

STATE BOARD OF ELECTIONS
Special Meeting
Thursday, March 7, 2013

MINUTES

PRESENT: William M. McGuffage, Chairman
Jesse R. Smart, Vice Chairman
Harold D. Byers, Member
Betty J. Coffrin, Member
Ernest L. Gowen, Member
Judith C. Rice, Member
Bryan A. Schneider, Member
Charles W. Scholz, Member

ALSO PRESENT: Rupert Borgsmiller, Executive Director
James Tenuto, Assistant Executive Director
Steve Sandvoss, General Counsel
Amy Calvin, Administrative Assistant II

The special meeting convened at 4:00 p.m. via videoconference with all Members present. Chairman McGuffage and Members Gowen, Rice and Schneider were present in Chicago and Vice Chairman Smart and Member Scholz were present in Springfield. Members Byers and Coffrin were in attendance via teleconference.

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

The Board unanimously agreed to recess the State Board of Elections and convene as the State Officers Electoral Board. The meeting recessed shortly after 4:00 p.m. and reconvened at 4:05 p.m. with the same attendance as noted in the initial roll call.

The Executive Director presented the proclamation of results from the February 26, 2013 Special Primary Election in the 2nd Congressional District and said that a total of 65,092 ballots were cast. Robin Kelly received 53.27% of the vote won the nomination on the Democratic ballot and Paul McKinley received 29.28% of the vote and won on the Republican Ballot. Vice Chairman Smart moved to proclaim the results as presented. Member Scholz seconded the motion which passed by roll call vote of 8-0.

Member Schneider moved to certify the ballot for the April 9, 2013 Special Election in the 2nd Congressional District. Member Byers seconded the motion which passed by roll call vote of 8-0.

The General Counsel presented complaints following closed hearing and noted that he concurred with the hearing officer recommendations for the matters listed below. The parties present for all of the matters waived the confidentiality requirement and agreed to be heard in open session. The Board considered and disposed of the following complaints following closed hearing for Agenda items 6.a-d:

- a. *Szlendak v. Friends of Arlene Jezierny*, 13CD092 – the complaint was found to not have been filed on justifiable grounds for both counts and no further action required; (Moved by Vice Chairman Smart and seconded by Member Schneider)
- b. *Lambert v. United Party, Bojanowski & Rivalcaba*, 13CD093 – as to the late filing of the quarterly report, the complaint was found to have been filed on justifiable grounds and no further action except referral to staff for the imposition of a civil penalty; as to

the alleged violation of Section 5/9-12, the complaint was found to not have been filed on justifiable grounds as that provision has since been repealed. (Moved by Vice Chairman Smart and seconded by Member Scholz)

- c. *Cramer v. Citizens for McLeod*, 13CD094 – the complaint was dismissed for want of prosecution or, in the alternative, Count 1 of the complaint was not found to have been filed on justifiable grounds and Count 2 terminated with no further action being necessary. (Moved by Member Schneider and seconded by Vice Chairman Smart)
- d. *Mueller v. Changed Bensenville Party*, 13CD095 – the complaint was dismissed for want of prosecution or, in the alternative, was dismissed for not being filed on justifiable grounds. (Moved by Member Schneider and seconded by Vice Chairman Smart)

With there being no further business before the Board, Member Scholz moved to adjourn until March 18, 2013 at 10:30 a.m. Member Gowen seconded the motion which passed unanimously. The meeting adjourned at 4:43 p.m.

Respectfully submitted,



Amy Calvin, Administrative Assistant II



Rupert T. Borgsmiller, Executive Director