

State Officers Electoral Board Meeting
Friday, February 10, 2006
9:05 a.m.

MINUTES

PRESENT:

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

ALSO PRESENT:

Daniel W. White, Executive Director
Steve Sandvoss, General Counsel
Darlene Gervase, Assistant to the Executive Director

The special telephonic meeting of the State Board of Elections sitting as the State Officers Electoral Board was called to order at 9:05 a.m. with 7 members present. Mr. Porter held Mr. McGuffage's proxy.

Chairman Smart called the *Antinucci v. Prochaska*, 06 SOEB GP514 and *Paris v. Prochaska*, 06 SOEB GP 515 and asked General Counsel Sandvoss to summarize the matter. Mr. Sandvoss asked the Board to consolidate and dispose of both matters with one motion as both objections were identical. Hearing Officer Robert Bell recommended that the objection be overruled and to certify the candidate to the March Primary Ballot as the objector cited a statute that involves new and independent parties and Mr. Prochaska is a candidate from the Republican Party. The Chairman asked if anyone was present for the parties. Mr. John Holevas, attorney for Mr. Prochaska introduced himself and the candidate. No one appeared for the objector. Mr. Sandvoss continued with his report and disagreed with the Hearing Officer's recommendation as case law and the courts have consistently declared that the statement of economic interest and the receipt is a mandatory requirement of the Election Code. The objector cited an incorrect citation, but a similar, almost identical, provision in 7-12, directs compliance. Attorney Holevas stated that Mr. Prochaska did file a Statement of Economic Interest with the Illinois Supreme Court and filed that receipt with the Secretary of State. He indicated that the statement filed with the Supreme Court had more information than the receipt filed with the Secretary of State. Discussion ensued among the board members. A motion made by Mr. Keith, based on Subpart B of the objection that no receipt was filed for circuit court judge be sustained, and the name of Ed Prochaska for the 17th Circuit Court not be certified for the March Primary Election was seconded by Vice Chairman Rednour. The motion failed by vote of 3-5 with Members Brady, McGuffage, Porter, Walters and Chairman Smart voting no. Mr. Brady moved and Mr. Walters seconded a motion to adopt the recommendation of Hearing Officer Robert Bell and to certify the name of Ed Prochaska to the March Primary Ballot for the 17th Circuit Court. The motion passed 5-3 with Mr. Keith, Mr. Schneider and Vice Chairman Rednour voting against the motion.

There being no further business before the State Officers Electoral Board, Mr. Brady moved to adjourn. Vice Chairman Rednour seconded the motion which passed unanimously. The State Officers Electoral Board adjourned at 9:35 a.m.

DATED: February 10, 2006

Respectfully submitted,

Darlene Gervase, Assistant to the Executive Director

Daniel W. White, Executive Director