

STATE OFFICERS ELECTORAL BOARD MEETING

Thursday, December 6, 2007

MINUTES

PRESENT: Albert S. Porter, Chairman
Bryan A. Schneider, Vice Chairman
Patrick A. Brady, Member
John R. Keith, Member
William M. McGuffage, Member
Jesse R. Smart, Member

PRESENT VIA TELEPHONE: Robert J. Walters, Member

ABSENT: Wanda L. Rednour, Member

ALSO PRESENT: Daniel W. White, Executive Director
Steve Sandvoss, General Counsel
Darlene Gervase, Administrative Specialist II

Chairman Porter called the State Officers Electoral Board Meeting to order at 10:45 a.m. Member Rednour was absent and her proxy was held by Member Keith.

Chairman Porter indicated that a number of cases would be decided and to ensure efficiency he proposed calling them in numerical order.

The Chairman called cases 3a. through 3l. and noted that Mr. Mayers, the objector, was not present as yet. He indicated that he would give the objector a few more minutes.

The Chairman called 3.dd. *Colosia v. Summers*, 07SOEBGP514 and noted that Mr. Scott K. Summers was present *pro se*. The General Counsel said that 600 valid signatures were required for the 16th Congressional District. Mr. Summers submitted 628 signatures, 137 were objected to and 101 objections were sustained which brings the total signatures below the 600 requirement. Further, that he concurred with the hearing officer's recommendation. He added that the candidate filed a Motion to Recalculate. Mr. Summers presented his argument to the Board and stated that the 600 number should be used only after the 10 year census redistricting. After lengthy discussion, Member Keith moved to sustain the objection; adopt the recommendations of the hearing officer and general counsel; grant the objection; and the name of Scott K. Summers will not be printed on the ballot. Member Brady seconded the motion which passed unanimously.

Chairman Porter called *Mayers v. Mesplay*, 07SOEBGP100; *Mayers v. Ball*, 07SOEBGP101; *Mayers v. Biden*, 07SOEBGP102; *Mayers v. Kucinich*, 07SOEBGP103; *Mayers v. Dodd*, 07SOEBGP104; *Mayers v. Edwards*, 07SOEBGP105; *Mayers v. Obama*, 07SOEBGP107; *Mayers v. Richardson III*, 07SOEBGP109; *Mayers v. McKinney*, 07SOEBGP110; *Mayers v. Hawkins*, 07SOEBGP111; and *Mayers v. Clinton*, 07SOEBGP112. He acknowledged appearances for the candidates and stated that the objector is not present. Because the recommendation of the General Counsel was to concur with the Hearing Officer's recommendation all matters were considered at the same time. Mr. Andrew Spiegel, attorney for candidate Kucinich, stated that the recommendation of the hearing officer mistakenly read that the objection be sustained. Member Keith moved to adopt the recommendation of the hearing officer and general counsel and the names of the candidates will be printed on the ballot. In case number 103, he

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moved the name of Dennis Kucinich be printed on the ballot and the objection be overruled. Member McGuffage seconded the motion which passed unanimously.

The Chairman called *Mayers v. Hill*, 07SOEBP106 and *Kielczynski, Drake v. Hill*, 07SOEBGP113. Ms. Deanna Mool was present for Objector Drake and no one was appeared for the candidate. General Counsel Sandvoss said that the objection filed against Hill for U.S. Senate stated insufficient number of signatures. He added that 555 signatures were submitted, but the statute requires 5,000. The objector filed a Motion for Summary Judgment and he recommended the Motion be granted, Mr. Sandvoss added that it is uncontested that the objection contained less than 5,000 signatures and he concurred with the recommendation of the hearing officer. Vice Chairman Schneider moved to accept the recommendations of the hearing officer and general counsel; that the objection be sustained; and the name of Norm Hill will not be certified to the ballot. Member Keith seconded the motion which passed unanimously.

The next case ready for decision was *Zahm, Davis v. Dilger*, 07SOEBGP513. The General Counsel summarized the objection against Michael J. Dilger, candidate for the 14th Congressional District and noted that the objection fails as it makes general allegations. The hearing officer recommended that the objection be overruled and the general counsel concurs. Member Smart moved to strike the objection and certify the candidate to the ballot. Mr. Brady seconded the motion which passed unanimously.

The Chairman asked for a motion to adopt the minutes of the November 14th meeting as presented. Vice Chairman Schneider so moved and Mr. Keith seconded the motion. The motion passed unanimously by ayes in unison.

Member Smart moved to recess the State Officers Electoral Board until Friday, December 21, 2007 or the call of the Chair. Vice Chairman Schneider seconded the motion which passed unanimously. The meeting ended at 11:25 a.m.

Dated: December 18, 2007

Respectfully submitted,

Daniel W. White, Executive Director

Darlene Gervase, Administrative Specialist II