

Special Telephonic Meeting of the
State Board of Elections
Tuesday, July 21, 2006
10:00 a.m.

MINUTES

PRESENT IN SPRINGFIELD: Jesse R. Smart, Chairman
John Keith, Member

PRESENT IN CHICAGO: William M. McGuffage, Member
Albert S. Porter, Member

PRESENT VIA CONFERENCE CALL: Wanda L. Rednour, Vice Chairman
Patrick A. Brady, 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 meeting of the Illinois State Board of Elections was called to order at 10:00 a.m., with 7 members present. After difficulty with the conference line, Mr. Walters joined the call at 10:18 a.m.

General Counsel Sandvoss presented the revised draft of the Rules of Procedure as it pertains to Section 28-12 of the Election Code. Mr. Sandvoss reported that a compromise was not reached between attorneys Mike Kasper and Mike Lavelle. The Rules were revised by Member McGuffage and discussion ensued among the board members. Mr. Brady moved to accept the rules as presented by the General Counsel with one correction in sub (b) of Member McGuffage's language which is to strike the language following the semicolon beginning with the words "provided however". Mr. McGuffage amended the motion to include that it's a final order only as relates to the 28-12 hearing and is not a certification. Mr. Walters seconded the motion. Mr. Keith offered a substitute motion that the 10-10 objection hearing commence on August 14. Mr. McGuffage seconded the motion. Mr. McGuffage moved to combine Members Brady and Keith's motions. Without a second, the motion died. Mr. Brady moved to approve the rules of procedure as amended and presented with the modifications that under Section (b) of Mr. McGuffage's language that everything be stricken after the semicolon. Mr. Schneider seconded the motion. All motions and seconds were withdrawn.

After lengthy discussion Member Brady moved to accept the rules as presented with the modifications that under section (b) of Member McGuffage's language that the language following the semicolon beginning with "provided however" through the end of that bolded language ending in "Election Code" be stricken. Mr. Schneider seconded the motion. Mr. McGuffage moved to amend Mr. Brady's motion and permit a records examination to go forward by the opponents on August 14th if the Board makes a finding that he presumption of invalidity has been overcome by the proponents and further explained that a records examination by the opponents go forward on August the 14th if on August the 11th we make a finding that Mr. Lavelle or the proponents have overcome or rebutted the presumption of invalidity based on the random sample. Mr. Porter seconded the motion. Mr. Brady did not accept the amendment. The Chairman called for a vote on the motion. The motion failed by 4-4 vote with Mr. Keith, Mr. McGuffage, Mr. Porter and Vice Chairman Rednour voting against the motion.

Mr. McGuffage moved to approve the proposed rules as amended, by striking out after the "however" and to authorize the opponents to go forward for the sake of administrative convenience with their records examination on August the 14th. Mr. Porter seconded the motion which failed by 4-4 vote with Members Brady, Keith, Schneider, and Walters voting no.

Mr. Schneider moved to schedule Board Meetings for 9:00 a.m. July 28th and 4:30 on August 4th to reconsider this matter. Mr. Keith seconded the motion which passed unanimously.

The meeting was recessed at 12:11 p.m.

DATED: August 3, 2006

Respectfully submitted,

Darlene Gervase, Assistant to the Executive Director

Daniel W. White, Executive Director