ILLINOIS  
COUNTY OF SANGAMON

BEFORE THE STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

Illinois State Board of Elections  
**Complainant**

vs.

**09 DS 249**

The Committee to Elect Jeremy Karpen for State Representative  
**Respondent**

S 9734

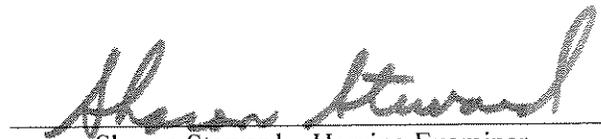
**REPORT OF HEARING EXAMINER**  
Appeal of Civil Penalty Assessment for Delinquent Filing  
The 2008 December Semi-Annual Report

The Report was received March 12, 2009, 35 days late, resulting in a civil penalty assessment of \$875.

David Sacks, the Treasurer of the Committee, filed a Waiver of Appearance and submitted on the Appeal Affidavit the following:

On the Affidavit, Mr. Sacks referenced an attachment. On the attachment, he stated that the Committee's failure to file timely was primarily due to (1) compatibility issues between the IDIS software and Windows Vista, and (2) inadequate support. A good faith effort to provide the Board with the report was made on the day of the filing, and when technical issues were finally resolved, the report was promptly filed. He had previously filed electronically, but since the last report was filed, he got a new computer with Windows Vista instead of Windows XP. He was unable to upload the report and sent e-mails to webmaster and also to NIC tech support, along with the data file. He received a response from NIC on February 5<sup>th</sup>. After he received the first delinquency letter from the Board, he contacted the Board, but did not receive the assistance he needed. He then contacted Andy Nauman in the Chicago office who provided the needed assistance, and he was able to upload the report on March 10<sup>th</sup>.

In order to be consistent with previous Board decisions when an electronic filing issue is used as a defense in regards to a delinquent filing, I recommend that the appeal be granted. Reports can be uploaded from computers with Windows Vista, but there is an additional step which must be accomplished. To clarify, the e-mail sent by Mr. Sacks to webmaster was sent to an outdated webmaster address. I am slightly troubled by the 2 month delay in filing the report, but do recommend granting the appeal based upon the issue with Vista. However, now since that problem as been resolved, it is doubtful that the Board would look favorably upon the use of an electronic filing defense a second time.



Sharon Steward – Hearing Examiner

October 6, 2009

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187  
Springfield, Illinois 62708  
217/782-4141  
Fax: 217/782-5959

James R. Thompson Center  
100 West Randolph, Suite 14-100  
Chicago Illinois 60601  
312/814-6440  
Fax: 312/814-6485



EXECUTIVE DIRECTOR  
Daniel W. White  
April 29, 2009

BOARD MEMBERS  
Albert Porter, Chairman  
Bryan Schneider, Vice Chairman  
Patrick Brady  
John Keith  
William McGuffage  
Wanda Rednour  
Jesse Smart  
Robert Walters

The Committee to Elect Jeremy Karpen for State Rep  
David Sacks  
2614 N Spaulding Ave, #1  
Chicago, IL 60647

S9734

Dear The Committee to Elect Jeremy Karpen for State Rep;

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:	Semiannual Report of Campaign Contributions and Expenditures
Report Period:	July 1, 2008 through December 31, 2008
Filing Period:	January 2, 2009 through January 20, 2009

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received by the Board on March 12, 2009, 35 day(s) late. As such, this committee has been assessed a fine of \$875.00.

Enclosed please find Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. *Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.*

Since this is a first time violation, the assessed civil penalty will be *stayed*. Any subsequent violation of any provision of Article 9 of the Election Code or of a Board Order shall result in the assessment of an additional penalty as provided in Section 125.425 of the Rules and Regulations governing the State Board of Elections, with that civil penalty and any previously assessed penalty to be paid within 30 days. Therefore, you need not pay this assessed civil penalty unless another violation occurs.

If you have questions regarding the appeal process, please call Sue McArthur at 217/782-1543.

Sincerely,

Rupert T. Borgsmiller  
Director, Division of Campaign Disclosure

RTB:sm  
Enclosure(s): appeal forms

State of Illinois )  
County of COOK )

STATE BOARD OF ELECTIONS

09 MAY 29 AM 11:36

BEFORE THE STATE BOARD OF ELECTIONS  
OF THE STATE OF ILLINOIS

IN THE MATTER OF; )  
ILLINOIS STATE BOARD OF ELECTIONS, )  
Complainant )  
Vs. )  
Committee to Elect Jeremy Margen )  
Respondent(s). )

Case No. 09DS 249

APPEAL AFFIDAVIT

I, David Sacks, the Treasurer of the  
(Name) (Chairman/Treasurer)  
Committee to Elect Jeremy Margen  
(Name of the Committee)

Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

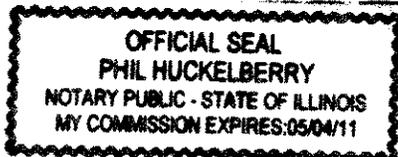
See attached.

Signed and Sworn to by:

David Sacks + Jeremy Margen  
before me this 17th Day of  
May, 2009

[Signature]  
Notary Public

[Signature]  
(Signature of Chairman/Treasurer)



I believe the fines imposed on the Committee to Elect Jeremy Karpen should be overturned. The Committee's failure to file in a timely manner was primarily due to 1) an inherent incompatibility between the IDIS software and Windows Vista, and 2) an inadequate amount of technical support provided by IDIS to resolve the first issue. A good faith effort to provide the ISBE with the financial disclosure data was made on the day of the filing, and it should be noted that when the technical issues were finally resolved, the report was promptly filed.

Below is my account of what happened. I have several emails attached that establish these facts and order of events.

As treasurer of the Committee to Elect Jeremy Karpen, I previously filed in a timely manner with ISBE, and I am fairly familiar with the IDIS software. However, between the end of the campaign in November and the due date for the semi-annual report in January, I got a new desktop computer with Windows Vista instead of Windows XP. Although the IDIS software also predates Windows XP by a few generations, I had never had any compatibility issues.

After I completed entering the campaign's financial information, I was unable to validate or submit the report. At this point I had no idea the error message I was receiving was related to my operating system. I had the latest IDIS Training Manual (Version 1.2) and this error and Vista are not mentioned. Without any other options, I sent an email (attached) to [webmaster@elections.state.il.us](mailto:webmaster@elections.state.il.us) and [techsupport@nicusa.com](mailto:techsupport@nicusa.com) with the .DCF file attached. This .DCF file contained all of the relevant financial entries, and proves that a good faith effort was made to provide ISBE with disclosure on time.

That was on January 20<sup>th</sup>. I did not receive a response until February 5<sup>th</sup>. Eliza Green informed me in an email (attached) that I needed to run the program as an administrator. I did this, and it did not resolve the issue. She said I should call or email her back, but she didn't provide a phone number or email address. Her message had been sent from the general mailbox of [techsupport@nicusa.com](mailto:techsupport@nicusa.com), which had already taken over two weeks to get back to my original inquiry.

After the first letter from the ISBE informing me of the violation, I called the Springfield office. I don't know the name of the woman I talked to there, but she was unable to help me. She knew very little about computers or IDIS. She suggested the IDIS Training Manual which I had already consulted several times. I attempted to explain that I had emailed the disclosure information in an email attachment, but she didn't know if this data had been uploaded by the ISBE. Discouraged, I set the issue aside until I received the second letter from the ISBE.

This time I decided to call the Chicago office, thinking I would potentially have to go to the Thompson Center office on my lunch to deal with this. Thankfully, I was directed to Mr. Andy Naumann, who was incredibly helpful, and ultimately resolved the technical issue. He explained in detail that the information I had gotten from Eliza Green was only half correct. She suggested I run IDIS as an administrator, but Andy explained it needed

to be installed and run as an administrator. This was not particularly obvious or logical. This involved me having to uninstall my current version of IDIS and reinstalling as an administrator. After I originally talked to him on the phone, we had a few more brief email exchanges that I've attached. Shortly after this exchange on March 10th, the report was promptly filed.

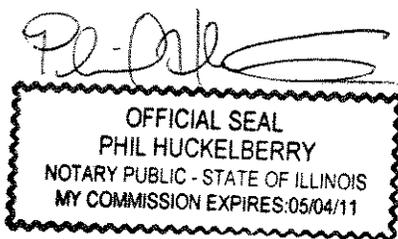
Again, I'd like to highlight that I did email (since I was unable to upload) a valid disclosure on January 20<sup>th</sup>. I believed this may have been acceptable, and received no response or technical help for another 12 business days, while the Committee is being penalized for being 35 days late. The IDIS Training Manual had no information regarding my problem. Given the unique combination of circumstances described above, I'd ask that the ISBE reconsider the penalty imposed on the Committee to Elect Jeremy Karpen.

Thank You,



David Sacks  
Treasurer, Committee to Elect Jeremy Karpen

Signed and sworn to by DAVID SACKS  
before me this 17th day of May, 2009.



5-17-09

Gmail

David Sacks <dsacks83@gmail.com>

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## re: Problems Uploading Report

Eliza Green <techsupport@nicusa.com>

Thu, Feb 5, 2009 at 11:14 AM

To: Dave Sacks <dsacks83@gmail.com>

David Sacks,

If you are running Vista on your computer, you have to run yourself as the Administrator. Please call or e-mail if you have any further questions.

Thank you,  
Eliza

----- Original Message -----

FROM: David Sacks

<dsacks83@gmail.com>

TO: <techsupport@nicusa.com>, <webmaster@elections.state.il.us >

DATE: Tue, 20 Jan 2009 22:46:28 -0600

SUBJECT: Problems Uploading Report

I am unable to upload the report to ISBE's website and I'm not sure why. Attached is the .DCF file with our semi-annual report and a screenshot of the error I'm receiving. Please let me know what can be done to resolve this issue.  
<br>Thanks.<br><br>Dave Sacks<br>Committee to Elect Jeremy Karpen<br>773-557-9411<br>

Gmail

David Sacks &lt;dsacks83@gmail.com&gt;

## Problems with IDIS Filing

4 messages

David Sacks &lt;dsacks83@gmail.com&gt;

Tue, Mar 10, 2009 at 7:33 AM

To: anauman@elections.il.gov

Hi Andy,

I'm simply attaching my .DCF file, and I'll try calling around 12:30-1 today during my lunch. Basically, I got a new computer around Christmas before the filing, and things seem to have gotten screwed up.

1) I figured out how to run IDIS as an administrator. No problem.

2) When I open my report, it's claiming that I uploaded the semi-annual on 1/20/09 (which is when I originally attempted to, but I got an error message).

3) All the receipts for the semi-annual are in the report. But all of my expenditures aren't. I don't know why this is, other than something may have gotten screwed up when I switched the file to my new computer. When I tried adding the expenditures back in, it won't let me because the software is treating this semi-annual as already having been filed.

So I'm not exactly sure what's going on or what to do. What I'd like is for this file to simply get submitted, and if there's a way for me to amend it to add back in the expenditures that would probably be best. I have my original files and spreadsheets with expenditures on them, and it would only take me a few minutes to add them back in if it would let me.

Thanks for your help.

Dave Sacks  
Treasurer, Jeremy Karpen for State Representative  
773-557-9411

 KARPEN ISBEfiling.DCf  
9K

Nauman, Andy &lt;ANauman@elections.il.gov&gt;

Tue, Mar 10, 2009 at 8:38 AM

To: David Sacks &lt;dsacks83@gmail.com&gt;

Dave,

The report has a filed on date of 1/20/09 and when you put a filed on date on a report it prevents you from making any additional changes to the report. You can right click on the Semi-Annual Report and click on file report. A report information screen will appear and you can then delete the 1/20/09 date and then click on OK. The program will say are you sure you want to delete and you would say Yes. Then go to the Summary Page and enter in the missing transactions. Once the report looks good then go to the reports screen and put a new filed on date on the report. Then go to upload filing and upload the report. I will talk to you around lunch time but I just wanted to give you an idea of what your steps were going to be.

Andy Nauman

---

From: David Sacks [mailto:dsacks83@gmail.com]

Sent: Tuesday, March 10, 2009 7:34 AM

To: Nauman, Andy

Subject: Problems with IDIS Filing

[Quoted text hidden]

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**David Sacks** <dsacks83@gmail.com>  
To: "Nauman, Andy" <ANauman@elections.il.gov>

Tue, Mar 10, 2009 at 12:05 PM

Ah, no need for me to call then. I will try that. I really appreciate your help. I know I can't be the first person to have problems with this software (and generally haven't in the past), but I've generally had a very hard time finding good help with how to troubleshoot.

Thanks.

Dave Sacks  
Treasurer, Jeremy Karpen for State Representative  
773-557-9411

[Quoted text hidden]

---

**Nauman, Andy** <ANauman@elections.il.gov>  
To: David Sacks <dsacks83@gmail.com>

Tue, Mar 10, 2009 at 12:17 PM

Dave on a side note if you can't figure it out give NIC Technology a call they are the developers of the program and we have a contract with them for 24 hour service. It is a long distance phone call but they should be able to help as well. They can be reached at 703-861-4715. I can always give you more direction as well.

andy

---

**From:** David Sacks [mailto:[dsacks83@gmail.com](mailto:dsacks83@gmail.com)]  
**Sent:** Tuesday, March 10, 2009 12:05 PM  
**To:** Nauman, Andy  
**Subject:** Re: Problems with IDIS Filing

[Quoted text hidden]

Gmail

David Sacks <dsacks83@gmail.com>

---

## Problems Uploading Report

---

David Sacks <dsacks83@gmail.com>

Tue, Jan 20, 2009 at 11:46 PM

To: techsupport@nicusa.com, webmaster@elections.state.il.us

I am unable to upload the report to ISBE's website and I'm not sure why. Attached is the .DCF file with our semi-annual report and a screenshot of the error I'm receiving. Please let me know what can be done to resolve this issue.

Thanks.

Dave Sacks  
Committee to Elect Jeremy Karpen  
773-557-9411

---

### 2 attachments

 ISBE IDIS Error.png  
271K

 063008 ISBEfiling.DCf  
9K

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STATE OF ILLINOIS  
COUNTY OF SANGAMON

BEFORE THE STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

Illinois State Board of Elections

**Complainant**

v.

09 CE 013

Westmont Village Committee      L 12726

**Respondent**

**REPORT OF HEARING EXAMINER**

Appeal of Civil Penalty Assessment For Delinquently Filing the  
Pre-Election Report for the 2009 Consolidated Election

The Report was received by the Board on April 7, 2009, 9 days late, resulting in a civil penalty assessment of \$500.

William J. Swanston, the Treasurer of the Committee, filed a Waiver of Appearance and submitted on the Appeal Affidavit the following:

On the Affidavit, Mr. Swanston stated that in December of 2008, he needed surgery and was in the hospital for several weeks and at home convalescing, which was prolonged by numerous setbacks. He re-started chemotherapy in early March 2009 and was unexpectedly hospitalized with an infection causing a delay in filing the Pre-Election Report. As of June 2009, the Committee ceased operations and he filed the final report with the Board. He has also retained assistance to ensure if there are any further filings necessary regarding this committee, his health will not cause any further late filings. He asks that due to these unexpected circumstances, he respectfully requests that the fine be abated.

This Committee had previously filed its 2008 December Semi-Annual Report delinquently due to Mr. Swanston's health issues. At that time, the Appeal was granted with the suggestion that Mr. Swanson arrange for assistance in case of other medical issues, so that subsequent reports would be timely filed. I therefore recommend that the Appeal be denied. As a first time violation, the penalty is stayed. In addition, according to Section 125.425(k)(2) of Board Rules and Regulations, since this Committee has filed a Final Report, during the two year period beginning with the date of the final Board Order, any successor committee shall be considered, for assessment purposes, as never having violated Section 9-10 if it is assessed no other penalty.



Sharon Steward – Hearing Examiner

October 5, 2009

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

1020 South Spring Street  
Springfield, Illinois 62704  
217/782-4141  
Fax: 217/782-5959

James R. Thompson Center  
100 West Randolph, Suite 14-100  
Chicago Illinois 60601  
312/814-6440  
Fax: 312/814-6485



BOARD MEMBERS  
Albert Porter, Chairman  
Bryan Schneider, Vice Chairman  
Patrick Brady  
John Keith  
William McGuffage  
Wanda Rednour  
Jesse Smart  
Robert Walters

EXECUTIVE DIRECTOR  
Daniel W. White  
June 25, 2009

Westmont Village Committee  
William Swanston  
29 N Linden  
Westmont, IL 60559

L12726

Dear Westmont Village Committee:

As you have been previously notified, this committee failed to electronically file the following document during the requisite filing period:

Report Type: Pre-Election Report of Campaign Contribution and Expenditures  
Report Period: January 26, 2009 through March 8, 2009  
Filing Period: March 9, 2009 through March 23, 2009

Based upon this committee's failure to comply with the provision of 10 ILCS 5-9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on April 7, 2009, 9 day(s) late. As such, this committee has been assessed a fine of \$500.00.

Enclosed please find the Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. Notice of Appeal must be filed within 30 days of the mailing of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.

If the above listed violation is not appealed and since this is a subsequent violation the previously stayed fine(s) for delinquent filing is now also required to be paid by the committee within 30 days of the issuance of a Final Board Order:

Reporting Period	Report Type	Previous Fine Amount
7/1/2008 - 12/31/2008	Semi-annual	\$425.00
<b>TOTAL AMOUNT NOW DUE</b>		<b>\$925.00</b>

If you have any questions regarding the appeal process, please call Sue McArthur at 217/782-1543.

Sincerely,  
  
Rupert T. Borgsmiller  
Director, Division of Campaign Disclosure

RTB:sm  
Enclosure(s) appeal documents

STATE BOARD OF ELECTIONS

09 JUL 27 PM 12:03

State of Illinois )  
County of Dupage )

BEFORE THE STATE BOARD OF ELECTION  
OF THE STATE OF ILLINOIS

IN THE MATTER OF; )  
ILLINOIS STATE BOARD OF ELECTIONS, )  
Complainant )  
Vs )  
Westmont Village Committee )  
Respondent(s) )

Case No. 09CE013

APPEAL AFFIDAVIT

I, William J. Swanston, the Treasurer of the  
Westmont Village Committee,

Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

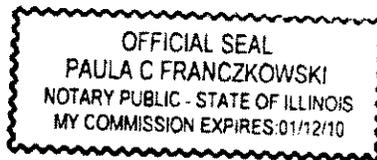
In December 2008, I needed surgery (abdominal perineal resection) as a result of being diagnosed with rectal cancer and was in the hospital for several weeks and at home convalescing, which was prolonged by numerous setbacks. I re-started chemotherapy in early March 2009, and was unexpectedly hospitalized with an infection causing a delay in filing the Pre-Election Report. As of June 2009, the committee ceased operations and I have timely filed the Semi-Annual and final Reports with the State of Illinois. I have also retained assistance to ensure if there are any further filings necessary regarding this committee, my health will not cause any further late filings. Due to these unexpected circumstances, I respectfully request that the fine of \$500 be abated.

Signed and Sworn to by:

before me this 27<sup>th</sup> Day of July, 2009

Paula C. Franczkowski  
Notary Public

[Signature]  
(Signature of Chairman/Treasurer)



STATE OF ILLINOIS  
COUNTY OF SANGAMON

BEFORE THE STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

Illinois State Board of Elections  
**Complainant**

v.

**08 AG 020**

Committee to Elect Pamela Palmer  
**Respondent**

L13577

**REPORT OF HEARING EXAMINER**  
Appeal of Civil Penalty Assessment for Failing to File  
A Schedule A-1 for the 2008 General Election

The Committee received a contribution of \$2550 on 10/10/08, but failed to list it on a Schedule A-1. In addition, this Committee had previously been assessed a \$50 civil penalty (not appealed, stayed) for delinquent filing the 2007 December Semi-Annual Report. The total assessment is \$2600.

Geri Davis, the Treasurer, filed a Waiver of Appearance and submitted on the Appeal Affidavit the following:

On the Affidavit, Ms. Davis stated that Ms. Palmer neglected to file the A-1 in a timely manner because she was in the hospital—she had emergency surgery and was confined for 3 weeks. This was in addition to her being in the middle of her divorce case.

Section 5/9-2 of the Act reads in part: “...*The treasurer of a political committee shall be responsible for keeping the records and filing the statements and reports required by this Article...*” Ms. Davis, the Treasurer, is the person directly responsible for ensuring that records are kept and reports filed. In addition, it has been Board policy not to assess a penalty if a candidate has loaned her own money to the campaign and failed to file a Schedule A-1. However, this amnesty exception is applicable only for a first violation, at which time a letter is sent to the Committee advising the candidate that his own money must also be reported on a Schedule A-1. This Committee had already received this one-time amnesty in March of 2007; therefore, I recommend that the appeal be denied for lack of an adequate defense. However, since there is no indication that the violation was anything other than inadvertent and unintentional, and that this is the first election for which the Committee failed to file a Schedule A-1, I also recommend that the penalty be reduced to 10% of the original assessment, or \$255. If this recommendation is accepted by the Board, the stay will be lifted from the \$50 civil penalty and the total amount of \$305 will be due and owing.

  
Sharon Steward – Hearing Examiner  
September 21, 2009

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187  
Springfield, Illinois 62708  
217/782-4141  
Fax: 217/782-5959

James R. Thompson Center  
100 West Randolph, Suite 14-100  
Chicago Illinois 60601  
312/814-6440  
Fax: 312/814-6485



BOARD MEMBERS  
Albert Porter, Chairman  
Bryan Schneider, Vice Chairman  
Patrick Brady  
John Keith  
William McGuffage  
Wanda Rednour  
Jesse Smart  
Robert Walters

EXECUTIVE DIRECTOR  
Daniel W. White  
April 29, 2009

Committee to Elect Pamela Palmer  
Geri Davis  
3202 Golfview Terrace  
McHenry, IL 60050

L13577

Dear Committee to Elect Pamela Palmer;

This committee has failed to file the following Schedule A-1's, Report of Campaign contributions of more than \$500.00, within 2 business days of receipt as required by the Illinois Campaign Disclosure Act:

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Fine Assessed</u>	<u>Amount of Contribution</u>	<u>Date A-1 Received</u>	<u>Days Late</u>
Pam Palmer	10/10/08	\$2550.00	\$2550.00	*not filed	13

The committee is fined a **total** of \$2550.00 for delinquently filing Schedule A-1 reports as required by the Illinois Campaign Disclosure Act. This total **does not** reflect any previously assessed fines.

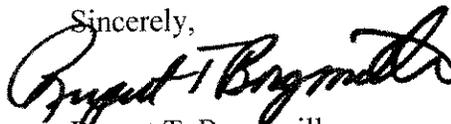
Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b-5) of the Election Code, the Board may impose fines for violations not to exceed 100% of the total amount of the contributions that were untimely reported, but in no case when a fine is imposed shall it be less than 10% of the total amount of the contributions that were untimely reported.

Since this is the first delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$225.00, (10% of the total amount reflected above) if you do not choose to file an appeal under the Board's present policy. The total amount due will be imposed with the issuance of a Final Board Order after the 30-day appeal period had expired. This amount must be paid (including any previously assessed fines), within 30 days of the issuance of the Order.

Enclosed please find Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fines if you believe the civil penalties have been assessed in error. *If you have a legitimate reason for your delinquent filing, it would behoove you to send in the appeal form since the Board has the discretion to take extenuating and other circumstances into account in determining the amount of your penalty.* Notice of Appeal must be filed within 30 days of the date of this assessment for it to be considered.

If you have any questions regarding the appeal procedure, please call Sue McArthur at 217/782-1543.

Sincerely,



Rupert T. Borgsmiller  
Director, Division of Campaign Disclosure

RTB:sm

cc: Officer(s), Candidate(s)

\* This contribution was reported on the December 2008 Semi-annual Report but should have been reported on a Schedule A-1 Report of Campaign Contributions of more than \$500.00, within 2 business days of receipt.

\*\* This contribution did not, by itself, necessitate filing of a Schedule A-1. No fine was assessed for this contribution – it is listed for informational purposes only. A subsequent contribution, when aggregated with this contribution, exceeded the "more than \$500.00" threshold and was used as the basis for the fine assessment.

State of Illinois )  
County of McHenry )

STATE BOARD OF ELECTIONS  
09 MAY 18 PM 3:11

BEFORE THE STATE BOARD OF ELECTIONS  
OF THE STATE OF ILLINOIS

IN THE MATTER OF; )  
ILLINOIS STATE BOARD OF ELECTIONS, )

Complainant )

Vs. Committee to Elect )  
Pamela Palmer )  
Respondent(s). )

Case No. 08 AG 020

APPEAL AFFIDAVIT

I, Gen Davis, the Treasurer of the  
(Name) (Chairman/Treasurer)

Committee to Elect Pamela Palmer

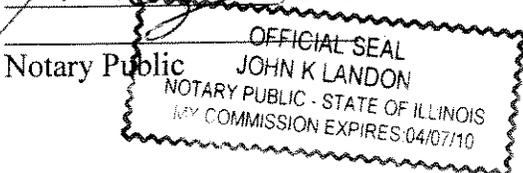
(Name of the Committee)

Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

Ms Palmer neglected to file the A-1 in a timely manner because she was in the hospital - she had emergency surgery and was confined for 3 weeks. This was in addition to her being in the middle of her divorce case after 23 marriages. She was in counseling and therapy when the surgery occurred. This can be verified with her staff at the government center.

Signed and Sworn to by: [Signature]  
before me this 14 Day of May 2009

[Signature]  
(Signature of Chairman/Treasurer)



**STATE OF ILLINOIS  
COUNTY OF COOK**

**BEFORE THE STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS**

Illinois State Board of Elections  
**Complainant**

v.

**09 AE 006**

The PEP Party            L15097  
**Respondent**

**REPORT OF HEARING EXAMINER**

Appeal of Civil Penalty Assessment for Failure to Timely File Schedule A-1's  
for the April 2009 Consolidated Election

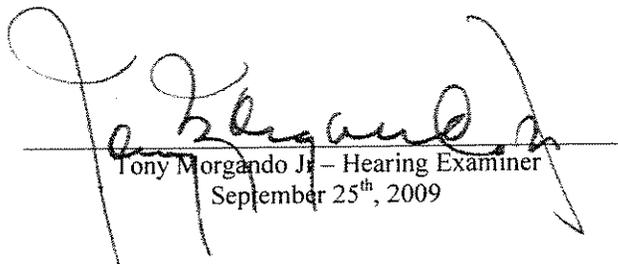
According to the political committee's Schedule A-1's, filed on March 9<sup>th</sup>, 2009 (13-days late), March 16<sup>th</sup>, 2009 (8-days late) and March 19<sup>th</sup>, 2009 (5-days late), the political committee has been assessed a civil penalty in the amount of \$7,000.00.

Mr. Kit Ketchmark, Chairman, filed a Request for Hearing and Appeal Affidavit, on July 24<sup>th</sup>, 2009, indicating as good reason or defense in part: "The funds reported and identified as delinquent by the Illinois State Board of Elections (See Documents attached hereto, numbered 1-3) were funds that were transferred in from one committee to another, and all contributions initially received were disclosed pursuant to the two day disclosure requirement. (See Documents attached hereto, numbered 4-8). As such, funds received by the PEP Party were a transfer of funds previously disclosed by the Peoples Economy Party. Any failure to disclose within the time period prescribed by the Election Code and the Rules and Regulations of the Illinois State Board of Elections was inadvertent and was in no way an attempt to avoid the disclosure requirements mandated by law".

Hearing in this matter was scheduled for Tuesday, August 18<sup>th</sup>, 2009, to be conducted at the Chicago Board office, 100 W. Randolph, 14<sup>th</sup> Floor, at 11:00 a.m.

Mr. Kit Ketchmark, Chairman, and Mr. Thomas Bastian, Counsel, appeared on behalf of the Respondent. Mr. Thomas Bastian, Counsel, indicated the initial interpretation of the Respondent(s), was that a transfer of funds between political committee's was reported on a Form D-2, part #2, Transfer-Ins, rather than on a Schedule A-1. Counsel stated all future filings would conform to proper Schedule A-1 guidelines.

Based upon a review of the statements/documents submitted in this matter, the Hearing Examiner finds that there are no reasonable grounds for the failure of the political committee to file Schedule A-1's as required by statute. Therefore, it is the recommendation of the Hearing Examiner that the appeal be denied in this matter. Since this is the first delinquent filing of Schedule A-1's by the political committee, and a Final Report was filed on September 23<sup>rd</sup>, 2009, it is recommended that the assessed civil penalty be reduced 10% or \$700.00, and such penalty be abated if the political committee remains dissolved for a period of two (2) years following the date of the Final Order of the Board imposing the penalty.

  
Tony Morgando Jr. – Hearing Examiner  
September 25<sup>th</sup>, 2009

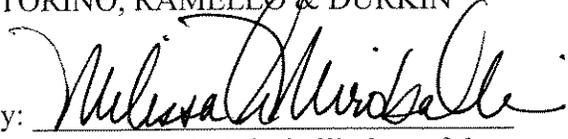
**BEFORE THE STATE BOARD OF ELECTIONS  
OF THE STATE OF ILLINOIS**

IN THE MATTER OF; )  
 )  
ILLINOIS STATE BOARD OF ELECTIONS, )  
 )  
Complainant, )  
 )  
vs. ) No. \_\_\_\_\_ )  
 )  
PEP PARTY, )  
 )  
Respondent. )

APPEARANCE

NOW COMES Respondent PEP Party, by and through his attorneys, Storino, Ramello & Durkin, and hereby files their Appearance.

STORINO, RAMELLO & DURKIN

By:   
Melissa A. Miroballi, One of the  
Attorneys for Respondent

STORINO, RAMELLO & DURKIN  
9501 West Devon Avenue, 8th Floor  
Rosemont, IL 60018  
(847) 318-9500  
Cook County Attorney No. 16203

CHICAGO  
MAY 24 PM 3:36  
STATE BOARD OF ELECTIONS

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187  
Springfield, Illinois 62708  
217/782-4141  
Fax: 217/782-5959

James R. Thompson Center  
100 West Randolph, Suite 14-100  
Chicago Illinois 60601  
312/814-6440  
Fax: 312/814-6485



BOARD MEMBERS  
Albert Porter, Chairman  
Bryan Schneider, Vice Chairman  
Patrick Brady  
John Keith  
William McGuffage  
Wanda Rednour  
Jesse Smart  
Robert Walters

EXECUTIVE DIRECTOR  
Daniel W. White  
June 25, 2009

The PEP Party  
8848 Ogden Ave  
Brookfield, IL 60513

L15097

Dear The PEP Party;

This committee has failed to file the following Schedule A-1's, Report of Campaign contributions of more than \$500.00, within 2 business days of receipt as required by the Illinois Campaign Disclosure Act:

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Fine Assessed</u>	<u>Amount of Contribution</u>	<u>Date A-1 Received</u>	<u>Days Late</u>
Peoples Economy Party	3/9/09	3000.00	3000.00	3/30/09	13
Peoples Economy Party	3/19/09	3000.00	3000.00	3/30/09	5
Peoples Economy Party	3/16/09	1000.00	1000.00	3/30/09	8

The committee is fined a **total** of \$7000.00 for delinquently filing Schedule A-1 reports as required by the Illinois Campaign Disclosure Act. This total **does not** reflect any previously assessed fines.

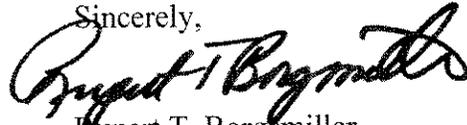
Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b-5) of the Election Code, the Board may impose fines for violations not to exceed 100% of the total amount of the contributions that were untimely reported, but in no case when a fine is imposed shall it be less than 10% of the total amount of the contributions that were untimely reported.

Since this is the first delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$700.00, (10% of the total amount reflected above) if you do not choose to file an appeal under the Board's present policy. The total amount due will be imposed with the issuance of a Final Board Order after the 30-day appeal period had expired. This amount must be paid (including any previously assessed fines), within 30 days of the issuance of the Order.

Enclosed please find Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fines if you believe the civil penalties have been assessed in error. ***If you have a legitimate reason for your delinquent filing, it would behoove you to send in the appeal form since the Board has the discretion to take extenuating and other circumstances into account in determining the amount of your penalty.*** Notice of Appeal must be filed within 30 days of the date of this assessment for it to be considered.

If you have any questions regarding the appeal procedure, please call Sue McArthur at 217/782-1543.

Sincerely,



Rupert T. Borgsmiller

Director, Division of Campaign Disclosure

RTB:sm

cc: Officer(s), Candidate(s)

\* This contribution was reported on the December 2008 Semi-annual Report but should have been reported on a Schedule A-1 Report of Campaign Contributions of more than \$500.00, within 2 business days of receipt.

\*\* This contribution did not, by itself, necessitate filing of a Schedule A-1. No fine was assessed for this contribution – it is listed for informational purposes only. A subsequent contribution, when aggregated with this contribution, exceeded the "more than \$500.00" threshold and was used as the basis for the fine assessment.

State of Illinois )  
County of Cook )

BEFORE THE STATE BOARD OF ELECTIONS  
OF THE STATE OF ILLINOIS

IN THE MATTER OF; )  
ILLINOIS STATE BOARD OF ELECTIONS, )  
Complainant )  
vs. )  
PEP Party )  
Respondent(s). )

No. \_\_\_\_\_

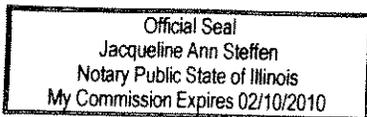
STATE BOARD OF ELECTIONS  
JUL 24 PM 3:36  
CHICAGO

APPEAL AFFIDAVIT

I, Kit Ketchmark, the Chairman of the  
(Name) (Chairman/Treasurer)  
PEP Party  
(Name of the Committee)

Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

The funds reported and identified as delinquent by the Illinois State Board of Elections (See Documents attached hereto, numbered 1-3), were funds that were transferred in from one committee to another, and all contributions initially received were disclosed pursuant to the two day disclosure requirement. (See Documents attached hereto, numbered 4-8). As such, the funds received by the PEP Party were a transfer of funds previously disclosed by the Peoples Economy Party. Any failure to disclose within the time period prescribed by the Election Code and the Rules and Regulations of the Illinois State Board of Elections was inadvertent and was in no way an attempt to avoid the disclosure requirements mandated by law.



Subscribed and Sworn to Before me  
This 24<sup>th</sup> Day Of July, 2009

Jacqueline Ann Steffen  
NOTARY PUBLIC

[Signature]  
(Signature of Chairman/Treasurer)



**SCHEDULE A-1**  
 REPORT OF CAMPAIGN CONTRIBUTIONS  
 OF  
 \$500 OR MORE

1 / 1

Full name and complete mailing address of Political Committee

The PEP Party

PO Box 93  
 8848 Ogden Ave.  
 Brookfield IL 60513

THIS FORM MAY BE  
 TRANSMITTED BY FAX.

<b>FOR OFFICE USE ONLY</b>
IDENTIFICATION NO.

**INSTRUCTIONS**

ANY CONTRIBUTION IN AN AGGREGATE OF \$500.00 OR MORE RECEIVED IN THE THIRTY DAY PERIOD PRECEDING ANY ELECTION MUST BE REPORTED WITHIN TWO BUSINESS DAYS OF RECEIPT.

CONTRIBUTIONS MUST ALSO BE REPORTED ON THE NEXT REGULAR CAMPAIGN CONTRIBUTIONS REPORT - FORM D-2 - SCHEDULE A.

RECEIVED FROM: FULL NAME, MAILING ADDRESS, AND ZIP CODE	RECEIPT TYPE	DATE	AMOUNT
People's Economy Party PO Box 63  Brookfield IL 60513	<input type="checkbox"/> Individual Monetary Contributions <input checked="" type="checkbox"/> Transfers In <input type="checkbox"/> Loans Received <input type="checkbox"/> Other Receipts (No In-kind) <input type="checkbox"/> In-kind Contributions	03/16/2009	1000.00

Eric Wahlstrom  
 SIGNATURE OF TREASURER OR CANDIDATE

03/17/2009  
 DATE

THE ILLINOIS BOARD OF ELECTIONS IS REQUESTING DISCLOSURE OF INFORMATION THAT IS NECESSARY IF YOU QUALIFY AS A POLITICAL COMMITTEE AS OUTLINED UNDER PUBLIC ACT 78-1183. DISCLOSURE OF THIS INFORMATION IS REQUIRED. FAILURE TO PROVIDE ANY INFORMATION COULD RESULT IN A FINE UPTO \$1,000.00. THIS FORM IS IN COMPLIANCE WITH THE FORMS MANAGEMENT PROGRAM ACT.

STATE POLITICAL COMMITTEE  
 RETURN TO  
 STATE BOARD OF ELECTIONS  
 1020 SOUTH SPRING STREET  
 P.O BOX 4187  
 SPRINGFIELD IL 62708

LOCAL POLITICAL COMMITTEES AND  
 STATE AND LOCAL POLITICAL COMMITTEES  
 RETURN ORIGINAL TO:  
 STATE BOARD OF ELECTIONS  
 AND COPY TO  
 APPROPRIATE COUNTY CLERK



**SCHEDULE A-1**  
 REPORT OF CAMPAIGN CONTRIBUTIONS  
 OF  
 \$500 OR MORE

1/1

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Full name and complete mailing address of Political Committee

The PEP Party

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RECEIVED FROM: FULL NAME, MAILING ADDRESS, AND ZIP CODE	RECEIPT TYPE	DATE	AMOUNT
People's Economy Party PO Box 63  Brookfield IL 60513	<input type="checkbox"/> Individual Monetary Contributions <input checked="" type="checkbox"/> Transfers In <input type="checkbox"/> Loans Received <input type="checkbox"/> Other Receipts (No In-kind) <input type="checkbox"/> In-kind Contributions	03/19/2009	3000.00

Eric Wahistrom  
 SIGNATURE OF TREASURER OR CANDIDATE

03/19/2009  
 DATE

THE ILLINOIS BOARD OF ELECTIONS IS REQUESTING DISCLOSURE OF INFORMATION THAT IS NECESSARY IF YOU QUALIFY AS A POLITICAL COMMITTEE AS OUTLINED UNDER PUBLIC ACT 78-1183. DISCLOSURE OF THIS INFORMATION IS REQUIRED. FAILURE TO PROVIDE ANY INFORMATION COULD RESULT IN A FINE UP TO \$1,000.00. THIS FORM IS IN COMPLIANCE WITH THE FORMS MANAGEMENT PROGRAM ACT.

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# SCHEDULE A-1

## REPORT OF CAMPAIGN CONTRIBUTIONS OF \$500 OR MORE

1 / 1

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Brookfield IL 60513

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RECEIVED FROM: FULL NAME, MAILING ADDRESS, AND ZIP CODE	RECEIPT TYPE	DATE	AMOUNT
People's Economy Party PO Box 63  Brookfield IL 60513	<input type="checkbox"/> Individual Monetary Contributions <input checked="" type="checkbox"/> Transfers In <input type="checkbox"/> Loans Received <input type="checkbox"/> Other Receipts (No In-kind) <input type="checkbox"/> In-kind Contributions	03/09/2009	3000.00

Eric Wahlstrom  
SIGNATURE OF TREASURER OR CANDIDATE

03/30/2009  
DATE

THE ILLINOIS BOARD OF ELECTIONS IS REQUESTING DISCLOSURE OF INFORMATION THAT IS NECESSARY IF YOU QUALIFY AS A POLITICAL COMMITTEE AS OUTLINED UNDER PUBLIC ACT 78-1183. DISCLOSURE OF THIS INFORMATION IS REQUIRED. FAILURE TO PROVIDE ANY INFORMATION COULD RESULT IN A FINE UPTO \$1,000.00. THIS FORM IS IN COMPLIANCE WITH THE FORMS MANAGEMENT PROGRAM ACT.

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# SCHEDULE A-1

## REPORT OF CAMPAIGN CONTRIBUTIONS OF \$500 OR MORE

1 / 1

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Peoples Economy Party

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Brookfield IL 60513

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RECEIVED FROM: FULL NAME, MAILING ADDRESS, AND ZIP CODE	RECEIPT TYPE	DATE	AMOUNT
Brian Oberhauser 3647 Sunnyside  Brookfield IL 60513	<input checked="" type="checkbox"/> Individual Monetary Contributions <input type="checkbox"/> Transfers In <input type="checkbox"/> Loans Received <input type="checkbox"/> Other Receipts (No In-kind) <input type="checkbox"/> In-kind Contributions	03/16/2009	500.00
Brigid Weber 3631 Madison  Brookfield IL 60513	<input checked="" type="checkbox"/> Individual Monetary Contributions <input type="checkbox"/> Transfers In <input type="checkbox"/> Loans Received <input type="checkbox"/> Other Receipts (No In-kind) <input type="checkbox"/> In-kind Contributions	03/13/2009	500.00

Eric Wahlstrom  
SIGNATURE OF TREASURER OR CANDIDATE

03/16/2009  
DATE

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# SCHEDULE A-1

## REPORT OF CAMPAIGN CONTRIBUTIONS OF \$500 OR MORE

1 / 1

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Brookfield IL 60513

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RECEIVED FROM: FULL NAME, MAILING ADDRESS, AND ZIP CODE	RECEIPT TYPE	DATE	AMOUNT
Stringini & Garvey 240 E. Lake St.  Addison IL 60101	<input checked="" type="checkbox"/> Individual Monetary Contributions <input type="checkbox"/> Transfers In <input type="checkbox"/> Loans Received <input type="checkbox"/> Other Receipts (No In-kind) <input type="checkbox"/> In-kind Contributions	03/18/2009	1000.00
Michael A. Towner 3431 Vernon  Brookfield IL 60513	<input checked="" type="checkbox"/> Individual Monetary Contributions <input type="checkbox"/> Transfers In <input type="checkbox"/> Loans Received <input type="checkbox"/> Other Receipts (No In-kind) <input type="checkbox"/> In-kind Contributions	03/18/2009	300.00

Eric Wahlstrom

03/20/2009

SIGNATURE OF TREASURER OR CANDIDATE

DATE

THE ILLINOIS BOARD OF ELECTIONS IS REQUESTING DISCLOSURE OF INFORMATION THAT IS NECESSARY IF YOU QUALIFY AS A POLITICAL COMMITTEE AS OUTLINED UNDER PUBLIC ACT 78-1183. DISCLOSURE OF THIS INFORMATION IS REQUIRED. FAILURE TO PROVIDE ANY INFORMATION COULD RESULT IN A FINE UP TO \$1,000.00. THIS FORM IS IN COMPLIANCE WITH THE FORMS MANAGEMENT PROGRAM ACT.

STATE POLITICAL COMMITTEE  
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LOCAL POLITICAL COMMITTEES AND  
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# SCHEDULE A-1

## REPORT OF CAMPAIGN CONTRIBUTIONS OF \$500 OR MORE

1 / 2

**THIS FORM MAY BE  
TRANSMITTED BY FAX.**

Full name and complete mailing address of Political Committee

Peoples Economy Party

PO Box 93

Brookfield IL 60513

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IDENTIFICATION NO.

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CONTRIBUTIONS MUST ALSO BE REPORTED ON THE NEXT REGULAR CAMPAIGN CONTRIBUTIONS REPORT - FORM D-2 - SCHEDULE A.

RECEIVED FROM: FULL NAME, MAILING ADDRESS, AND ZIP CODE	RECEIPT TYPE	DATE	AMOUNT
Frank T. Scarpino 1415 W. 22nd St., Tower Floor  Oak Brook IL 60523	<input checked="" type="checkbox"/> Individual Monetary Contributions <input type="checkbox"/> Transfers In <input type="checkbox"/> Loans Received <input type="checkbox"/> Other Receipts (No In-kind) <input type="checkbox"/> In-kind Contributions	03/23/2009	500.00
Law Offices of Michelle L. Moore 409 S. County Farm Rd., Ste. 110  Wheaton IL 60187	<input checked="" type="checkbox"/> Individual Monetary Contributions <input type="checkbox"/> Transfers In <input type="checkbox"/> Loans Received <input type="checkbox"/> Other Receipts (No In-kind) <input type="checkbox"/> In-kind Contributions	03/23/2009	200.00
Law Offices of Michelle L. Moore 409 S. County Farm Rd., Ste. 110  Wheaton IL 60187	<input checked="" type="checkbox"/> Individual Monetary Contributions <input type="checkbox"/> Transfers In <input type="checkbox"/> Loans Received <input type="checkbox"/> Other Receipts (No In-kind) <input type="checkbox"/> In-kind Contributions	03/23/2009	300.00
Ramsell & Assoc. LLC 128 County Farm Rd., Ste F  Wheaton IL 60187	<input checked="" type="checkbox"/> Individual Monetary Contributions <input type="checkbox"/> Transfers In <input type="checkbox"/> Loans Received <input type="checkbox"/> Other Receipts (No In-kind) <input type="checkbox"/> In-kind Contributions	03/23/2009	500.00
Ryan & Ryan 1555 Bond St., Suite 103  Naperville IL 60563	<input checked="" type="checkbox"/> Individual Monetary Contributions <input type="checkbox"/> Transfers In <input type="checkbox"/> Loans Received <input type="checkbox"/> Other Receipts (No In-kind) <input type="checkbox"/> In-kind Contributions	03/23/2009	200.00

Eric Wahstrom 03/23/2009  
SIGNATURE OF TREASURER OR CANDIDATE DATE

THE ILLINOIS BOARD OF ELECTIONS IS REQUESTING DISCLOSURE OF INFORMATION THAT IS NECESSARY IF YOU QUALIFY AS A POLITICAL COMMITTEE AS OUTLINED UNDER PUBLIC ACT 78-1183. DISCLOSURE OF THIS INFORMATION IS REQUIRED. FAILURE TO PROVIDE ANY INFORMATION COULD RESULT IN A FINE UP TO \$1,000.00. THIS FORM IS IN COMPLIANCE WITH THE FORMS MANAGEMENT PROGRAM ACT.

STATE POLITICAL COMMITTEE  
RETURN TO  
STATE BOARD OF ELECTIONS  
1020 SOUTH SPRING STREET  
P.O BOX 4187  
SPRINGFIELD IL 62708

LOCAL POLITICAL COMMITTEES AND  
STATE AND LOCAL POLITICAL COMMITTEES  
RETURN ORIGINAL TO:  
STATE BOARD OF ELECTIONS  
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APPROPRIATE COUNTY CLERK



# SCHEDULE A-1

## REPORT OF CAMPAIGN CONTRIBUTIONS OF \$500 OR MORE

2 / 2

**THIS FORM MAY BE  
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Full name and complete mailing address of Political Committee

Peoples Economy Party

PO Box 93

Brookfield IL 60513

**FOR OFFICE USE ONLY**

IDENTIFICATION NO.

### INSTRUCTIONS

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RECEIVED FROM: FULL NAME, MAILING ADDRESS, AND ZIP CODE	RECEIPT TYPE	DATE	AMOUNT
Ryan & Ryan 1555 Bond St., Suite 103  Naperville IL 60563  fund raising - food	<input type="checkbox"/> Individual Monetary Contributions <input type="checkbox"/> Transfers In <input type="checkbox"/> Loans Received <input type="checkbox"/> Other Receipts (No In-kind) <input checked="" type="checkbox"/> In-kind Contributions	03/23/2009	473.84

Eric Wahistrom  
SIGNATURE OF TREASURER OR CANDIDATE

03/23/2009  
DATE

THE ILLINOIS BOARD OF ELECTIONS IS REQUESTING DISCLOSURE OF INFORMATION THAT IS NECESSARY IF YOU QUALIFY AS A POLITICAL COMMITTEE AS OUTLINED UNDER PUBLIC ACT 78-1183. DISCLOSURE OF THIS INFORMATION IS REQUIRED. FAILURE TO PROVIDE ANY INFORMATION COULD RESULT IN A FINE UPTO \$1,000.00. THIS FORM IS IN COMPLIANCE WITH THE FORMS MANAGEMENT PROGRAM ACT.

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# SCHEDULE A-1

## REPORT OF CAMPAIGN CONTRIBUTIONS OF \$500 OR MORE

1 / 1

**THIS FORM MAY BE  
TRANSMITTED BY FAX.**

Full name and complete mailing address of Political Committee

Peoples Economy Party

PO Box 93

Brookfield IL 60513

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RECEIVED FROM: FULL NAME, MAILING ADDRESS, AND ZIP CODE	RECEIPT TYPE	DATE	AMOUNT
Hunt, Kaiser, Aranda, & Subach LTD 1035 S. York Rd.  Bensenville IL 60106	<input checked="" type="checkbox"/> Individual Monetary Contributions <input type="checkbox"/> Transfers In <input type="checkbox"/> Loans Received <input type="checkbox"/> Other Receipts (No In-kind) <input type="checkbox"/> In-kind Contributions	03/27/2009	500.00

Eric Wahlstrom  
SIGNATURE OF TREASURER OR CANDIDATE

03/30/2009  
DATE

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LOCAL POLITICAL COMMITTEES AND  
STATE AND LOCAL POLITICAL COMMITTEES  
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STATE BOARD OF ELECTIONS  
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APPROPRIATE COUNTY CLERK

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**STATE OF ILLINOIS  
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS**

Illinois State Board of Elections

**Complainant**

v.

**09 CE 051**

Graham for 202

L 15242

**Respondent**

**REPORT OF HEARING EXAMINER**

Appeal of Civil Penalty Assessment For Delinquently Filing the  
Pre-Election Report for the 2009 Consolidated Election

The Report was received on May 7, 2009, 11 days late, resulting in a civil penalty assessment of \$1100. The total assessment is \$1100.

James N. Bernstein, the Chairman of the Committee, filed a Waiver of Appearance and submitted on the Appeal Affidavit the following:

On the Affidavit, Mr. Bernstein stated that the Committee was established to support the candidacy of Debbie Graham for the District 202 Board of Education. Although the election was uncontested, the Committee was formed to raise funds for the purpose of educating the voting public about Ms. Graham, a first time candidate. The Committee did not intend to raise more than \$3,000, and therefore, did not plan to file a D-1 Form or believe it was necessary to do so, according to Board educational materials. The only reason the campaign filed a D-1 form was because the bank the Committee approached to establish an account for the Committee refused to open the account without submission of the D-1 form. Based upon Board educational materials, the Committee still did not believe or understand that it was necessary to file reports, since they did not cross the \$3000 threshold. The first time the Committee became aware of its need to file was when the Committee received a notice of its failure to file the Pre-Election Report for the 2009 Consolidated Election. This letter, dated 4/6/09, was sent to the campaign treasurer who took several days to pass it along to the campaign chairman and the candidate. Once this letter was received, it took some time to gather the required documentation since the campaign committee was not expecting to file reports and was operating under the belief that it was not required to do so. Indeed, they would have looked for a different bank in which to open an account if they had known filing that D-1 would trigger the reporting obligation. The delayed submission of the Pre-Election Report was the result of (a) a mistaken understanding upon the part of the bank about requirements for establishing campaign bank accounts; and (b) a mistaken understanding on the part of the Committee about the consequences of filing a D-1 Form. The Committee also submitted a letter from Deborah Graham with basically the same information as the Affidavit and copies of a Board brochure entitled 'Are You Required to File?'

Mr. Bernstein stated that the Committee never reached the \$3000 threshold and only filed the D-1 at the direction of the bank, and also stated that they received no notification until the delinquency letter received by the Treasurer on April 6, 2009. The Notification of Obligation to file the pre-election report, and a reminder notice, were sent to the Committee address on 3/16/09 and 3/18/09. The Committee address is that of the Treasurer, whose responsibility it is to file disclosure reports. The Board met its notification requirements; if the Committee was unsure whether or not it had to file reports, it could easily have gotten that information by placing a call to the Board. It appears that a lack of communication between the Treasurer and the Candidate and Chairman, may have at least partially contributed to the misunderstanding regarding the need to file the pre-election report. The Committee established its Date of Creation as March 3, 2009. Although it had not and still has not met the \$3000 threshold, it became a political committee and agreed to abide by the Campaign Financing Act when it filed a D-1 Statement of Organization, regardless of the reason for this filing. If it chooses to discontinue fundraising, stop its political activity, dispose of any residual funds, and file a final report, it may do so. But if it chooses to remain an active political committee, it must file all reports timely or be penalized for late filing. Therefore, I recommend that the Appeal be denied. As a first violation, the penalty is stayed.



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Sharon Steward – Hearing Examiner

October 7, 2009

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187  
Springfield, Illinois 62708  
217/782-4141  
Fax: 217/782-5959

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Chicago Illinois 60601  
312/814-6440  
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Daniel W. White  
June 25, 2009

Graham for 202  
James Bernstein  
2762 Woodbine Ave  
Evanston, IL 60201

L15242

Dear Graham for 202;

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:	Pre-Election Report of Campaign Contributions
Report Period:	January 26, 2009 through March 8, 2009
Filing Period:	March 9, 2009 through March 23, 2009

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received by the Board on May 7, 2009, 11 day(s) late. As such, this committee has been assessed a fine of \$1100.00.

Enclosed please find Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. **Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.**

Since this is a first time violation, the assessed civil penalty will be *stayed*. Any subsequent violation of any provision of Article 9 of the Election Code or of a Board Order shall result in the assessment of an additional penalty as provided in Section 125.425 of the Rules and Regulations governing the State Board of Elections, with that civil penalty and any previously assessed penalty to be paid within 30 days. Therefore, you need not pay this assessed civil penalty unless another violation occurs.

If you have questions regarding the appeal process, please call Sue McArthur at 217/782-1543.

Sincerely,

A handwritten signature in black ink, appearing to read "Rupert T. Borgsmiller".

Rupert T. Borgsmiller  
Director, Campaign Disclosure

RTB:sm  
Enclosure(s): appeal packet

State of Illinois )  
County of \_\_\_\_\_ )

STATE BOARD OF ELECTIONS  
09 JUL 20 PM 3:16

BEFORE THE STATE BOARD OF ELECTIONS  
OF THE STATE OF ILLINOIS

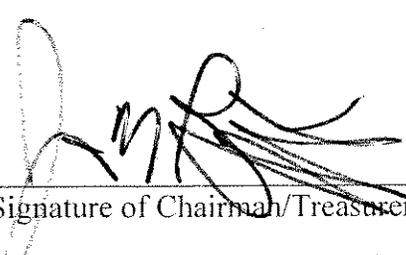
IN THE MATTER OF; )  
ILLINOIS STATE BOARD OF ELECTIONS, )  
Complainant )  
Vs. )  
Graham for 202 )  
Respondent(s). )

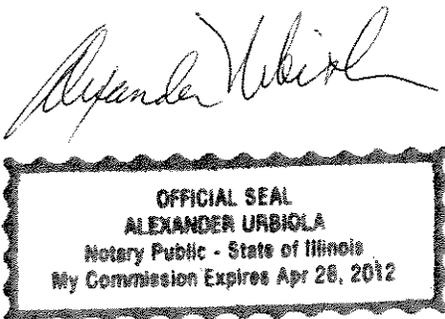
Case No. 09CE051

REQUEST FOR HEARING

I, James N. Bernstein, the Chairman  
(Name) (Chairman/Treasurer)  
Graham for 202  
(Name of Committee)

Committee, appeals on behalf of the said committee the assessment of civil penalty proposed in this matter and submits in support of that appeal the accompanying affidavit. The said committee requests a public hearing at which it will appear to offer reasons and defenses why the proposed assessment should not be imposed.

  
(Signature of Chairman/Treasurer)



Graham for 202 was/is a campaign committee established to support the candidacy of Deborah Graham for the District 202 Board of Education. Although the election was uncontested, the committee was formed to raise funds for the purpose of educating the voting public about Ms. Graham... a first-time candidate.

The committee did not intend to raise more than \$3,000 and therefore did not plan to file a D-1 Form or believe it was necessary to do so, according to the brochure "A Guide: Are You Required to File?" published by the State Board of Elections (copy attached). The only reason the campaign filed a D-1 form was because the bank the committee approached to establish an account for the campaign (First Bank & Trust of Evanston) refused to open said account without submission of the D-1 form. (See supporting statements of Deborah Graham, candidate.) Given the guidelines set forth in "A ~~and~~ Guide: Are You Required to File?" the campaign committee Graham for 202 still did not believe or understand that it was necessary to file reports of campaign contributions since these contributions would not exceed \$3,000. (Indeed, the total cash contributions raised by Graham for 202 amounted to less than \$700, plus in-kind contributions of \$550.) The first time ~~the~~ Graham for 202 became aware of its need to file was when the committee received by mail a notice of its failure to file the Pre-election Report of Campaign Contributions for the report period Jan 26, 2009 through March 8, 2009. This letter, dated 4/6/2009, was sent to the campaign treasurer (Marion Clemens), who ~~did not~~ took several days to pass it along to the campaign chairman and candidate. Once this letter was received, it took some time to gather the required documentation since the campaign committee was not expecting to file a pre-election report and was operating under the (mistaken) belief that it was not required to do so. Indeed, the committee would not have filed the D-1 form if it had known that this would necessitate the filing of reports, and Graham for 202 would have sought out a different bank if it had been aware that filing the D-1 form, per its bank's insistence, would result in subsequent reporting requirements. The delayed submission of Graham for 202's pre-election report was the result of (a) a mistaken understanding of the part of the bank about re: 174 its for establishing campaign bank accounts; (b) a misunderstanding on the part of the committee of filing a D-1 Form.

## STATEMENT OF DEBORAH A. GRAHAM on behalf of GRAHAM FOR 202

I, Deborah A. Graham, was a candidate for the District 202 Board of Education in the April 9, 2009 election. Although this election was uncontested, I established a campaign committee (Graham for 202) in order to conduct campaign activities, including fundraising to finance the production of campaign materials (principally, a brochure that would educate the voting public about myself and my positions). My husband, James N. Bernstein, served as the chair of Graham for 202, and a friend, Marion Clemens, agreed to serve as the campaign treasurer. We all shared the understanding that the campaign committee would raise less than \$3,000 and therefore would neither be required to file a D-1 Form nor be subject to reporting requirements under Illinois law.

On the afternoon of March 3, 2009, Marion Clemens and I went to First Bank & Trust of Evanston in order to set up a bank account for Graham for 202. (The campaign had ordered brochures to be distributed at a major candidates' forum on March 4 and stationery to be used for purposes of generating funds for the campaign. We needed to pay for both the brochures and the stationery with campaign funds, although these funds actually had yet to be raised.) At First Bank & Trust, Ms. Clemens and I were told by a bank officer that we could not set up a bank account without having a campaign committee number, which we could only obtain by filing a D-1 Form. Given the time constraints, which necessitated us paying for the brochures/stationery before the candidate event the next day, I did not check with the Illinois State Board of Elections or with a lawyer to verify that establishing a campaign bank account required submission of a D-1 Form. Instead, I simply went ahead and filed the D-1 Form on the morning of March 4 so that I could set up the bank account in time to obtain checks with which to pay for the materials ordered by Graham for 202.

Neither Ms. Clemens nor I nor my husband (the chair of Graham for 202) understood that filing the D-1 Form would require us to submit campaign finance reports. Since Graham for 202 did not intend to raise more than \$3,000 (and, indeed, did not even come close to raising that amount of money), we believed that we were under no obligation to file campaign finance reports, even though we had filed the D-1 Form. The only reason we filed that form was because the bank demanded that we do so in order to set up an account for the campaign. Later on, I checked with Jeff Smith, an Evanston attorney who is highly experienced in election law, and asked about whether my campaign committee was required to file campaign contribution reports if it was raising less than \$3,000. Although I did not inform Mr. Smith about Graham for 202 having already filed a D-1 Form, he confirmed my understanding that campaigns raising less than \$3,000 are exempt from reporting requirements.

To summarize, Graham for 202 filed a D-1 Form at the insistence of its bank, which would not establish an account for the campaign committee unless this form was filed. Had Graham for 202 known that filing the D-1 Form would subject it to the reporting requirements governing campaign contributions (even though these contributions did not meet the \$3,000 threshold), the campaign committee would never have filed the D-1 Form in the first place but instead would have attempted to set up a bank account at a different bank.

175   
July 15, 2009

## **A GUIDE: ARE YOU REQUIRED TO FILE?**

This brochure has been designed to help you easily determine if there is a need for you to comply with the Illinois Campaign Financing Act. The act applies to all candidates or political committees as defined in the following sections.

This brochure is not a complete or fully detailed digest, but an overview intended to help in understanding basic responsibilities under the law. Some of the language in this brochure is presented in simplified form, and should not be considered an exact translation of applicable law or legislation.

For more complete and authoritative guidance concerning all areas of fundraising, refer to actual statutory language and to the State Board of Elections Rules and Regulations. Consultation with professional legal counsel is also encouraged. Additionally, assistance from the State Board of Elections or other governmental authorities, where jurisdiction exists, is encouraged.

### **I) WHO IS REQUIRED TO FILE?**

Candidates, groups or individuals who raise or spend more than \$3,000 in any 12-month period in support of or in opposition to a candidate or question or public policy or for electioneering communication generally must file paperwork to create a political committee with the State Board of Elections. Political committees must then file periodic disclosure reports with the Board, detailing the money they raise and spend. This filing obligation continues until such time as a committee ceases operations, disposes of any remaining assets, and files an acceptable Final Report with the Board.

Nonprofit organizations, except for labor unions, must register with the State Board of Elections if they raise or spend more than \$5,000 in any 12-month period in support of or in opposition to public officials, candidates, questions of public policy or for electioneering communication.

“Electioneering communication” is defined as any form of communication or advertising that refers to a clearly identified candidate, political party or question of public policy that will appear on the ballot, and is made within the 60-days before a general or consolidated election or 30-days before a primary election. This applies regardless of whether the candidate, party or committee in question has knowledge of or has consented to the communication. Electioneering communication does not include communications exclusively between labor unions and their members or Section 501(c)(6) organizations and their members.

### **II) WHO IS NOT REQUIRED TO FILE WITH THE STATE BOARD OF ELECTIONS?**

- (1) A candidate for federal office;
- (2) A candidate for a party office, except for candidates for ward or township committeeman in Cook County;
- (3) A candidate or committee who does not accept or expend more than \$3,000 in a 12-month period on behalf of or in opposition to either a candidate (or candidates) or a question of public policy to be submitted to the electors.

### **III) WHAT IS A COMMITTEE?**

For reporting purposes, the Illinois Campaign Financing Act divides political committees into three major categories – Local, State, State and Local. Detailed descriptions of these committee types can be found in Sections 9-1.7, 9-1.8 and 9-1.9 of the Act.

Simply put, a Local Committee is generally formed to support or oppose a candidate who files a Statement of Economic Interest with the County Clerk or a question of public policy that will appear on the ballot in a single county. A State Committee is generally formed to support or oppose a candidate who

files a Statement of Economic Interest with the Secretary of State or a question of public policy that will appear on the ballot in more than one county. A State and Local Committee is formed to support or oppose candidates for both state and local office.

State and County central committees of any established political party are also considered to be political committees, and must file with the Board regardless of the amount of money they raise or spend.

#### **IV) WHEN AND WHERE DO REQUIRED FORMS HAVE TO BE FILED?**

Once a committee passes the \$3,000 threshold, it must file a Statement of Organization (Form D-1) within 10-business days. If the committee creates in the 30-days before an election it must file the Statement of Organization within 5-business days. The form is filed with the State Board of Elections for all committees, and additionally with the County Clerk for Local and for State and Local Committees. Required forms are available from the Board or the County Clerk.

Reports containing the information required by statute must be submitted on forms designed and supplied by the State Board of Elections or on computer-generated forms conforming to those designed by the State Board of Elections.

#### **V) WHO MUST FILE ELECTRONICALLY?**

Any political committee which during any reporting period has at any time a balance or an accumulation of contributions of \$10,000 or more, makes aggregate expenditures of \$10,000 or more, or receives loans of an aggregate of \$10,000 or more, must file campaign disclosure reports electronically with the State Board of Elections. Electronic filings by all political committees are encouraged, even if they have not passed the \$10,000 threshold.

Electronic filing software is available free of charge from the State Board of Elections on CD-ROM or diskette, or may be downloaded from the SBE website at [www.elections.il.gov](http://www.elections.il.gov).

If a political committee meets the threshold requiring it to report electronically, it must continue to file reports electronically until it dissolves, even if it drops back below the threshold. If a committee is required to file electronically, paper filing of reports will no longer be acceptable from that committee.

For additional guidance, refer to *Disclosure of Campaign Contributions and Expenditures and Rules and Regulations* and *A Guide to Campaign Disclosure* issued by the State Board of Elections. You are also encouraged to seek assistance from the State Board of Elections when necessary, by letter, telephone, FAX or e-mail (through website).

#### **VI) KEEP IN MIND...**

Even though you may not expect to accept or expend more than \$3,000 in a 12-month period, the State Board of Elections recommends that you keep accurate and detailed records of all contributions received and all expenditures made.

IN-KIND CONTRIBUTIONS must be counted towards the \$3,000 threshold. Contributions or expenditures made by a candidate on behalf of his own candidacy or committee must also be counted toward the threshold.

STATE BOARD OF ELECTIONS

STATE OF ILLINOIS



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Fax: 217/782-5959

James R. Thompson Center  
100 West Randolph, Suite 14-100  
Chicago, Illinois 60601  
312/814-6440  
Fax: 312/814-6485

4/6/2009

Graham for 202  
c/o Marion Clemens  
2761 Woodbine Ave  
Evanston, IL 60201-1564

Graham for 202  
L15242

Dear Political Committee:

Our records indicate that your committee has failed to file the following document during the filing period.

Report Type: Pre-election Report of Campaign Contributions  
Report Period: Jan 26, 2009 through Mar 8, 2009  
Filing Period: Mar 9, 2009 through Mar 23, 2009

Based upon your committee's failure to comply with the provisions of 10 ILCS 5/9-10 of the Election Code, it is being assessed a civil penalty for each day this report remains unfiled.

After your report is received in this office, you will be mailed an assessment notice, advising you of the amount of the civil penalty being assessed against this committee. You will also be provided with forms with which to appeal such penalty, if you feel you have been assessed such penalty in error. Notice of Appeal must be filed within 30 days of the mailing of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period of time, you forfeit the right to contest this assessment notice at any time in the future.

The assessed civil penalty shall be stayed for a first time violation. Any subsequent violation of any provision of Article 9 of the Election Code or of a Board Order shall result in the assessment of another penalty as provided in Section 125.425 of the Rules and Regulations governing the State Board of Elections, with that civil penalty and any previously assessed penalty to be paid within 30 days.

If you fail to file a report, a complaint may be filed against this committee.

My staff and I are available to provide assistance in this matter.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Rupert Borgsmiller".

Rupert Borgsmiller  
Director of Campaign Disclosure

STATE OF ILLINOIS  
COUNTY OF SANGAMON

BEFORE THE STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

Illinois State Board of Elections

**Complainant**

v.

**08 AG 024**

Vermilion County Democratic Party

S1100

**Respondent**

**REPORT OF HEARING EXAMINER**

Appeal of Civil Penalty Assessment for Failing to File  
A Schedule A-1 for the 2008 General Election

This Committee received one contribution of \$2000 on 10/28/08, but failed to list it on a Schedule A-1, resulting in a civil penalty assessment of \$2000. In addition, this Committee had previously been assessed a \$1000 civil penalty (appealed, appeal denied, paid) for delinquently filing the 2006 December semi-annual report; a \$100 civil penalty (appealed, appeal denied, penalty reduced, paid) for failing to file a Schedule A-1 for the 2006 General Election; and a \$200 civil penalty (appealed, appeal denied, paid) for delinquently filing the semi-annual report for the 2006 General Election. The total outstanding assessment is \$2000.

Tim Berthel, the Treasurer of the Committee, filed a Waiver of Appearance and submitted on the Appeal Affidavit, the following:

On the Affidavit, Mr. Berthel expressed his dissatisfaction with the fact that the Board does not take into consideration whether the violation occurred under a new treasurer. He also expresses dissatisfaction with the strict timing of the filing of a Schedule A-1, while the assessment of this penalty didn't occur until April of 2009. He states that he will be gone in 5 years, and another treasurer will have to learn our law and rules; feeling that it is unfair to a small volunteer organization. He asks for leniency and also suggests that the software be made more practical and helpful.

I recommend that the appeal be denied for lack of an adequate defense. I understand Mr. Berthel's frustration, but allowing each new treasurer to begin with a clean slate could potentially open a large loophole in the enforcement process. As currently provided in Section 125.425(k)(1) of Board Rules, a Committee does have a clean slate if it has paid all assessed civil penalties and has not committed a violation of the Act during a two year period from the date of receipt of payment by the Board. From this affidavit, there is no indication that this violation was anything other than inadvertent and unintentional; I therefore recommend that the penalty be reduced to 50% of the assessed civil penalty, or \$1000, since this is the second election for which a penalty has been assessed for a delinquent Schedule A-1. If this recommendation is accepted by the Board, the \$1000 civil penalty will be due and owing.



Sharon Steward – Hearing Examiner

September 17, 2009

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187  
Springfield, Illinois 62708  
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Wanda Rednour  
Jesse Smart  
Robert Walters

EXECUTIVE DIRECTOR  
Daniel W. White  
April 29, 2009

Vermilion County Democratic Party  
916 E Fairchild St  
Danville, IL 61832

S1100

Dear Vermilion County Democratic Party;

This committee has failed to file the following Schedule A-1's, Report of Campaign contributions of more than \$500.00, within 2 business days of receipt as required by the Illinois Campaign Disclosure Act:

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Fine Assessed</u>	<u>Amount of Contribution</u>	<u>Date A-1 Received</u>	<u>Days Late</u>
Downstate County Chairmen's Assoc	10/28/08	\$2000.00	\$2000.00	*not filed	2

The committee is fined a **total** of \$2000.00 for delinquently filing Schedule A-1 reports as required by the Illinois Campaign Disclosure Act. This total **does not** reflect any previously assessed fines.

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b-5) of the Election Code, the Board may impose fines for violations not to exceed 100% of the total amount of the contributions that were untimely reported, but in no case when a fine is imposed shall it be less than 10% of the total amount of the contributions that were untimely reported.

Since this is the second delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$1000.00, (50% of the total amount reflected above) if you do not choose to file an appeal under the Board's present policy. The total amount due will be imposed with the issuance of a Final Board Order after the 30-day appeal period had expired. This amount must be paid (including any previously assessed fines), within 30 days of the issuance of the Order.

Enclosed please find Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fines if you believe the civil penalties have been assessed in error. ***If you have a legitimate reason for your delinquent filing, it would behoove you to send in the appeal form since the Board has the discretion to take extenuating and other circumstances into account in determining the amount of your penalty.*** Notice of Appeal must be filed within 30 days of the date of this assessment for it to be considered.

If you have any questions regarding the appeal procedure, please call Sue McArthur at 217/782-1543.

Sincerely,



Rupert T. Borgsmiller

Director, Division of Campaign Disclosure

RTB:sm

\* This contribution was reported on the December 2008 Semi-Annual Report but should have been reported on a Schedule A-1 Report of Campaign Contributions of more than \$500.00, within 2 business days of receipt.

\*\* This contribution did not, by itself, necessitate filing of a Schedule A-1. No fine was assessed for this contribution – it is listed for informational purposes only. A subsequent contribution, when aggregated with this contribution, exceeded the "more than \$500.00" threshold and was used as the basis for the fine assessment.

State of Illinois )  
County of vermilion )

STATE BOARD OF ELECTIONS  
09 MAY 27 PM 12:03

BEFORE THE STATE BOARD OF ELECTIONS  
OF THE STATE OF ILLINOIS

IN THE MATTER OF; )  
ILLINOIS STATE BOARD OF ELECTIONS, )  
Complainant )  
Vs. )  
Vermilion County Democratic Party)  
Respondent(s). )

Case No. 08AG-024

APPEAL AFFIDAVIT

I, Tim Berthel, the Treasurer of the  
(Name) (Chairman/Treasurer)  
Vermilion County Democratic Party  
(Name of the Committee)

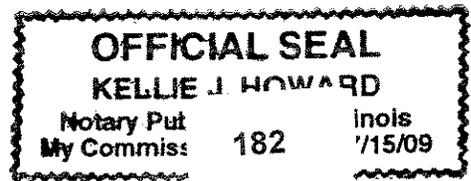
Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

SEE LETTER ENCLOSED!  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signed and Sworn to by:

before me this 26 Day of  
May, 2009  
Kellie J. Howard  
Notary Public

[Signature]  
(Signature of Chairman/Treasurer)



15 May 2009

To: State Board of Elections

Good morning,

As a volunteer to our local committee, I was quite startled to receive your notice of penalty. After spending what spare time I have learning to enter and file reports, and being penalized for being late last year by two days on a report, due to a computer glitch, I realized how strict you can be in the timing of the reports. I took you seriously about your timing issue and filed the last three reports early, allowing for any glitches. Having taken the responsibility to take this system seriously and diligently, I was further discouraged to encounter a new rule.

This is disheartening because the rule I was unaware of didn't come with a notice of having missed the rule in an educational warning, but with a sledge hammer of a fine! As an organization of less than \$10,000, to be imposed with a fine of \$1,000 is brutal. There is no leeway here for learning. You take into consideration the history of the committee as to the fine, but you don't take into consideration that both previous violations of this rule were under two previous treasurers. This reflects more on the Board of Elections than it does on the committee. In short, you have no learning curve for a new treasurer. This would be excusable if the committee was worth \$100,000 and we had a full time administrator.

Next, I would like to say a thing about technology. Two things strike me here about your computer system. First you're extremely strict as to our being on time with reports and with this specific rule needing to file a schedule A-1 within two days of receiving this

donation. Yet here it is, your letter to this violation is dated April 29<sup>th</sup>! This is three months after filing the report which contained the violation, which tells me the computer either didn't detect the violation or it is the slowest system in the world.

If the system were to be designed on your end to detect errors like this, it could be programmed to inform the user with a question upon entering a donation as to the timing of the election and the rule thereof.

The central problem in this case is that over the next 5 years I will be gone from this committee and another treasurer will have to learn the system. As it stands, this system is unfair and unjust to the small local volunteer organizations trying to make a difference in local politics. Instead, we have you keeping score on our past mistakes and imposing fines accordingly. If the intent of the state board of elections is to foster disclosure and prevent fraud, disclosing the transaction at the end of the quarter shows no intent to defraud. But, since the transaction is about timing (30 days prior to an election), then we should look at my history as treasurer in regards to this transaction. This is the first such transaction in the year and a half that I've been treasurer that we've had such a transaction (over \$500, 30 days before an election). Which also reflects a great deal on our committee (one such transaction in the midst of a record breaking national election), and you want to fine us half of that transaction! For those of us who are local treasurers, when filing a quarterly report, an errors report comes up, which is great, but even at that point, it is too late to avoid a violation.

In light of these observations, I ask that the State Board of Elections grant leniency toward this fine, with an eye towards my personal record as Treasurer of the committee. I further request that the State Board of Elections pursue a more practical and informative

software system, a system which we are bound to in our reports. Please advise as to your decision at your earliest convenience.

Respectfully submitted,

Tim Berthel

Treasurer, Vermilion County Democratic Party

TAB/bb

STATE OF ILLINOIS  
COUNTY OF COOK

BEFORE THE STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

Illinois State Board of Elections  
**Complainant**

v.

08 AG 082

Citizens for Ronald A. Wait  
**Respondent**

S2926

**REPORT OF HEARING EXAMINER**

Appeal of Civil Penalty Assessment for Failure to File Schedule A-1's  
For the November 2008 General Election

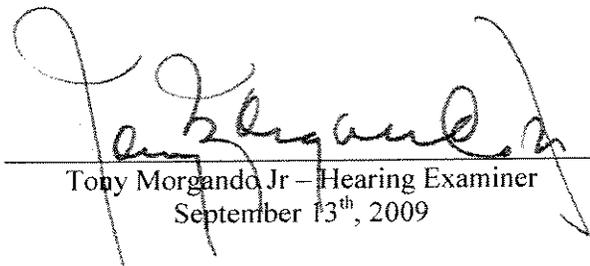
According to the political committee's December 2008 Semi Annual Report, it received sixteen (16) contributions totaling \$71,960.00, during the Schedule A-1 filing period, October 6<sup>th</sup>, 2008 through and including November 3<sup>rd</sup>, 2008, which failed to be reported as required by statute. The political committee has been fined an assessed civil penalty in the amount of \$71,960.00.

Mr. Ronald A. Wait, Candidate, filed a Request for Hearing and Appeal Affidavit, on July 9<sup>th</sup>, 2009, indicating as good reason or defense: "(1) As for the alleged House Republican Organization violations, said contributions were in-kind contributions of media buys on several Rockford TV stations. Given the high amount of spending activity that took place during this campaign, the proper A-1 filings for these contributions were unfortunately missed, enough though the Committee did file numerous other A-1's during the course of the campaign. (2) In filing its A-1s for numerous other contributions, and by reporting these in-kind media buys on its semi-annual report, the Committee fully intended to comply with the Campaign Finance Law, and to live within the spirit of the Campaign Finance Law. (3) Any of the actions alleged to be violations referred were committed inadvertently, and without any intent whatsoever to violate the Campaign Finance Law".

Hearing in this matter was scheduled for Tuesday, August 18<sup>th</sup>, 2009, to be conducted at the Chicago Board office, 100 W. Randolph, 14<sup>th</sup> Floor, at 9:00 a.m., subsequently continued to Thursday, September 3<sup>rd</sup>, 2009, at 9:00 a.m.

Mr. Eugene Caprino, Executive Director, House Republican Campaign Committee, and Mr. John Fogarty, Counsel, appeared on behalf of the Respondent. Counsel confirmed statements contained in the Appeal Affidavit, stating the candidate's intense involvement in a highly contested race. Counsel referred to the timely filing history of the political committee since its initial creation in 1982.

Based upon a review of the documents/statements submitted in this matter, the Hearing Examiner notes the significant amount of contributions unreported consisted of in-kind donations. Regardless, the political committee has the responsibility to accurately and in a timely manner, disclose these receipts. It is therefore the recommendation of the Hearing Examiner that the appeal *be denied* in this matter. The Hearing Examiner notes this is the first delinquent filing of a Schedule A-1 by the political committee, and therefore recommends that the total amount of the civil penalty be reduced 10% to \$7,197.00, and such amount be due and owing.



Tony Morgando, Jr – Hearing Examiner  
September 13<sup>th</sup>, 2009

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187  
Springfield, Illinois 62708  
217/782-4141  
Fax: 217/782-5959

James R. Thompson Center  
100 West Randolph, Suite 14-100  
Chicago Illinois 60601  
312/814-6440  
Fax: 312/814-6485



BOARD MEMBERS  
Albert Porter, Chairman  
Bryan Schneider, Vice Chairman  
Patrick Brady  
John Keith  
William McGuffage  
Wanda Rednour  
Jesse Smart  
Robert Walters

EXECUTIVE DIRECTOR  
Daniel W. White  
June 25, 2009

Citizens for Ronald A. Wait  
Timothy Wait  
7210 Mabels Way  
Loves Park, IL 61111

S2926

Dear Citizens for Ronald A. Wait;

This committee has failed to file the following Schedule A-1's, Report of Campaign contributions of more than \$500.00, within 2 business days of receipt as required by the Illinois Campaign Disclosure Act:

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Fine Assessed</u>	<u>Amount of Contribution</u>	<u>Date A-1 Received</u>	<u>Days Late</u>
House Republican Org.	10/25/08	9040.00	9040.00	*not filed	4
House Republican Org.	10/25/08	6685.00	6685.00	*not filed	4
House Republican Org.	10/25/08	7195.00	7195.00	*not filed	4
House Republican Org.	10/25/08	8125.00	8125.00	*not filed	4
House Republican Org.	10/25/08	9525.00	9525.00	*not filed	4
House Republican Org.	10/25/08	7725.00	7725.00	*not filed	4
House Republican Org.	10/26/08	8125.00	8125.00	*not filed	4
House Republican Org.	10/25/08/	6850.00	6850.00	*not filed	4
House Republican Org.	10/25/08	1500.00	1500.00	*not filed	4
House Republican Org.	10/26/08	940.00	940.00	*not filed	4
State Universities Annuitants	10/28/08	750.00	750.00	*not filed	8
Tooling & Manufacturing	10/24/08	1000.00	1000.00	*not filed	4
RPAC Realtors	10/24/08	1000.00	1000.00	*not filed	4
SEIU PAC	10/24/08	500.00	500.00	*not filed	4

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Fine Assessed</u>	<u>Amount of Contribution</u>	<u>Date A-1 Received</u>	<u>Days Late</u>
Illinois Insurance PAC	10/24/08	1000.00 ✓	1000.00	*not filed	4
Citizens for Dave Leitch	10/24/08	2000.00	2000.00	*not filed	4

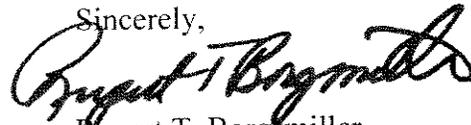
The committee is fined a **total** of \$71960.16 for delinquently filing Schedule A-1 reports as required by the Illinois Campaign Disclosure Act. This total *does not* reflect any previously assessed fines.

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b-5) of the Election Code, the Board may impose fines for violations not to exceed 100% of the total amount of the contributions that were untimely reported, but in no case when a fine is imposed shall it be less than 10% of the total amount of the contributions that were untimely reported.

Since this is the first delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$7197.00, (10% of the total amount reflected above) if you do not choose to file an appeal under the Board's present policy. The total amount due will be imposed with the issuance of a Final Board Order after the 30-day appeal period had expired. This amount must be paid (including any previously assessed fines), within 30 days of the issuance of the Order

Enclosed please find Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fines if you believe the civil penalties have been assessed in error. *If you have a legitimate reason for your delinquent filing, it would behoove you to send in the appeal form since the Board has the discretion to take extenuating and other circumstances into account in determining the amount of your penalty.* Notice of Appeal must be filed within 30 days of the date of this assessment for it to be considered. If you have any questions regarding the appeal procedure, please call Sue McArthur at 217/782-1543.

Sincerely,



Rupert T. Borgsmiller

Director, Division of Campaign Disclosure

RTB:sm

cc: Officer(s), Candidate(s)

\* This contribution was reported on the December 2008 Semi-annual Report but should have been reported on a Schedule A-1 Report of Campaign Contributions of more than \$500.00, within 2 business days of receipt.

\*\* This contribution did not, by itself, necessitate filing of a Schedule A-1. No fine was assessed for this contribution – it is listed for informational purposes only. A subsequent contribution, when aggregated with this contribution, exceeded the "more than \$500.00" threshold and was used as the basis for the fine assessment.

STATE BOARD OF ELECTIONS

09 JUL 27 PM 4:23

State of Illinois )  
County of \_\_\_\_\_ )

**BEFORE THE STATE BOARD OF ELECTIONS  
OF THE STATE OF ILLINOIS**

In The Matter Of )  
Illinois State Board Of Elections, )  
Complainant )

v. )

Citizens For Ronald A. Wait, )

Respondent. )

No. 08 AG 082

**APPEAL AFFIDAVIT**

I, Ronald A. Wait, the candidate of Citizens For Ronald A. Wait ("the Committee"), first being duly sworn, depose and state that I represent that the Committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

1. As for the alleged House Republican Organization violations, said contributions were in-kind contributions of media buys on several Rockford TV stations. The Committee inadvertently did not file A-1's for these media buys. Given the high amount of spending activity that took place during this campaign, which was extremely high-profile and expensive for both candidates, the proper A-1 filings for these contributions were unfortunately missed, even though the Committee did file numerous other A-1's during the course of the campaign.

2. In filing it's A-1s for numerous other contributions, and by reporting these in-kind media buys on its semi-annual report, the Committee fully intended to comply with the Campaign Finance Law, and to live within the spirit of the Campaign Finance Law.

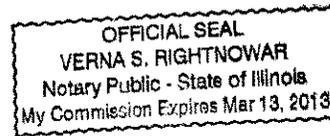
3. Any of the actions that are alleged to be violations referred were committed inadvertently, and without any intent whatsoever to violate the Campaign Finance Law.

4. Affiant further sayeth not.

Ronald A. Wait  
Chairman/Treasurer  
Citizens For Ronald A. Wait

Subscribed and sworn to before me  
this 27 day of July, 2009.

Verna S. Rightnowar  
Notary Public



STATE OF ILLINOIS  
COUNTY OF SANGAMON

BEFORE THE STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

Illinois State Board of Elections

**Complainant**

v.

08 AP 041

Committee to Elect Rickey Hendon                      S 6825

**Respondent**

**REPORT OF HEARING EXAMINER**

Appeal of Civil Penalty Assessment for Failure to File a Schedule A-1  
For the 2008 General Primary Election

This Committee received a contribution of \$18,000 on 2/1/08, but failed to list it on a Schedule A-1. The total assessment is \$18,000. This Committee had been assessed a \$500 civil penalty (not appealed, paid) for delinquent filing a Schedule A-1 for the 2004 General Election. In addition, it had been assessed a \$400 civil penalty (not appealed, paid) for delinquent filing a Pre-Election Report for the 2006 General Election. The total assessment is \$18,000.

Patricia Horton, the Treasurer of the Committee, filed a Waiver of Appearance and submitted on the Appeal Affidavit the following:

On the Affidavit, Ms. Horton stated that as Treasurer of the Committee, she is requesting the removal of the fine or a reduction of the penalty imposed against the Respondent. The reasons for her defense are that she has never filed an A-1 late. She has always been timely with the submittals of A-1's. In addition, she had a medical emergency at the time with her mother; she had to be rushed to the hospital which they later found was due to kidney failure, and had to immediately be put on dialysis. She was designated as her power of attorney and had to make a lot of decisions concerning her health, which possibly allowed the pressing matter of filing the A-1 on time to slip past her.

The Committee's filing history shows that this Committee had filed 7 other Schedule A-1 reports from 1/25/08 through 2/5/08, during the time of her mother's illness. I therefore recommend that the appeal be denied, but as demonstrated by the filings of 7 other A-1s during that period, there is no indication that this violation was anything other than inadvertent and unintentional. Therefore, since this was the first A-1 assessment since 2004, I further recommend that the penalty be reduced to 10% of the original assessment or \$1800. If this recommendation is accepted by the Board, the amount of \$1800 will be due and owing.

  
Sharon Steward – Hearing Examiner

October 7, 2009

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187  
Springfield, Illinois 62708  
217/782-4141  
Fax: 217/782-5959

James R. Thompson Center  
100 West Randolph, Suite 14-100  
Chicago Illinois 60601  
312/814-6440  
Fax: 312/814-6485



BOARD MEMBERS  
Albert Porter, Chairman  
Bryan Schneider, Vice Chairman  
Patrick Brady  
John Keith  
William McGuffage  
Wanda Rednour  
Jesse Smart  
Robert Walters

EXECUTIVE DIRECTOR  
Daniel W. White  
October 2, 2008

Committee to Elect Rickey Hendon  
910 W Van Buren  
Chicago, IL 60607

S6825

Dear Committee to Elect Rickey Hendon;

This committee has failed to file the following Schedule A-1's, Report of Campaign contributions of more than \$500.00, within 2 business days of receipt as required by the Illinois Campaign Disclosure Act:

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Fine Assessed</u>	<u>Amount of Contribution</u>	<u>Date A-1 Received</u>	<u>Days Late</u>
Theodor Spyropoulos Trust	2/1/08	\$18000.00	\$18000.00	*not filed	1

The committee is fined a **total** of \$18000.00 for delinquently filing Schedule A-1 reports as required by the Illinois Campaign Disclosure Act. This total **does not** reflect any previously assessed fines.

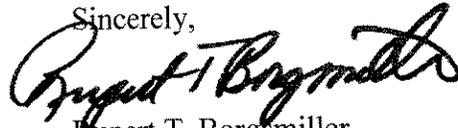
Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b-5) of the Election Code, the Board may impose fines for violations not to exceed 100% of the total amount of the contributions that were untimely reported, but in no case when a fine is imposed shall it be less than 10% of the total amount of the contributions that were untimely reported.

Since this is the first delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$1800.00, (10% of the total amount reflected above) if you do not choose to file an appeal under the Board's present policy. The total amount due will be imposed with the issuance of a Final Board Order after the 30-day appeal period had expired. This amount must be paid (including any previously assessed fines), within 30 days of the issuance of the Order.

Enclosed please find Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fines if you believe the civil penalties have been assessed in error. ***If you have a legitimate reason for your delinquent filing, it would behoove you to send in the appeal form since the Board has the discretion to take extenuating and other circumstances into account in determining the amount of your penalty.*** Notice of Appeal must be filed within 30 days of the mailing of this assessment for it to be considered.

If you have any questions regarding the appeal procedure, please call Sue McArthur at 217/782-1543.

Sincerely,



Rupert T. Borgsmiller

Director, Division of Campaign Disclosure

RTB:sm

cc: Officer(s)

\* This contribution was reported on the June 2008 Semi-annual Report but should have been reported on a Schedule A-1 Report of Campaign Contributions of more than \$500.00, within 2 business days of receipt.

\*\* This contribution did not, by itself, necessitate filing of a Schedule A-1. No fine was assessed for this contribution – it is listed for informational purposes only. A subsequent contribution, when aggregated with this contribution, exceeded the "more than \$500.00" threshold and was used as the basis for the fine assessment.

State of Illinois )  
County of Cook )

STATE BOARD OF ELECTIONS

08 OCT 31 PM 2:11

BEFORE THE STATE BOARD OF ELECTIONS  
OF THE STATE OF ILLINOIS

IN THE MATTER OF; )

ILLINOIS STATE BOARD OF ELECTIONS, )

Complainant )

Vs. )

Committee to Elect Rickey Hendon  
Respondent(s). )

Case No. 08 APO 41

APPEAL AFFIDAVIT

Patricia Horton, the Treasurer of the  
(Name) (Chairman/Treasurer)  
Committee to Elect Rickey Hendon  
(Name of the Committee)

Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

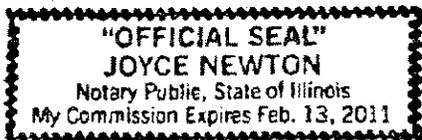
As Treasurer, of Committee to Elect Rickey Hendon I am requesting an removal of the fine or a reduction of the penalty imposed against the respondent. The reasons for my defense are: 1) I have never file an A-1 late I have always been timely with the submittals of A-1's 2) I had a medical emergency at the time with my mother, she had to be rush to the hospital due to kidney failure, and had to be immediately put on dialysis. I was designated as her power of attorney and to make a lot of decisions concerning her health, which possibly allowed the pressing matter of filing the A-1 on time to slip pass me.

Signed and Sworn to by:  
Patricia Horton  
before me this 31 Day of

Patricia Horton  
(Signature of Chairman/Treasurer)

Joyce Newton  
Notary Public

Contact # Pat Horton  
312-217-5936



**STATE OF ILLINOIS  
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS**

Illinois State Board of Elections

**Complainant**

vs.

**08 AG 046**

Friends of Mattie Hunter

S 8427

**Respondent**

**REPORT OF HEARING EXAMINER**

Appeal of Civil Penalty Assessment for Failing to File a  
Schedule A-1 for the 2008 General Election

The Committee received one contribution of \$1000 on 10/28/08, but failed to list it on a Schedule A-1, resulting in a civil penalty assessment of \$1000.

Patricia Kates-Collins, the Treasurer of the Committee, filed a Waiver of Appearance and submitted on the Appeal Affidavit the following:

On the Affidavit, Ms. Kates-Collins stated that on October 29, 2008, she filed a Schedule A-1 for Blue-Star Energy Services and NICOR GAS-PAC showing \$1000 contributions for both. The copied check for Glaxosmithkline was with the NICOR GAS-PAC group of copied checks, and somehow she overlooked the check stapled on the second page. Her plans were to file all those checks that day and somehow she missed the attached copy check.

I recommend that the appeal be denied for lack of an adequate defense. In addition, since there is no indication that this violation was anything other than inadvertent and unintentional, and since this is this Committee's first violation involving a Schedule A-1, I also recommend that the penalty be reduced to 10% of the original assessment, or \$100. As a first violation, the penalty is stayed.



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Sharon Steward – Hearing Examiner

October 6, 2009

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187  
Springfield, Illinois 62708  
217/782-4141  
Fax: 217/782-5959

James R. Thompson Center  
100 West Randolph, Suite 14-100  
Chicago Illinois 60601  
312/814-6440  
Fax: 312/814-6485



BOARD MEMBERS  
Albert Porter, Chairman  
Bryan Schneider, Vice Chairman  
Patrick Brady  
John Keith  
William McGuffage  
Wanda Rednour  
Jesse Smart  
Robert Walters

EXECUTIVE DIRECTOR  
Daniel W. White  
April 29, 2009

Friends of Mattie Hunter  
Martina Jones  
2801 S King Dr #1717  
Chicago, IL 60616

S8427

Dear Friends of Mattie Hunter;

This committee has failed to file the following Schedule A-1's, Report of Campaign contributions of more than \$500.00, within 2 business days of receipt as required by the Illinois Campaign Disclosure Act:

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Fine Assessed</u>	<u>Amount of Contribution</u>	<u>Date A-1 Received</u>	<u>Days Late</u>
Glaxosmithkline	10/28/08	\$1000.00	\$1000.00	*not filed	2

The committee is fined a **total** of \$1000.00 for delinquently filing Schedule A-1 reports as required by the Illinois Campaign Disclosure Act. This total **does not** reflect any previously assessed fines.

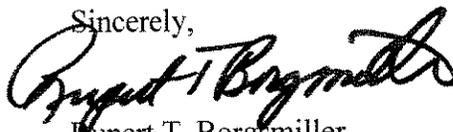
Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b-5) of the Election Code, the Board may impose fines for violations not to exceed 100% of the total amount of the contributions that were untimely reported, but in no case when a fine is imposed shall it be less than 10% of the total amount of the contributions that were untimely reported.

Since this is the first delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$100.00, (10% of the total amount reflected above) if you do not choose to file an appeal under the Board's present policy. The total amount due will be imposed with the issuance of a Final Board Order after the 30-day appeal period had expired. Since your committee has no other civil penalty assessments and only one delinquent Schedule A-1 amount is listed above, the penalty will be **stayed** as a first violation and would only become due and owing upon any subsequent delinquent filings by the committee.

Enclosed please find Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fines if you believe the civil penalties have been assessed in error. ***If you have a legitimate reason for your delinquent filing, it would behoove you to send in the appeal form since the Board has the discretion to take extenuating and other circumstances into account in determining the amount of your penalty.*** Notice of Appeal must be filed within 30 days of the date of this assessment for it to be considered.

If you have any questions regarding the appeal procedure, please call Sue McArthur at 217/782-1543.

Sincerely,



Rupert T. Borgsmiller

Director, Division of Campaign Disclosure

RTB:sm

cc: Officer(s), Candidate(s)

\* This contribution was reported on the December 2008 Semi-annual Report but should have been reported on a Schedule A-1 Report of Campaign Contributions of more than \$500.00, within 2 business days of receipt.

\*\* This contribution did not, by itself, necessitate filing of a Schedule A-1. No fine was assessed for this contribution – it is listed for informational purposes only. A subsequent contribution, when aggregated with this contribution, exceeded the "more than \$500.00" threshold and was used as the basis for the fine assessment.

State of Illinois )  
County of Cook )

CHICAGO

MAY 27 AM 10:56

BEFORE THE STATE BOARD OF ELECTIONS  
OF THE STATE OF ILLINOIS

STATE  
BOARD OF ELECTIONS

IN THE MATTER OF; )  
ILLINOIS STATE BOARD OF ELECTIONS, )  
Complainant )  
Vs. )  
Friends of Mattie Hunter )  
Respondent(s). )

Case No. DSAG-044

APPEAL AFFIDAVIT

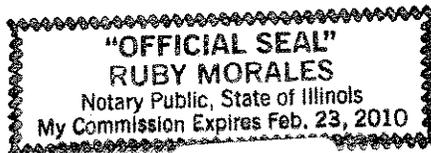
I, Patricia Kates-Collins, the Treasurer of the  
(Name) (Chairman/Treasurer)  
Friends of Mattie Hunter  
(Name of the Committee)

Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

On October 29, 2008, I filed a Schedule A-1 for BlueStar Energy Services and NICOR  
GAS-PAC showing \$1,000.00 contribution for both. The copied check for Glaxosmithkline  
was with the NICOR GAS-PAC group of copied checks, and somehow I over looked the check stapled  
on the second page. My plans were to file all those checks that day and somehow I missed the  
attached copy check (see attachment)

Signed and Sworn to by:  
PATRICIA KATES  
before me this 27 Day of  
May, 2009  
Ruby Morales  
Notary Public

Patricia Kates Collins  
(Signature of Chairman/Treasurer)





# Lakeside Bank

## CHECKING / SAVINGS / CHECK CREDIT RECEIPT

141 W. JACKSON BLVD.  
 CHICAGO, IL 60604  
 312-435-5100  
 55 W. WACKER DR.  
 CHICAGO, IL 60601  
 312-435-5100

2141 S. INDIANA AVE.  
 CHICAGO, IL 60616  
 312-225-2300  
 2200 S. ARCHER AVE.  
 CHICAGO IL 60616  
 312-225-2300

1055 W. ROOSEVELT RD.  
 CHICAGO, IL 60608  
 312-789-3500  
 2800 N. ASHLAND AVE.  
 CHICAGO, IL 60657  
 312-789-3600

TR:16 3-50 10/28/08 10:53 AM  
 [REDACTED] CK Deposit \$2,500.00

Thank you for banking with Lakeside Bank

THIS TRANSACTION IS ACCEPTED SUBJECT TO THE RULES AND REGULATIONS GOVERNING THIS ACCOUNT.

DEPOSIT TICKET  
FOR CLEAR COPY, PRESS FIRM  
TH BALL POINT PEN



Lakeside Bank  
DATE 10-21-08

CURRENCY	DOLLARS	CENTS
COIN		
LIST EACH CHECK		
1 2409	1,000	00
2 8878	1,000	00
3 10125	500	00
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		

FRIENDS OF MATTIE HUNTER  
P.O. BOX 439430  
CHICAGO, IL 60643



2-150/710  
TOTAL ITEMS 3  
PLEASE BE SURE ALL ITEMS ARE PROPERLY ENDORSED.  
DEPOSITS MAY NOT BE AVAILABLE FOR IMMEDIATE WITHDRAWAL.  
2500.00

600

CHECKS AND OTHER ITEMS ARE RECEIVED FOR DEPOSIT SUBJECT TO THE PROVISIONS OF THE UNIFORM COMMERCIAL CODE OR ANY APPLICABLE COLLECTION AGREEMENT.

NICOR GAS  
POLITICAL ACTION COMMITTEE  
1844 FERRY ROAD  
NAPERVILLE, IL 60563-9600

THE NORTHERN TRUST COMPANY  
2-15-710

2409

\*\*\*One Thousand & 00/100 Dollars

DATE 10/16/2008

AMOUNT \*\*\*\$1,000.00

Memo: Illinois Monetary Contribution

Friends of Mattie Hunter  
P.O. Box 439430  
Chicago, IL 60643

Angela C. Whitely  
Scott Lewis  
AUTHORIZED SIGNATURE

⑈002409⑈ ⑆071000152⑆ 0002177803⑈

EXELON GENERATION COMPANY  
POLITICAL ACTION COMMITTEE  
4300 Winfield Road  
Warrenville, IL 60555

Date 10/21/08

Check Number 66-10125

PAY Five hundred and 00/100 Dollars

9-9  
720  
PAY EXACTLY  
\*\*\*\*\*\$500.00

TO THE ORDER OF Friends of Mattie Hunter



Jan H. Freeman

⑈066⑈ ⑆072000096⑆ 200 79⑈



GlaxoSmithKline

GLAXOSMITHKLINE  
200 N. 16th Street  
FP-0810  
Philadelphia, PA 19102

VENDOR NO  
00532302

62-20  
311

No. 01788878

10/14/08

\*\*\*\*\*\$1,000.00

VOID AFTER 180 DAYS

PAY TO THE  
ORDER OF

FRIENDS OF MATTIE HUNTER  
11604 S CHURCH ST  
CHICAGO IL 60643

*One thousand and 00/100 Dollars*

*William J. Shulley*

CITIBANK, DELAWARE, A SUBSIDIARY OF CITICORP.  
ONE PENN'S WAY, NEW CASTLE, DE 19720

⑈01788878⑈ ⑆031100209⑆ 39104659⑈

THE BACK OF THIS DOCUMENT CONTAINS AN ARTIFICIAL WATERMARK - HOLD AT AN ANGLE TO VIEW

Cloonan, Tom

---

From: Disclose@elections.il.gov  
Sent: Wednesday, October 29, 2008 1:03 PM  
To: Cloonan, Tom  
Subject: Illinois Electronic Filing Acknowledgement

DISCLOSE -- Illinois Political Financial Disclosure Filing Acknowledgement

This is to acknowledge the receipt and acceptance of your electronic filing via the DISCLOSE protocol.

Your filing was received and accepted by our system at Wed Oct 29 13:02:44 2008, and was assigned the Filing ID of: IL-100274

Please make a note of this, as it will be necessary to refer to this information in the future.

Thank you for using DISCLOSE.

For your reference, the output of the validation check was as follows:

Illinois PDP File Validator Ver: IL-1.00.17

Developed by NIC Technologies, Inc. 1996-2001

=====  
Committee ID: FID2248  
Committee Name: Friends of Mattie Hunter  
Filing Type: A-1

>>>----> PDP data file PASSED validation! <----<<<

STATE OF ILLINOIS  
COUNTY OF COOK

BEFORE THE STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

Illinois State Board of Elections  
**Complainant**

v.

08 AG 070

Citizens for Beaubien            S6518  
**Respondent**

**REPORT OF HEARING EXAMINER**

Appeal of Civil Penalty Assessment for Failure to File Schedule A-1's  
For the November 2008 General Election

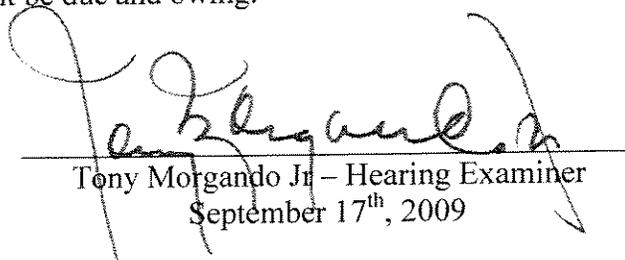
According to the political committee's December 2008 Semi Annual Report, it received two (2) contributions totaling \$1,750.00, during the Schedule A-1 filing period, October 6<sup>th</sup>, 2008 through and including November 3<sup>rd</sup>, 2008, which failed to be reported as required by statute. The political committee has been fined an assessed civil penalty in the amount of \$1,750.00.

Mr. Mark H. Beaubien Jr., Treasurer, filed a Request for Hearing and Appeal Affidavit, on July 24<sup>th</sup>, 2009, indicating as good reason or defense: "There must have been an electronic failure. I believe I have a system that cannot fail".

Hearing in this matter was scheduled for Tuesday, August 18<sup>th</sup>, 2009, to be conducted at the Chicago Board office, 100 W. Randolph, 14<sup>th</sup> Floor, at 10:00 a.m.

Mr. Mark H. Beaubien appeared on behalf of the Respondent. Mr. Beaubien indicated his familiarity with the electronic filing system as illustrated through the political committee's filing history. Mr. Beaubien felt such error might be attributed to a transmission failure, but could not specify. Mr. Beaubien was granted a delay in this matter through September 1<sup>st</sup>, to review the contributions to verify the accuracy of receipt as disclosed on the political committee's December 2008 Semi-Annual Report. As of the date this Report of the Hearing Examiner has been prepared, no further statements or documents have been submitted on behalf of the Respondent(s).

Based upon a review of the documents/statements submitted in this matter, it is the opinion of the Hearing Examiner that no reasonable grounds exist for the failure of the political committee to file required Schedule A-1's. It is therefore the recommendation of the Hearing Examiner that the appeal *be denied* in this matter. The Hearing Examiner notes this is the first delinquent filing of a Schedule A-1 by the political committee, and therefore recommends that the total amount of the civil penalty be reduced 10% to \$175.00, and such amount be due and owing.

  
Tony Morgando Jr - Hearing Examiner  
September 17<sup>th</sup>, 2009

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187  
Springfield, Illinois 62708  
217/782-4141  
Fax: 217/782-5959

James R. Thompson Center  
100 West Randolph, Suite 14-100  
Chicago Illinois 60601  
312/814-6440  
Fax: 312/814-6485



BOARD MEMBERS  
Albert Porter, Chairman  
Bryan Schneider, Vice Chairman  
Patrick Brady  
John Keith  
William McGuffage  
Wanda Rednour  
Jesse Smart  
Robert Walters

EXECUTIVE DIRECTOR  
Daniel W. White  
June 25, 2009

Citizens for Beaubien  
4 Acorn Ln  
Barrington, IL 60010

S6518

Dear Citizens for Beaubien;

This committee has failed to file the following Schedule A-1's, Report of Campaign contributions of more than \$500.00, within 2 business days of receipt as required by the Illinois Campaign Disclosure Act:

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Fine Assessed</u>	<u>Amount of Contribution</u>	<u>Date A-1 Received</u>	<u>Days Late</u>
SUAAction	10/16/08	750.00	750.00	*not filed	10
Equality Illinois	10/27/08	1000.00	1000.00	*not filed	3

The committee is fined a **total** of \$1750.00 for delinquent filing Schedule A-1 reports as required by the Illinois Campaign Disclosure Act. This total **does not** reflect any previously assessed fines.

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b-5) of the Election Code, the Board may impose fines for violations not to exceed 100% of the total amount of the contributions that were untimely reported, but in no case when a fine is imposed shall it be less than 10% of the total amount of the contributions that were untimely reported.

Since this is the first delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$175.00, (10% of the total amount reflected above) if you do not choose to file an appeal under the Board's present policy. The total amount due will be imposed with the issuance of a Final Board Order after the 30-day appeal period had expired. This amount must be paid (including any previously assessed fines), within 30 days of the issuance of the Order.

Enclosed please find Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fines if you believe the civil penalties have been assessed in error. *If you have a legitimate reason for your delinquent filing, it would behoove you to send in the appeal form since the Board has the discretion to take extenuating and other circumstances into account in determining the amount of your penalty.* Notice of Appeal must be filed within 30 days of the date of this assessment for it to be considered.

If you have any questions regarding the appeal procedure, please call Sue McArthur at 217/782-1543.

Sincerely,



Rupert T. Borgsmiller

Director, Division of Campaign Disclosure

RTB:sm

cc: Officer(s), Candidate(s)

\* This contribution was reported on the December 2008 Semi-annual Report but should have been reported on a Schedule A-1 Report of Campaign Contributions of more than \$500.00, within 2 business days of receipt.

\*\* This contribution did not, by itself, necessitate filing of a Schedule A-1. No fine was assessed for this contribution – it is listed for informational purposes only. A subsequent contribution, when aggregated with this contribution, exceeded the "more than \$500.00" threshold and was used as the basis for the fine assessment.

State of Illinois )  
 )  
County of LAKE )

BEFORE THE STATE BOARD OF ELECTIONS  
OF THE STATE OF ILLINOIS

IN THE MATTER OF; )

ILLINOIS STATE BOARD OF ELECTIONS, )

Complainant )

Vs. )

Case No. 08 AG 070

CITIZENS FOR BEAUBIEN )  
Respondent(s). )

APPEAL AFFIDAVIT

I, Mark H Beaubien, the Chairman of the  
(Name) (Chairman/Treasurer)

CITIZENS FOR BEAUBIEN

(Name of the Committee)

Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

There must have been  
an electronic failure.  
I believe I have a system  
that cannot fail.

Signed and Sworn to by:

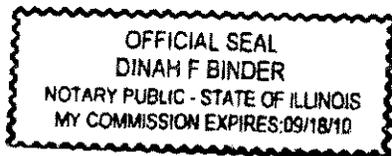
DINAH F. BINDER

before me this 24 Day of  
JULY, 2009

Dinah Binder  
Notary Public

Mark Beaubien

(Signature of Chairman/Treasurer)



STATE OF ILLINOIS  
COUNTY OF SANGAMON

BEFORE THE STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

Illinois State Board of Elections  
**Complainant**

Vs.

**08 AG 051**

Committee to Elect Laura Morask  
**Respondent**

S9501

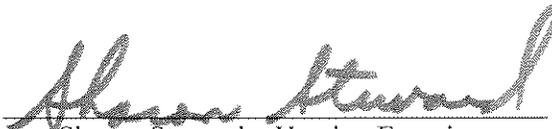
**REPORT OF HEARING EXAMINER**  
Appeal of Civil Penalty Assessment for Delinquently  
Filing a Schedule A-1 for the 2008 General Election

This Committee received two in-kind contributions, one of \$2000 on 10/18/08 and one of \$8000 on 10/19/08, and reported them on a Schedule A-1 filed 10/27/08, 4 days late, resulting in a civil penalty assessment of \$10,000.

Dean C. Morask, the Chairman of the Committee, filed a Waiver of Appearance and submitted on the Appeal Affidavit the following:

On the Affidavit, Mr. Morask stated that it was not the intention of the Committee to subvert the election rules in any way. His wife, the Candidate, and he were engaged in their first election that required strict adherence to the rules they are accused of violating. Their treasurer, Mr. Kazmierczak, was engaged to help them comply with the reporting. He was also a novice. Due to it being 3 weeks before the election, extremely hectic, it is possible that they reported the \$8000 contribution late to the Treasurer or that he didn't forward the information within the two day deadline. This was a check from Mr. Morask to Fearless Networks for ads and he may have delayed, not realizing such a check would be considered an in-kind contribution. The same principles apply to the \$2000 contribution as they occurred within one day of each other in the midst of a campaign that was horribly stressful and strenuous to them and their family. They clearly had no intent to hide these contributions as they were reported 10/27/08.

I recommend that the appeal be denied for lack of an adequate defense. Section 100.120(c) of Board Rules and Regulations reads in part: *"...An in-kind contribution of goods or services, possession of which is not actually obtained by the recipient committee, shall be deemed to be received 2 days after the date the certificate required by subsection (a) of this Section is received, or if no certificate has been received, 2 days after the date information comes into the possession of the candidate, Chairman or Treasurer of the recipient committee or the public official from which the person receiving the information knows or should reasonably know of the in-kind contribution."* Mr. Morask, the Candidate's husband, was the Chairman of the Committee and also the contributor and would have immediate knowledge of when the check was written. Therefore, even if the received date was deemed to be two days after the reported receipt dates of 10/18/08 and 10/19/08, reporting these contributions on 10/27/08, would be delinquent. However, since there is no indication that these violations were anything by inadvertent and unintentional, and since this is the first election in which Schedule A-1s were filed delinquently, I also recommend that the penalty be reduced to 10% of the original assessment or \$1000. If this recommendation is accepted by the Board, the \$1000 civil penalty will be due and owing.



Sharon Steward – Hearing Examiner  
September 15, 2009

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187  
Springfield, Illinois 62708  
217/782-4141  
Fax: 217/782-5959

James R. Thompson Center  
100 West Randolph, Suite 14-100  
Chicago Illinois 60601  
312/814-6440  
Fax: 312/814-6485



BOARD MEMBERS  
Albert Porter, Chairman  
Bryan Schneider, Vice Chairman  
Patrick Brady  
John Keith  
William McGuffage  
Wanda Rednour  
Jesse Smart  
Robert Walters

EXECUTIVE DIRECTOR  
Daniel W. White  
April 29, 2009

Committee to Elect Laura Morask  
Dean Morask  
2701 Cherry St  
Park Ridge, IL 60068

S9501

Dear Committee to Elect Laura Morask;

This committee has failed to file the following Schedule A-1's, Report of Campaign contributions of more than \$500.00, within 2 business days of receipt as required by the Illinois Campaign Disclosure Act:

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Fine Assessed</u>	<u>Amount of Contribution</u>	<u>Date A-1 Received</u>	<u>Days Late</u>
Dean Morask	10/18/09	\$2000.00	\$2000.00	10/27/08	4
Dean Morask	10/19/08	\$8000.00	\$8000.00	10/27/08	4

The committee is fined a **total** of \$10000.00 for delinquently filing Schedule A-1 reports as required by the Illinois Campaign Disclosure Act. This total **does not** reflect any previously assessed fines.

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b-5) of the Election Code, the Board may impose fines for violations not to exceed 100% of the total amount of the contributions that were untimely reported, but in no case when a fine is imposed shall it be less than 10% of the total amount of the contributions that were untimely reported.

Since this is the first delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$1000.00, (10% of the total amount reflected above) if you do not choose to file an appeal under the Board's present policy. The total amount due will be imposed with the issuance of a Final Board Order after the 30-day appeal period had expired. This amount must be paid (including any previously assessed fines), within 30 days of the issuance of the Order.

Enclosed please find Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fines if you believe the civil penalties have been assessed in error. *If you have a legitimate reason for your delinquent filing, it would behoove you to send in the appeal form since the Board has the discretion to take extenuating and other circumstances into account in determining the amount of your penalty.* Notice of Appeal must be filed within 30 days of the date of this assessment for it to be considered.

If you have any questions regarding the appeal procedure, please call Sue McArthur at 217/782-1543.

Sincerely,



Rupert T. Borgsmiller

Director, Division of Campaign Disclosure

RTB:sm

cc: Officer(s), Candidate(s)

\* This contribution was reported on the December 2008 Semi-annual Report but should have been reported on a Schedule A-1 Report of Campaign Contributions of more than \$500.00, within 2 business days of receipt.

\*\* This contribution did not, by itself, necessitate filing of a Schedule A-1. No fine was assessed for this contribution – it is listed for informational purposes only. A subsequent contribution, when aggregated with this contribution, exceeded the "more than \$500.00" threshold and was used as the basis for the fine assessment.

State of Illinois )  
County of Cook )

CHICAGO

BEFORE THE STATE BOARD OF ELECTIONS  
OF THE STATE OF ILLINOIS

NOV 19 2008 11:26  
STATE  
BOARD OF ELECTIONS

IN THE MATTER OF; )  
ILLINOIS STATE BOARD OF ELECTIONS, )  
Complainant )  
Vs. )  
Committee to Elect Laura Morask )  
Respondent(s). )

Case No. 08 AG 051

APPEAL AFFIDAVIT

I, Dean C. Morask, the Chairman of the  
(Name) (Chairman/Treasurer)  
Committee to Elect Laura Morask  
(Name of the Committee)

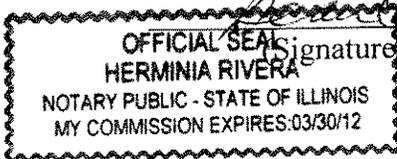
Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

*First, it was not the intention of the Committee to subvert the election rules in anyway. My wife, the candidate, and I were engaged in our first election that required strict adherence to the rules we are accused of violating. Our treasurer, Mr. Kazmierczak, was engaged to help us comply w. the reporting D2's, etc. He was also a novice. Due to it being 3 weeks before the election, extremely hectic, it is possible that he reported the \$7000.00 contribution late to Mr. Kazmierczak or that he did not forward the information within the 2 day deadline. This was a check from me to Fearless Networks for ads and I may have delayed not realizing such a check would be considered an in kind contribution. The same principles apply to the \$2000.00 contribution as they occurred within one day of each other in the midst of a campaign that was horribly stressful and strenuous to us and our family. We clearly had no intent to hide these contributions as they were reported 10/27/08.*

Signed and Sworn to by:

before me this 28<sup>th</sup> Day of May 2009

Herminia Rivera  
Notary Public



Dean C. Morask  
Signature of Chairman/Treasurer

*Thank you for your time and consideration.*

STATE OF ILLINOIS  
COUNTY OF SANGAMON

BEFORE THE STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

Illinois State Board of Elections

**Complainant**

v.

08 AG 055

Friends of Rich Kelly

S 9712

**Respondent**

**REPORT OF HEARING EXAMINER**

Appeal of Civil Penalty Assessment For Delinquently Filing  
A Schedule A-1 for the 2008 General Election

This Committee received one in-kind contribution valued at \$2898.68 on 10/7/08, and listed it on a Schedule A-1 filed on 11/12/08. In addition, this Committee had previously been assessed a \$142 civil penalty (appealed, denied, reduced, stayed) for delinquently filing a Schedule A-1 for the 2008 General Election. The total assessment is \$3040.68.

Rich Kelly, the Candidate, filed a Waiver of Appearance and submitted on the Appeal Affidavit the following:

On the Affidavit Mr. Kelly stated that this in-kind contribution was given to the bookkeeper the same day it was faxed to him. The bookkeeper was instructed to file an A-1 report immediately. I contacted Mr. Kelly by phone to determine if he had documentation which reflected when the Committee received notice of the in-kind contribution from Personal PAC. A copy of the notification shows that faxed notification was received by the Committee on 10/7/08.

Mr. Kelly acknowledges when the notification was received and that the Schedule A-1 was filed delinquently by his bookkeeper. However, the fact that the bookkeeper in Mr. Kelly's employ failed to follow Mr. Kelly's instructions is an internal problem and does not constitute a valid defense. I therefore recommend that the appeal be denied. However, since there is no indication that this violation was anything other than inadvertent and unintentional, and since this was the first election for which a Schedule A-1 was filed delinquently, I also recommend that the civil penalty be reduced to 10% of the original assessment, or \$290. If this recommendation is accepted by the Board, the stay will be lifted from the \$142 civil penalty, and the total amount of \$432 will be due and owing.



Sharon Steward – Hearing Examiner

October 6, 2009

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187  
Springfield, Illinois 62708  
217/782-4141  
Fax: 217/782-5959

James R. Thompson Center  
100 West Randolph, Suite 14-100  
Chicago Illinois 60601  
312/814-6440  
Fax: 312/814-6485



BOARD MEMBERS  
Albert Porter, Chairman  
Bryan Schneider, Vice Chairman  
Patrick Brady  
John Keith  
William McGuffage  
Wanda Rednour  
Jesse Smart  
Robert Walters

EXECUTIVE DIRECTOR  
Daniel W. White  
April 29, 2009

Friends of Rich Kelly  
John Kelly Jr  
11331 Poplar Creek Ln  
Orland Park, IL 60467

S9712

Dear Friends of Rich Kelly;

This committee has failed to file the following Schedule A-1's, Report of Campaign contributions of more than \$500.00, within 2 business days of receipt as required by the Illinois Campaign Disclosure Act:

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Fine Assessed</u>	<u>Amount of Contribution</u>	<u>Date A-1 Received</u>	<u>Days Late</u>
Personal PAC	10/7/08	\$2898.68	\$2898.68	11/12/08	16

The committee is fined a **total** of \$2898.68 for delinquently filing Schedule A-1 reports as required by the Illinois Campaign Disclosure Act. This total **does not** reflect any previously assessed fines.

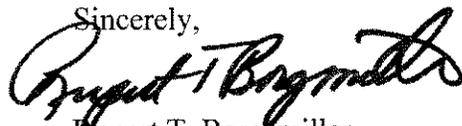
Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b-5) of the Election Code, the Board may impose fines for violations not to exceed 100% of the total amount of the contributions that were untimely reported, but in no case when a fine is imposed shall it be less than 10% of the total amount of the contributions that were untimely reported.

Since this is the first delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$290.00, (10% of the total amount reflected above) if you do not choose to file an appeal under the Board's present policy. The total amount due will be imposed with the issuance of a Final Board Order after the 30-day appeal period had expired. This amount must be paid (including any previously assessed fines), within 30 days of the issuance of the Order.

Enclosed please find Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fines if you believe the civil penalties have been assessed in error. ***If you have a legitimate reason for your delinquent filing, it would behoove you to send in the appeal form since the Board has the discretion to take extenuating and other circumstances into account in determining the amount of your penalty.*** Notice of Appeal must be filed within 30 days of the date of this assessment for it to be considered.

If you have any questions regarding the appeal procedure, please call Sue McArthur at 217/782-1543.

Sincerely,



Rupert T. Borgsmiller

Director, Division of Campaign Disclosure

RTB:sm

cc: Officer(s), Candidate(s)

\* This contribution was reported on the December 2008 Semi-annual Report but should have been reported on a Schedule A-1 Report of Campaign Contributions of more than \$500.00, within 2 business days of receipt.

\*\* This contribution did not, by itself, necessitate filing of a Schedule A-1. No fine was assessed for this contribution – it is listed for informational purposes only. A subsequent contribution, when aggregated with this contribution, exceeded the "more than \$500.00" threshold and was used as the basis for the fine assessment.

State of Illinois )  
County of COOK )

STATE BOARD OF ELECTIONS  
09 MAY 28 AM 11:30

BEFORE THE STATE BOARD OF ELECTIONS  
OF THE STATE OF ILLINOIS

IN THE MATTER OF; )  
ILLINOIS STATE BOARD OF ELECTIONS, )  
Complainant )  
Vs. )  
FRIENDS OF RICH KELLY )  
Respondent(s). )

Case No 08AG055

APPEAL AFFIDAVIT

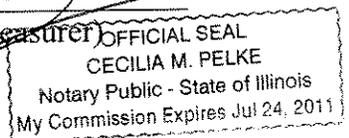
I, RICH KELLY, the CANDIDATE of the  
(Name) (Chairman/Treasurer)  
FRIENDS OF RICH KELLY  
(Name of the Committee)

Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

THIS IN-KIND CONTRIBUTION OF \$2,898.68 WAS  
GIVEN TO THE BOOKKEEPER THE SAME DAY  
IT WAS FAXED TO ME. THE BOOKKEEPER  
WAS INSTRUCTED TO FILE AN A-1 REPORT  
IMMEDIATELY.

Signed and Sworn to by:  
Cecilia M. Pelke  
before me this 53 Day of  
May, 2009  
Cecilia M. Pelke  
Notary Public

[Signature]  
(Signature of Chairman/Treasurer)  
CANDIDATE  
(708) 479-5458



Citizens For  
**Rich Kelly**  
 17808 Orland Woods Lane, Orland Park, Illinois 60467  
 Daytime Fax Only: 708-479-5458 Email: kellyrich8@aol.com

ITEM	DATE PAID	VALUE	VENDOR
VOTER CONTACT	9/22/2008	\$7007.85*	Powell Phones 607 NW 22nd Avenue Portland, OR 97210
POSTAGE	10/3/2008	\$22.68*	US Postal Service Amcco Finance Facility Chicago, IL 60601-9998
VOTER CONTACT	9/5/2008	\$26.80*	Voter Contact Services P.O. Box 390817 Mountain View, CA 94039
VOTER CONTACT	10/3/2008	\$1416.99*	Voter Contact Services P.O. Box 390817 Mountain View, CA 94039
POSTAGE & MAILHOUSE FEES	10/7/2008	\$2,898.68	Corsair Systems & Equipment 395 Cary Algonquin Road Cary, IL 60013-2084

\*Already reported in previous notice of in-kind contributions

Your committee must report these donations on a Form D-2, Report of Campaign Contributions and Expenditures, Part 5, in order to be in compliance with the Illinois Campaign Financing Act.

*Margot Kahn Rosenbaum/SS* \_\_\_\_\_ *10/7/08*  
 Personal PAC Treasurer (Margot Kahn Rosenbaum) Date

Citizens For  
**Rich Kelly**  
 17808 Orland Woods Lane, Orland Park, Illinois 60467  
 Daytime Fax Only: 708-479-5458 Email: kellyrich8@aol.com

ITEM	DATE PAID	VALUE	VENDOR
VOTER CONTACT	9/22/2008	\$7,007.85	Powell Phones 607 NW 22nd Avenue Portland, OR 97210
POSTAGE	10/3/2008	\$22.08	US Postal Service Amoco Finance Facility Chicago, IL 60601-9998
VOTER CONTACT	9/5/2008	\$28.80	Voter Contact Services P.O. Box 390817 Mountain View, CA 94039
VOTER CONTACT	10/3/2008	\$1,416.99	Voter Contact Services P.O. Box 390817 Mountain View, CA 94039

\*Already reported in previous notice of in-kind contributions

Your committee must report these donations on a Form D-2, Report of Campaign Contributions and Expenditures, Part 5, in order to be in compliance with the Illinois Campaign Financing Act.

*Margot Kahn Rosenbaum*  
 Personal PAC Treasurer (Margot Kahn Rosenbaum)

*10/3/08*  
 Date

STATE OF ILLINOIS  
COUNTY OF SANGAMON

BEFORE THE STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

Illinois State Board of Elections

**Complainant**

vs.

08 DS 252

Cook County Bar Association PAC

S 9835

**Respondent**

**REPORT OF HEARING EXAMINER**

Appeal of Civil Penalty Assessment for Delinquently Filing  
The 2008 December Semi-Annual Report

The Report was received March 22, 2009, 34 days late, resulting in a civil penalty assessment of \$850.

Devlin Schoop, the Treasurer of the Committee, filed a Waiver of Appearance and submitted on the Appeal Affidavit the following:

On the Affidavit, Mr. Schoop references an attached statement. On the Affidavit, he states that the CCBAPAC submitted its paperwork seeking registration and recognition by the Board in November 2008, but was unaware that the Board would automatically certify and register the CCBAPAC upon receipt of its registration materials, and therefore, was unaware that the CCBAPAC had, in fact, become a registered PAC for purposes of the Illinois Election Code. As such, CCBAPAC was unaware of its then obligations to file timely semi-annual reports. Once they received actual notice of its delinquency, it promptly filed all required reports with the Board. Since November 2008 to the present, the CCBAPAC has conducted absolutely no fundraising, lobbying or other political activity and has been focused on internal administrative functions. Given the fact that no fundraising has occurred during the relevant time period, that this is a first offense, and the CCBAPAC's prompt correction of this violation, it requests that the penalty be vacated. The CCBAPAC represents that it will diligently follow all future reporting deadlines on a consistent basis.

Mr. Schoop states that when he submitted his paperwork seeking registration by the Board in November 2008, he was unaware that the Board would register the Committee, and therefore was unaware of its filing requirements. Notification of the semi-annual report was sent to the Committee on December 2, 2008 and a reminder notice sent on January 12, 2009. The Board met its notification requirements; if the Committee was unsure whether or not it had to file reports, it could easily have gotten that information. The Committee established its Date of Creation as October 14, 2008. Although it had only \$200 at that point in time, it became a political committee and agreed to abide by the Campaign Financing Act when it filed a D-1 Statement of Organization. If it chooses to discontinue fundraising, stop its political activity, dispose of any residual funds, and file a final report, it may do so. But if it chooses to remain an active political committee, it must file all reports timely or be penalized for late filing. Therefore, I recommend that the Appeal be denied. As a first violation, the penalty is stayed.



Sharon Steward – Hearing Examiner

October 6, 2009

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187  
Springfield, Illinois 62708  
217/782-4141  
Fax: 217/782-5959

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100 West Randolph, Suite 14-100  
Chicago Illinois 60601  
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Fax: 312/814-6485



BOARD MEMBERS  
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Bryan Schneider, Vice Chairman  
Patrick Brady  
John Keith  
William McGuffage  
Wanda Rednour  
Jesse Smart  
Robert Walters

EXECUTIVE DIRECTOR  
Daniel W. White  
April 29, 2009

Cook County Bar Association Pac  
Juan Thomas  
30 S Stolp, ste 414  
Aurora, IL 60506

S9835

Dear Cook County Bar Association Pac;

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:	Semiannual Report of Campaign Contributions and Expenditures
Report Period:	July 1, 2008 through December 31, 2008
Filing Period:	January 2, 2009 through January 20, 2009

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received by the Board on March 22, 2009, 34 day(s) late. As such, this committee has been assessed a fine of \$850.00.

Enclosed please find Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. *Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.*

Since this is a first time violation, the assessed civil penalty will be *stayed*. Any subsequent violation of any provision of Article 9 of the Election Code or of a Board Order shall result in the assessment of an additional penalty as provided in Section 125.425 of the Rules and Regulations governing the State Board of Elections, with that civil penalty and any previously assessed penalty to be paid within 30 days. Therefore, you need not pay this assessed civil penalty unless another violation occurs.

If you have questions regarding the appeal process, please call Sue McArthur at 217/782-1543.

Sincerely,

A handwritten signature in black ink, appearing to read 'Rupert T. Borgsmiller', is written over the word 'Sincerely,'.

Rupert T. Borgsmiller  
Director, Division of Campaign Disclosure

RTB:sm  
Enclosure(s): appeal forms

State of Illinois )  
County of Cook )

CHICAGO

JULY 29 PM 12:14

BEFORE THE STATE BOARD OF ELECTIONS  
OF THE STATE OF ILLINOIS

STATE  
BOARD OF ELECTIONS

IN THE MATTER OF; )  
ILLINOIS STATE BOARD OF ELECTIONS, )

Complainant )

Vs. )  
Cook County Bar Association Inc )  
Respondent(s). )

Case No. 09DS 252

COOK

APPEAL AFFIDAVIT

I, Justin J. Schoop, the Treasurer of the  
(Name) (Chairman/Treasurer)  
Cook County Bar Association PAC  
(Name of the Committee)

Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

See attached statement of  
particulars.

Signed and Sworn to by:

before me this 29th Day of  
July, 2009

Maria F. Stamas  
Notary Public

Justin J. Schoop  
(Signature of Chairman/Treasurer)

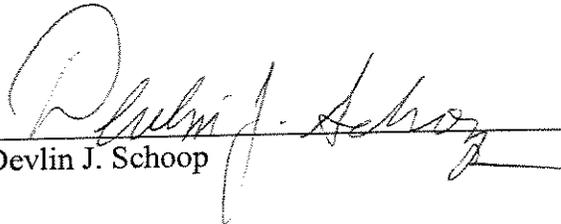


### Statement of Particulars

I, Devlin J. Schoop, Treasurer for the Cook County Bar Association Political Action Committee ("CCBAPAC"), hereby submit the following statement of particulars in support of CCBAPAC's appeal from the \$850.00 civil penalty ("the penalty") imposed by the Illinois State Board of Elections ("the penalty").

The penalty was imposed as a result of the CCBAPAC's failure to submit a Semiannual Report of Campaign Contributions and Expenditures for the July 1, 2008 to December 31, 2008 reporting period. Said report was due to be filed between January 2, 2009 through January 20, 2009. The CCBAPAC submitted its paperwork seeking registration and recognition by the Illinois State Board of Elections in November 2008. CCBAPAC was unaware that the ISBE would automatically certify and register the CCBAPAC upon receipt of its registration materials and, therefore, was unaware that CCBAPAC had, in fact, become a registered PAC for purposes of the Illinois Election Code. As such, CCBAPAC was unaware of its then obligations to file timely semi-annual reports.

Once CCBAPAC received actual notice of its delinquency, it promptly filed all required reports with the ISBE. Since November 2008 to the present, the CCBAPAC has conducted absolutely no fundraising, lobbying or other political activity and has been focused on internal administrative functions. Given the fact that no fundraising has occurred during the relevant time period, that this is a first offense, and the CCBAPAC's prompt correction of this violation, it requests that the penalty be vacated. The CCBAPAC represents that it will diligently follow all future reporting deadlines on a consistent basis.

  
Devlin J. Schoop

**STATE BOARD OF ELECTIONS**  
**1020 South Spring Street**  
**Springfield, Illinois 62704**  
**217/782-4141**

**Rupert T. Borgsmiller**

**Assistant Executive Director**

To: Members of the Board, Daniel W. White, Executive Director, Steve Sandvoss, General Counsel

Re: Civil Penalty Assessments Necessitating a Final Board Order

Date: 10/13/2009

Listed below are committees that have been assessed a civil penalty for delinquently filing the D1 Statement of Organization, the December 2008 Semi-annual report, the June 2009 Semi-annual report, the November 2008 Pre-election report, the April 2009 Pre-election report and "multi – assessments". These violations were not appealed & should be issued a Final Board Order.

<b>D-1 Statement of Organization</b>			
<b>Cmte Name</b>	<b>Cmte No</b>	<b>Amt of Fine</b>	<b>Previous Violations</b>
Bartlett for Mike Kelly	L15305	\$150	None
Citz for Arbor Park	L15399	\$25	None
Friends of Jane Condon	L15487	\$1075	None
Palos United Party **	L15495	\$1125	None
Cmte to Elect Judge William Hooks	S9902	\$225	None
<b>December 2008 Semi-annual Report</b>			
<b>Cmte Name</b>	<b>Cmte No</b>	<b>Amt of Fine</b>	<b>Previous Violations</b>
Friends of Tony Fabri **	L14375	\$5000	None
8 <sup>th</sup> Ward Regular Democratic Org	S776	\$5000	1 semi
Citz for Jenisch **	S7175	\$5000	1 semi
Taxpayers Alliance of Northern IL	S9355	\$2475	none
<b>April 2009 Pre-election Report</b>			
<b>Cmte Name</b>	<b>Cmte No</b>	<b>Amt of Fine</b>	<b>Previous Violations</b>
Citz for Jerry Bennett	L6335	\$1100	None
Citz to Elect Guadalupe Garcia	L15003	\$1100	None
<b>June 2009 Semi-annual Report</b>			
<b>Cmte Name</b>	<b>Cmte No</b>	<b>Amt of Fine</b>	<b>Previous Violations</b>
Cmte for Ed Smith	L822	\$200	3 semi, 2 pre, 18 a-1's
Joliet Township Republican Org	L1241	\$25	None
Glenview Boosters Assoc Inc	L1793	\$75	None
Citz for Schwiebert Cmte	L2101	\$125	None
Friends of Woodland School	L2794	\$950	None
Glasgow for Will County	L4023	\$350	None
Citz Organized for Public Safety	L4214	\$200	2 semi
Citz for Sig	L5131	\$450	1 semi
Cmte to Elect James Plumb	L6015	\$50	None
Morton Quality in Education Cmte	L6697	\$100	None
Cmte to Elect Dick Koritz States Attny	L7043	\$500	None
Unit 5 Education Association IPACE	L7163	\$600	1 pre, 1 semi
Citz for Jim Langenfelder	L7169	\$50	None
Citz to elect Patrick M Gordon	L7460	\$100	1 semi
Citz to Re-elect Robert Tolentino	L9380	\$25	none

Cmte Name	Cmte No	Amt of Fine	Previous Violations
Citz to Re-elect Keith Hunt	L9569	\$50	None
Cmte to Elect Blackburn, Gerl & Goodson **	L10746	\$100	None
Friends of Keith Budd	L11291	\$100	None
Citz for Chuck Tokar	L11300	\$25	None
Citz for Segvitch	L11562	\$100	None
Citz for Evans	L11681	\$125	None
Friends of Joel Tjelmeland	L12115	\$250	None
Friends for Al McGowan	L12128	\$50	None
Friends of Dr Chris Wangard	L12179	\$100	None
Friends for Sam Snell	L12180	\$25	None
Friends of Bob Manning	L12368	\$25	None
Citz for Nicholas Milissis	L12401	\$300	2 semi
Chicago Area Greens **	L12775	\$1050	1 semi, 1 a-1
Citz to elect Lucik **	L12825	\$75	None
Canning for Wilmette President	L12929	\$100	None
Country Oaks Cmte to Elect Robert G Abboud	L13000	\$100	1 pre
Cmte to Elect Robert J Lovero	L13108	\$25	None
Curt Pierce Campaign **	L13215	\$100	None
The East St Louis Democratic Club	L13281	\$200	2 semi
Citz to Elect D'Astice Mayor	L13793	\$25	None
Palos Park First	L13878	\$1000	None
Friends of Arnold Crater	L13973	\$50	1 pre, 1 semi
Vote Bob Scott	L14066	\$500	None
Cmte to Elect Brad Shields	L14091	\$125	None
Friends of Trevor	L14106	\$50	None
Citz for Densberger	L14154	\$200	None
Citz for Mike Hakanson	L14304	\$750	1 semi
Mary Beth Welch Collins Campaign Fund	L14340	\$50	None
Citz for Jim Hill	L14378	\$100	None
Citz to Elect Dini	L14384	\$25	a-1
Will County Board Republican Cmte **	L14467	\$100	None
32 <sup>nd</sup> Ward Republican Org	L14486	\$150	2 semi
Boone County Young Republicans Club	L14621	\$25	None
Dr Charles Flowers & Friends	L14634	\$300	2 semi
Winnetka Home Owners Assoc **	L14653	\$375	None
St Clair Township Continued Progress Party	L14759	\$1700	1 semi
Norridge & Harwood Heights Comm Homeowners	L14768	\$50	1 semi
Friends of Mike Broglin	L14794	\$25	None
Friends of Davita Siegel	L14806	\$25	None
Elect McHenry Township Republican Team	L14848	\$100	None
Citz for Frank Craig	L14858	\$400	None
Party for Yesterday, Today & Tomorrow **	L14878	\$50	None
Friends of Kris Wasowicz	L14885	\$100	1 semi, 1 pre
Friends for Frank Amaro	L14900	\$100	None
Wauconda United	L14907	\$250	1 pre
Friends of the Corbelt Fire Protection Dist **	L14920	\$950	1 semi

<b>Cmte Name</b>	<b>Cmte No</b>	<b>Amt of Fine</b>	<b>Previous Violations</b>
Richard D Auman for Mayor **	L14939	\$50	None
Friends of Mike Warren	L14944	\$150	None
New Lenox Township Democrats **	L14957	\$75	None
Citz for Scott Levin	L14992	\$150	None
Cmte to Elect Linda Moore	L14994	\$1600	None
People's First Party	L15001	\$50	None
Supporters of John Matuszak	L15002	\$200	None
Luigi Nitti for Village President	L15045	\$675	None
CARE Lake Zurich **	L15061	\$200	None
Friends of Mark D Weber	L15074	\$50	None
Citz for Schaefer	L15096	\$400	None
Citz for Riggerbach	L15128	\$50	None
Citz for Bob Brillely II **	L15137	\$25	None
Citz to Elect the United Party **	L15163	\$50	None
Citz for Ortiz **	L15167	\$375	None
Citz for Joseph Watrach	L15184	\$250	None
Citz for Fondulac Library **	L15186	\$375	None
Citz to Elect Tony Fremark	L15189	\$225	None
Campaign to Elect Dave Bartley	L15203	\$25	None
Citz for John N Walters **	L15205	\$250	None
Citz for Progress in Highwood	L15212	\$150	None
Cmte to Elect Marv Dahlberg	L15220	\$125	None
Informed Suburban Voters	L15238	\$475	None
Readith Ester for Clerk	L15253	\$200	None
Citz for Thomas Lockman	L15260	\$150	None
Katherine Ruocco for Mayor **	L15263	\$75	None
Citz for Geraci **	L15277	\$450	None
"Change Party"	L15280	\$25	None
Friends of Pat Duby **	L15290	\$475	None
Cmte to Elect Anthony Maniscalco	L15291	\$25	None
Citz to Elect Victor Santi	L15297	\$125	None
Citz for Kevin Horstman	L15302	\$100	None
Citz to Elect Ronald Vickers	L15316	\$75	None
Damisch for Village President	L15317	\$50	None
Cmte to elect FPS	L15330	\$100	None
Citz for Paul Struck	L15341	\$75	None
For a Better Island Lake	L15361	\$375	None
Friends for Kelvin Pugh Jr **	L15404	\$600	None
Citz for Phillips **	L15434	\$250	None
Friends of Nick Allen	L15438	\$25	None
Vision of Integrity & Progress **	L15449	\$50	None
Citz for Mike Reilly	L15453	\$250	None
Gary Slovik Candidate for Christian Co Sheriff	L15462	\$250	None
Citz for Responsible Spending	L15464	\$75	None
Citz for Steve Pannell **	L15466	\$425	None
City Firefighters Union Local 413 **	L15468	\$1400	None
DeKalb Republican Central Cmte	S35	\$150	None
Edwards County Republican Central Cmte	S372	\$100	None
Rich Township Republican Org	S373	\$75	None
Lawrence County Republican Cmte	S699	\$25	None
Lithuanian American Republican League of IL	S726	\$150	None
Rock Island County Republican Central Cmte	S876	\$300	None

<b>Cmte Name</b>	<b>Cmte No</b>	<b>Amt of Fine</b>	<b>Previous Violations</b>
Gallatin County Republican Central Cmte	S912	\$100	None
Balanoff Political Fund	S1206	\$350	1 semi
George Dunne Campaign Fund	S1572	\$50	None
NISMACNA Contractors Assn Inc	S3543	\$125	None
Heartland Regional Council of carpenters PAC	S3655	\$25	None
20 <sup>th</sup> Ward Regular Democratic Commission **	S5031	\$1350	2 semi
Citz for Karen J Elder **	S5032	\$1350	2 semi
Special Education Administrator's PAC	S5111	\$25	None
Il Association of County Officials PAC	S5581	\$600	None
Peoria Co Republican Women	S6209	\$600	None
Slot/Values in Religion to Unite Everyone	S6975	\$100	None
Concerned Voters for Protter	S7066	\$225	4 semi
Il Staffing Association	S7248	\$800	None
The Il Business PAC **	S7701	\$5000	3 semi, 1 pre, 1 a-1
Holland & Knight LLP Il Cmte for Effective Govt	S7866	\$50	None
Capitol City Republican Women	S7881	\$25	None
Citz for Jacqueline Collins	S8067	\$50	None
Il Association of Chiefs of Police	S8432	\$100	None
Friends of Dr Bob Tibaldi	S8677	\$50	1 semi
Young Democrats of Macon Co	S8692	\$350	1 semi
Champaign Co Young Republicans	S8775	\$75	None
McHenry Township Republican Team Fund	S8801	\$250	None
E6 PAC	S8877	\$100	None
Cmte To Elect Bill Berry	S8925	\$25	None
Friends for Michelle Chavez	S8936	\$100	None
Cmte to Elect Charles Weech **	S8960	\$400	None
ILCA PAC	S8987	\$100	None
Michael Bond for Senate	S8993	\$50	None
Polish American Congress PAC	S9095	\$600	3 semi
Il League of Conservation Voters PAC	S9101	\$50	None
Citz for Potkonjak for Circuit Judge	S9128	\$25	None
Friends of Bud Sous	S9267	\$25	None
Citz for Karin Norington Reaves	S9272	\$300	1 semi, 1 pre
Residents for Rayburn	S9276	\$100	None
42 <sup>nd</sup> Ward Regular Republican Org	S9363	\$100	None
Friends of Straza	S9391	\$25	None
Citz for Sweeney	S9434	\$1050	None
Cmte to Elect Jeff Bradley	S9481	\$600	None
Timothy Stratton For Stat Rep	S9497	\$100	None
Cmte To Elect Thomas Mahoney	S9598	\$50	None
Citz to Elect Patrick Sherlock	S9616	\$350	None
Friends of Travis Loyd	S9642	\$50	a-1
Friends of Terry Hall **	S9732	\$700	None
Haciendo PAC	S9743	\$225	2 semi
Clint Little for State Representative	S9758	\$25	None
Third Rail Strategies **	S9775	\$450	None
Tomorrows Democrats	S9799	\$25	None
Friends of Emil Jones III	S9810	\$100	None
Vote Yes on the Con Con Coalition	S9827	\$400	None
RLP for Change **	S9851	\$350	None
Citz for Peter Poulos	S9853	\$150	None

<b>Cmte Name</b>	<b>Cmte No</b>	<b>Amt of Fine</b>	<b>Previous Violations</b>
Illinois Votes Voltaire	S9908	\$50	None
A Better Illinois **	S9921	\$325	None
Citz to Elect Jim Hickey	S9922	\$50	None
New Broadview Tea Party	S9988	\$325	none
<b>Multi-Assessments</b>			
Pulaski Co Republican Boosters	S6188	\$3775	none

**(\*\* - DENOTES COMMITTEES THAT HAVE FILED A FINAL REPORT)**

**STATE BOARD OF ELECTIONS**  
**1020 South Spring Street**  
**Springfield, Illinois 62704**  
**217/782-4141**

**Rupert T. Borgsmiller**

**Assistant Executive Director**

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To: Members of the Board, Daniel W. White, Executive Director, & Steve Sandvoss, General Counsel

Re: Update/Candidates with unpaid files-potential Ballot Forfeiture for 2010

Date: October 7, 2009

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A listing of candidate-related committees, both active and final, with unpaid fines was provided in the September 2009 Board Packet. As of today's date, there have been no significant changes to that listing. We have sent notices to these committees informing them of their potential for ballot forfeiture in the 2010 elections if the civil penalty remains unpaid.

**STATE BOARD OF ELECTIONS**

**1020 South Spring Street  
Springfield, Illinois 62704  
217/782-4141**

**Rupert T. Borgsmiller**

**Assistant Executive Director**

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To: Daniel W. White, Executive Director, Members of the Board

Re: Payment of Civil Penalties - Informational

Date: October 7, 2009

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The following committees have made payment of outstanding civil penalties for the period of 9/10/2009 – 10/7/09:

- § Committee to Elect Edward "Ed" Russell - \$200.00
- § Volunteers for Delgado - \$5000.00
- § Friends of Carmen Kathleen Aguilar - \$275.00
- § Citizens for Suzanne Petrella - \$200.00
- § Citizens for Steve Kim - \$700.00
- § Petroleum Political Education Committee of IL - \$150.00
- § Friends of Aaron Weiss - \$350.00
- § Maine Teachers Assn PACE - \$1825.00
- § Citizens for Mark Walker - \$740.00
- § Citizens for Karen McConnaughay - \$250.00
- § Citizens for Arthur Turner - \$50.00
- § Citizens for Kay - \$511.00

**Total Amount Paid for this Period- \$10,251.00**

**Year to Date Totals:**

1/8/09 – 2/4/09 - \$4305.50  
2/5/09 – 3/5/09 - \$9722.50  
3/6/09 – 4/9/09 - \$19,354.50  
4/10/09 – 5/6/09 - \$6375.00  
5/7/09 – 6/4/09 - \$9640.00  
6/5/09 – 6/18/09 - \$200.00  
6/19/09 – 8/5/09 - \$18,161.51  
8/6/09 – 9/10/09 - \$2771.62  
9/11/09 – 10/7/09 - \$10,251.00

4. **Other business.**
5. **Comments from the Chairman and Vice Chairman.**
6. **Comments from the general public.**
7. **Next Board meeting Monday, November 16, 2009 at 10:30 a.m. in Springfield.**
8. **Executive Session.**