

STATE BOARD OF ELECTIONS  
Regular Meeting  
Monday, March 16, 2015

MINUTES

PRESENT: Jesse R. Smart, Chairman  
Charles W. Scholz, Vice Chairman  
Harold D. Byers, Member  
Betty J. Coffrin, Member  
Ernest L. Gowen, Member  
William M. McGuffage, Member  
Casandra B. Watson, Member

ABSENT: Bryan A. Schneider, Member

ALSO PRESENT: Steven S. Sandvoss, Executive Director  
James Tenuto, Assistant Executive Director  
Kenneth R. Menzel, General Counsel  
Amy L. Calvin, Administrative Assistant II

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The meeting convened at 10:30 a.m. via videoconference with seven members present. Chairman Smart and Members Byers, Coffrin, Gowen and McGuffage were present in Springfield and Member Watson was present in Chicago. Vice Chairman Scholz was present via teleconference. Member Schneider was absent and Chairman Smart held his proxy.

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

Member Coffrin moved to approve the February 18 minutes as presented. Member Byers seconded the motion which passed unanimously.

The General Counsel presented the following appeals of campaign disclosure fines where he concurred with the hearing officer recommendation to grant the appeals for Agenda items 2.a.1-6:

- 1) *SBE v. Friends of John A. Shaw*, 20952, 14AJ028;
- 2) *SBE v. Friends of Miriam Shabo*, 21302, 14JQ060;
- 3) *SBE v. Committee to Elect Erik Rankin*, 21447, 14JQ062;
- 4) *SBE v. Friends of Melinda Hult*, 24313, 14JQ107;
- 5) *SBE v. Citizens for Dick Rawlings*, 24325, 14JQ108;
- 6) *SBE v. Committee to Raise Illinois's Minimum Wage*, 25946, 14AJ058.

Member Gowen moved to grant the above noted appeals. Member McGuffage seconded the motion which passed by roll call vote of 8-0.

The General Counsel presented the following appeals of campaign disclosure fines where he concurred with the hearing officer recommendation to deny the appeals for Agenda items 2.a.7, 8, 13 & 16-21:

- 7) *SBE v. Citizens to Elect Eckhoff*, 4562, 14AJ013;
- 8) *SBE v. Friends of Leslie Sgro*, 6972, 14JQ017;
- 13) *SBE v. Citizens for David Friess*, 24200, 14JQ102;
- 16) *SBE v. Citizens for Joanne Rosado*, 25478, 14AM055;
- 17) *SBE v. Citizens for Joanne Rosado*, 25478, 14JQ147;

- 18) *SBE v. Winger for Rep*, 25510, 14AM087;
- 19) *SBE v. Citizens for Mike Webster*, 25607, 14AJ060;
- 20) *SBE v. Citizens for Ronnie White*, 25700, 14JQ162;
- 21) *SBE v. Committee to Elect Molt for Judge*, 25872, 14MA023.

No one was present on behalf of the respondent committees. Member Coffrin moved to deny the above noted appeals. Member Byers seconded the motion which passed by roll call vote of 8-0.

The General Counsel presented an appeal for Agenda item 2.a.9, *SBE v. Committee to Elect Mike Bost*, 7985, 14AJ014 and recommended the appeal be granted. He indicated the proceeds from the sale of assets should not have been reported as a contribution and the committee was not required to file an A-1. Member McGuffage moved to grant the appeal. Member Coffrin seconded the motion which passed by roll call vote of 8-0.

The General Counsel presented an appeal and settlement for Agenda item 2.a.11, *SBE v. Friends for Franco*, 19135, 14JQ053 and concurred with the hearing officer recommendation to deny the appeal. He further recommended the 50% settlement offer of \$312.50 be accepted. Member McGuffage moved to accept the recommendation of the General Counsel. Member Watson seconded the motion which passed by roll call vote of 8-0.

The General Counsel presented an appeal and settlement offer for Agenda item 2.a.14, *SBE v. Friends to Elect Jacqueline D. Franklin*, 24987, 14JQ130 and concurred with the hearing officer to deny both because the amount offered was below 50% of the penalty. Member Gowen moved to deny the appeal and the settlement offer. Vice Chairman Scholz seconded the motion which passed by roll call vote of 8-0.

The General Counsel presented an appeal and settlement offer for Agenda item 2.a.15, *SBE v. Franco for Mayor*, 25024, 14JQ131 and concurred with the hearing officer to deny both because the amount offered did not meet the Board's guidelines. Member McGuffage moved to deny the appeal and the settlement offer. Member Coffrin seconded the motion which passed by roll call vote of 8-0.

The General Counsel presented an appeal for Agenda item 2.a.22, *SBE v. Friends of Tim Parker*, 24507, 14MQ127 & 14AD042 and concurred with the hearing officer recommendation to grant the appeal in part and deny in part. Member Gowen moved to accept the recommendation of the General Counsel. Member Byers seconded the motion which passed by roll call vote of 8-0.

The General Counsel presented an appeal for Agenda item 2.a.23, *SBE v. Friends of Kristal Rivers*, 25514, 14MA017 and concurred with the hearing officer recommendation to grant the appeal in part and deny in part. Thomas Jaconetty was present on behalf of the committee and said the committee was mostly family funded and the late filings were inadvertent and unintentional. He said the combination of computer issues and the serious medical condition of the committee's treasurer attributed to the violations. It was noted that the amended reports were filed and the committee since closed its account with a zero balance. Member McGuffage moved to grant the appeal in part and deny in part and accept at 10% settlement offer of the assessed penalty. Member Byers seconded the motion which passed by roll call vote of 8-0.

The General Counsel presented Agenda items 2.a.10 & 12, *SBE v. Citizens for Lisa Madigan*, 13471, 14AD023 and *SBE v. Friends of Robyn Gabel*, 22260, 14AD062 and concurred with the hearing officer recommendation to deny the appeals. Mike Kasper was present on behalf

of both matters and explained that in both instances there were multiple checks included on one deposit slip. He felt these should be treated as one violation and the penalty stayed as a first violation. After discussion, Member McGuffage moved to deny the appeals, treat as one violation and stay the penalty. Member Watson seconded the motion which passed by roll call vote of 8-0.

A listing of civil penalty assessments necessitating a final board order was presented. Member Coffrin moved to assess the civil penalty against the committees listed on pages 209-213 of the board packet. Member Byers seconded the motion which passed by roll call vote of 8-0.

A listing of payment of civil penalties was presented for informational purposes.

Member Coffrin moved to recess to executive session to consider complaints following closed hearing and personnel matters. Member Gowen seconded the motion which passed by roll call vote of 8-0. The meeting recessed at 11:12 a.m. and reconvened at 11:30 a.m. with the same attendance as noted in the initial roll call.

Chairman Smart congratulated Sharon Steward, Director of Campaign Disclosure, who announced her intent to retire on April 30, 2015.

Agenda items 2.a.26, 28 & 29: *Matthew v. Friends of Marc Loveless*, 15CD003; *Lopez v. Davis, Jr.*, 15CD005; and *Lopez v. Davis, Jr.*, 15CD006 were pulled due to lack of service on the parties.

As to Agenda item 2.a.27, *Olejniczak v. Citizens for Tunney*, 15CD004, Member Gowen moved to find that the complaint was not filed on justifiable grounds and the matter be dismissed. Member Byers seconded the motion which passed by roll call vote of 8-0.

As to Agenda item 2.a.30, *Klonsky v. Citizens to Elect Richard Wooten*, 15CD007, Member Gowen moved to find that the complaint was filed on justifiable grounds with respect to the specified in-kind contributions and that on that basis the matter proceed to a public hearing. With respect to the attribution of source, the complaint was found to have not been filed on justifiable grounds and no further action necessary. Member Byers seconded the motion which passed by roll call vote of 8-0.

The Executive Director began his report with updates on the 2015 consolidated elections. The February 24 post-election and late precinct reports were briefly discussed. He noted that the late precinct reporting update began several years ago and, for the February 24 Consolidated Primary Election, only the City of Chicago experienced precincts reporting after 2:00 a.m. Twenty-nine precincts were late due to either a human error with uploading the results or a mechanical error with the upload. The ballots were either re-run the next day and the votes tabulated or the memory sticks were located and uploaded. There were no subsequent issues with either of these situations.

The April 7, 2015 Consolidated Election staff assignments and a listing of election judge training schools were presented for informational purposes.

The Executive Director presented the PEW Foundation Grant application for consideration. He explained that SB172 requires the agency to enter into an agreement with the

Election Registration Information Center (ERIC) and one of the requirements of ERIC is to send a mailing to all the individuals in Illinois of voting age that are not currently registered. The estimated cost of production of the cards and postage for the mailing will be approximately \$835,000. To help offset this cost, the PEW Charitable Trust is offering financial assistance through a grant that would cover roughly 75% of the anticipated costs and asked the Board for approval to apply for such grant. Vice Chairman Scholz moved to grant authorization to staff to submit an application for the PEW grant. Member McGuffage seconded the motion which passed by roll call vote of 8-0.

Next on the agenda was consideration of approval of modification to Hart Voting System 6.2.1 – upgrade to Windows 7 Professional. Kyle Thomas reported that this was an upgrade to the operating system on the computers that contain the election program and where reports are compiled. Staff ran 5, 510 ballots that the tabulators counted accurately and the computer utilizing Windows 7 compiled the results correctly. Mr. Thomas recommended the Board grant a two year interim approval for the upgraded 6.2.1 system. Member Coffrin moved to grant a two year interim approval for such system. Member Gowen seconded the motion which passed by roll call vote of 8-0.

The Executive Director presented proposed legislation amending Article 28 of the Election Code relating to questions of public policy statewide. The language in the amendment includes technical changes necessary to implement the provisions of Senate Bill 172, which will allow advisory question petition processing to be more consistent with constitutional amendment processing. Cris Cray added that a motion was needed to include this legislation to the Spring 2015 legislative agenda. She also noted that the first House appropriation hearing on March 4 went very well and the first Senate appropriation hearing is scheduled at 9:00 a.m. on March 26. Member McGuffage moved to add the proposed legislation to the Spring 2015 legislative agenda. Member Byers seconded the motion which passed by roll call vote of 8-0.

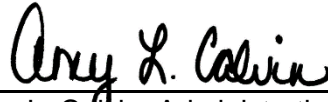
Next on the agenda was an update on the implementation of Senate Bill 172 and Kevin Turner reported that the major portion of the project to merge the IVRS and SBE domains was completed at the end of February. Technical specifications for the data exchange with the other agencies named in the legislation are in the process of development and anticipate completion in a couple of weeks. Mr. Turner indicated that a project to merge the Paperless Online Voter Application (POVA) system with the paper-based Online Voter Registration (OVR) system is underway and scheduled to be released after the April election. Kyle Thomas noted that meetings with the other agencies regarding the exchange of data have been going very well and future meetings are scheduled for March 10 and 11.

A report on the NASED winter conference, fiscal status reports and two year plan of staff activity for the months of March and April were presented for informational purposes.

Under follow up, Chairman Smart asked if staff has received any further correspondence from Ms. Meroni since last month's presentation from the City of Chicago. The General Counsel indicated that he has not received anything directly from Sharon Meroni, but he did receive copies of correspondence from the City of Chicago.

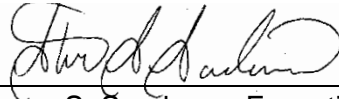
With there being no further business before the Board, Vice Chairman Scholz moved to adjourn until Tuesday, April 21, 2015 in Chicago. Member Coffrin seconded the motion which passed unanimously. The meeting adjourned at 12:05 p.m.

Respectfully submitted,



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Amy L. Calvin, Administrative Assistant II



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Steven S. Sandvoss, Executive Director