

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

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

EXECUTIVE DIRECTOR  
Daniel W. White

AGENDA  
STATE BOARD OF ELECTIONS  
BOARD MEETING  
Monday, April 20, 2009  
10:30 a.m.

James R. Thompson Center – Room 2-025  
Chicago, Illinois  
And via videoconference  
1020 South Spring Street  
Springfield, Illinois

Call State Board of Elections to order.

1. Approval of the minutes from the February 23 and March 10 special meetings and the March 16 regular meeting. (pgs.1-12)
2. Report of the Executive Director
  - a. Voting system issue for 2010 elections; (pgs.13-24)
  - b. Consideration of proposed rule – P.A. 95-971 “Pay to Play” legislation; (pgs.25-30)
  - c. April 7, 2009 Consolidated Election and Special Election in the 5<sup>th</sup> Congressional District; (pg.31)
    - 1) Consolidated and Special Election report; (pg.32)
    - 2) Voting system pre-testing – informational; (pgs.33-35)
  - d. Legislative update; (pgs.36-44)
  - e. HAVA update; (pg.45)
  - f. Consideration of Board meeting schedule for FY10; (pgs.46-47)
  - g. Fiber optics report – informational; (pgs.48-49)
  - h. Fiscal status reports – informational;
    - 1) FY09 – month ending March 31; (pgs.50-58)
    - 2) Help Illinois Vote Fund; (pgs.59-64)
    - 3) EAC Data Collection Grant; (pgs.65-67)
  - i. Two year plan of staff activity for the months of April and May – informational. (pgs.68-72)
3. Report of the General Counsel
  - a. Campaign Disclosure;  
Motion for reconsideration
    - 1) SBE v. Friends of Dorothy Brown, L8922, 08AP085; (pgs.73-77)  
Appeals of campaign disclosure fines – carryover from February – hearing officer recommendation appeal be granted and denied
    - 2) SBE v. Committee for Ed Smith, L822, 08MA011; (pgs.78-87)  
Appeals of campaign disclosure fines – new appeals – hearing officer recommendation appeal be granted
    - 3) SBE v. Citizens for Arlene Mulder, L3242, 09DS012; (pgs.88-94)
    - 4) SBE v. Citizens Committee for Ronnie Lewis, L14974, 09DS118; (pgs.95-97)

- 5) *SBE v. Pulaski County Republican Central Committee*, S551, 09DS123; (pgs.98-102)
- 6) *SBE v. Will County Democratic Central Committee*, S560, 09DS124; (pgs.103-106)
- 7) *SBE v. Democratic Party of Illinois*, S4866, 08AG007; (pgs.107-113)
- 8) *SBE v. DuPage Young Republicans*, S4900, 09DS147; (pgs.114-119)
- 9) *SBE v. The Alliance PAC*, S5926, 09DS151; (pgs.120-123)
- 10) *SBE v. William Davis for State Representative*, S8040, 08AG010; (pgs.124-128)
- 11) *SBE v. Illinois School Administrators PAC*, S8664, 09DS175; (pgs.129-132)
- 12) *SBE v. Friends of Kwame Raoul*, S8749, 09DS176; (pgs.133-135)
- 13) *SBE v. Friends to Elect Jason Briscoe*, S9096, 09DS187; (pgs.136-140)
- 14) *SBE v. ActBlue Illinois*, S9277, 08MA017; (pgs.141-146)
- 15) *SBE v. Friends of John Corrigan*, S9443, 08AP086; (pgs.147-153)

Appeals of campaign disclosure fines – new appeals – hearing officer recommendation appeals be denied

- 16) *SBE v. Edwardsville Republican Women*, L2166, 09DS009; (pgs.154-156)
- 17) *SBE v. Citizens to Elect Ersel C. Schuster*, L2384, 08GE003; (pgs.157-159)
- 18) *SBE v. Citizens for Steve Kim*, L8214, 09DS025; (pgs.160-162)
- 19) *SBE v. Collinsville-Maryville Republican Central Committee*, L8896, 09DS027; (pgs.163-165)
- 20) *SBE v. McHenry County Republican Foundation Committee*, L8930, 09DS028; (pgs.166-168)
- 21) *SBE v. Friends of Brad Mills*, L12693, 09DS052; (pgs.169-171)
- 22) *SBE v. Citizens for John F. Sweeney*, L13647, 09DS064; (pgs.172-175)
- 23) *SBE v. Friends of Nero*, L14460, 09DS074; (pgs.176-179)
- 24) *SBE v. Friends of Gerald Frazier*, L14519, 09DS079; (pgs.180-182)
- 25) *SBE v. ReNew it! Now*, L14803, 09DS099; (pgs.183-189)
- 26) *SBE v. Committee to Elect Jim Soeldner*, L14820, 09DS101; (pgs.190-193)
- 27) *SBE v. Warren County Committee for Public Safety*, L14840, 09DS103; (pgs.194-196)
- 28) *SBE v. Hardin County Republican Central Committee*, S90, 08GE022; (pgs.197-201)
- 29) *SBE v. Democratic Central Committee of Stephenson County*, S272, 08GE023; (pgs.202-211)
- 30) *SBE v. Ogle County Democratic Central Committee*, S948, 08GE031; (pgs.212-215)
- 31) *SBE v. Illinois Cable PAC (Comcast Cable)*, S3482, 08GE036; (pgs.216-219)
- 32) *SBE v. Cook County Democratic Women*, S3909, 09DS144; (pgs.220-222)
- 33) *SBE v. IL Conservation Voters*, S7450, 09DS160; (pgs.223-225)
- 34) *SBE v. Friends of Annazette R. Collins*, S7707, 08AP048; (pgs.226-229)
- 35) *SBE v. Citizens for Gary Grasso*, S8802, 09DS179; (pgs.230-233)
- 36) *SBE v. Citizens to Elect Jill C. Marisie*, S9071, 09DS186; (pgs.234-236)
- 37) *SBE v. Quality Education 203.org*, S9401, 09DS199; (pgs.237-241)
- 38) *SBE v. Friends of Rich Kelly*, S9712, 08AP015; (pgs.242-245)

Appeals of campaign disclosure fines – new appeals – hearing officer recommendation appeals be granted & denied

- 39) *SBE v. Citizens for Michael Holliday*, S9838, 09MA005; (pgs.246-253)

Other campaign disclosure items

- 40) Assessments/Final Orders; (pgs.254-258)
- 41) Payment of civil penalties – informational; (pg.259)

Complaints following closed hearing (separate packet)

- 42) *Lemmons v. Aurand*, 09CD008; (pgs.1-17)
- 43) *Marino v. The New Broadview Tea Party*, 09CD009; (pgs.18-46)
- 44) *McArtin v. Friends of Pat Duby*, 09CD010; (pgs.47-53)

- 45) *The Orland Township First Party v. The Orland Township Board*, 09CD011;  
(pgs.54-95)
  - 46) *Machynia v. Citizens for Itasca Party*, 09CD012; (pgs.96-123)
  - 47) *Durante v. Addison Township Democratic Organization*, 09CD013;  
(pgs.124-133)
  - b. Consideration of memorandum regarding temporary/contractual employees.  
(pgs.260-262)
- 4. Other business. (pg.263)
  - 5. Comments from the Chairman and Vice Chairman. (pg.263)
  - 6. Comments from the general public. (pg.263)
  - 7. Next Board meeting Monday, May 18, 2009 at 10:30 a.m. in Springfield. (pg.263)
  - 8. Executive Session. (pgs.264-277)

STATE BOARD OF ELECTIONS  
Special Board Meeting Via Videoconference  
Monday, February 23, 2009

MINUTES

**PRESENT:**

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

**ALSO PRESENT:**

Daniel W. White, Executive Director  
Steve Sandvoss, General Counsel  
Amy Calvin, Administrative Specialist II

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The special meeting of the State Board of Elections was called to order via videoconference means at 3:05 p.m. with all Members present. Chairman Porter, Vice Chairman Schneider and Members Keith and Smart were present in the Springfield office and Members Brady and McGuffage present in the Chicago office. Member Walters was present at Lewis & Clark College in Godfrey and Member Rednour was present via teleconference.

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

The first item on the agenda was consideration of complaints following closed hearing. Member Keith moved to recess to executive session. Vice Chairman Schneider seconded the motion which passed unanimously. The meeting recessed at 3:06 p.m. and reconvened at 3:45 p.m.

Member Keith moved to continue case 09CD003 for proof of service, to find that complaints 09CD004 and 09CD005 were not filed on justifiable grounds and no further proceedings were necessary and to approve the proposed stipulation in 09CD006 and issue an order accordingly. Vice Chairman Schneider seconded the motion which passed unanimously.

Member Keith moved in case number 09CD002 to find that Count I regarding the yard signs was filed on justifiable grounds and should proceed to public hearing and Count II, as to alleged contributions or expenditures made to Mr. Donahue and Count IV, as to the alleged contributions from Mr. Welling were not filed upon justifiable grounds and the motion to withdraw by Mr. Lavelle should

be granted and those not proceed to public hearing. Member McGuffage seconded the motion which passed by roll call vote of 5-3.

With there being no further business before the Board, Member Keith moved to adjourn until Tuesday, March 10, 2009 at 5:00 p.m. in Springfield, Chicago and Godfrey via videoconference, or until call of the Chairman whichever occurs first. Vice Chairman Schneider seconded the motion which passed unanimously. The meeting adjourned at 3:50 p.m.

Respectfully submitted,



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Amy Calvin, Administrative Specialist II



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Daniel W. White, Executive Director

**STATE BOARD OF ELECTIONS**  
**Special Board Meeting Via Videoconference**  
**March 10, 2009**

**MINUTES**

**PRESENT:** Albert S. Porter, Chairman  
Bryan A. Schneider, Vice Chairman  
Patrick A. Brady, Member  
John R. Keith, Member  
Wanda L. Rednour, Member  
Jesse R. Smart, Member

**ABSENT:** William M. McGuffage, Member  
Robert J. Walters, Member

**ALSO PRESENT:** Daniel W. White, Executive Director  
Steve Sandvoss, General Counsel  
Amy Calvin, Administrative Specialist II

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The special meeting of the State Board of Elections was called to order via videoconference means at 5:00 p.m. Chairman Porter, Vice Chairman Schneider and Member Brady were present in the Chicago office and Members Keith and Smart were present in Springfield. Members McGuffage and Walters were absent and Chairman Porter and Member Smart held their proxies respectively.

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

The Executive Director presented the proclamation of results from the March 3, 2009 Special Primary Election in the 5<sup>th</sup> Congressional District and the Certification of candidates for the April 7, 2009 Special Election in the 5<sup>th</sup> Congressional District. The winners were Mike Quigley, Rosanna Pulido and Matt Reichel. Vice Chairman Schneider moved to certify the results from the March 3, 2009 Special Primary Election. Member Smart seconded the motion which passed by roll call vote of 8-0. Member Schneider then moved to certify the candidates for the April 7, 2009 Special Election. Member Smart seconded the motion which passed by roll call vote of 8-0.

With there being no further business before the Board Member Smart moved to adjourn until Monday, March 16, 2009 at 10:30 a.m. in Springfield and Chicago via videoconference, or until call of the Chairman whichever occurs first. Member Keith seconded the motion which passed unanimously. The meeting adjourned at 5:05 p.m.

Respectfully submitted,



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Amy Calvin, Administrative Specialist II



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Daniel W. White, Executive Director

STATE BOARD OF ELECTIONS  
Board Meeting  
Monday, March 16, 2009  
Springfield, Illinois

MINUTES

PRESENT: Albert Porter, Chairman  
Bryan Schneider, Vice Chairman  
Patrick Brady, Member  
John Keith, Member  
William McGuffage, Member  
Wanda Rednour, Member  
Jesse Smart, Member  
Robert Walters, Member

ALSO PRESENT: Dan White, Executive Director  
Steve Sandvoss, General Counsel  
Rebecca Glazier, Assistant to Executive Director

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The regular monthly meeting of the State Board of Elections was called to order at 10:30 a.m. with eight members present. Chairman Porter, Vice Chairman Schneider and Members Brady and McGuffage were present in the Chicago office and connected via videoconference.

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

In order to accommodate parties present on campaign disclosure matters, Chairman Porter noted the order of the agenda would be changed.

The General Counsel presented *Emilio Cundari v. Cicero Equality Committee*, a complaint following a closed hearing. Mike Lavelle was present representing the complainant and Frank Avila was present representing the committee. Mr. Sandvoss discussed the Motion to Reconsider. Mr. Avila reviewed the hearing activities at which he was present and indicated he was under an incorrect assumption that this matter was not going to be heard today. He indicated he had not seen the hearing officer's report and felt there was no need to proceed to a public hearing. Mr. Lavelle indicated that at the hearing it was indicated that the Board will discuss it at today's meeting. Mr. Sandvoss indicated that the hearing officer informed both parties at the hearing that the matter would be on the agenda today. Both parties were sent the hearing officer's report Monday morning via e-mail. Mr. Sandvoss recommended the motion to reconsider be denied. Member Keith moved to deny the motion to reconsider. Member Smart seconded the motion which passed by roll call vote of 7-1

with Member Brady voting in the negative. Mr. Sandvoss reminded both parties there is a pre-hearing management conference scheduled on this matter for Wednesday at 10 a.m. in the Chicago office.

The General Counsel presented *SBE v. Friends of Bob Lutz*, 08MA016, an appeal of a campaign disclosure fine that the hearing officer recommended be denied. Robert Lutz was present on behalf of the committee. Mr. Sandvoss reviewed the committee's delinquent filing and the \$15,960 assessment. The hearing officer recommended the appeal be denied since the committee did raise and spend money during 2007 and 2008 in support of his successful bid for re-election and did not report the transactions until after the election. Mr. Sandvoss concurred with the recommendation. Mr. Lutz discussed his activities as to raising and spending funds but indicated he mistakenly believed he would have to pay the original fine before creating a new committee. He further indicated as a public servant for 29 years he would never have willfully not filed and requested the fine be reduced to \$675 which was the amount of the original fine. After further discussion on the fine and an offer from Mr. Lutz to pay \$2,275 Member Smart moved to assess a penalty of \$2,275 to settle the claim. Member Walters seconded the motion which lost by roll call vote of 3-5 with Members Brady, Keith, McGuffage, Vice Chairman Schneider and Chairman Porter voting in the negative. Mr. Lutz then offered a settlement amount of \$5,000. Member McGuffage moved that the offer of \$5,000 be accepted. Member Smart seconded the motion which passed by roll call vote of 5-3 with Members Brady, Keith and Chairman Porter voting in the negative.

The General Counsel presented *Roberto Garcia v. Cicero Voters Alliance*, a matter that was held over from the February meeting but did not make it on today's agenda and recommended the Board proceed to hear the matter as to Counts 1 and 2. Rich Means was present on behalf of Cicero Voters Alliance Committee and waived the closed session requirement. Frank Avila was present on behalf of Roberto Garcia and also waived the closed session requirement. Mr. Sandvoss reviewed the complaint. Mr. Means indicated that as recommended by the hearing officer the committee transferred all of the assets from the for-profit committee to a not-for-profit committee to make it clear there was no appearance or possibility of an improper use of campaign funds and indicated the committee is now in compliance with Counts 1 and 2. Mr. Sandvoss indicated he had not had a

chance to review the material at depth. Vice Chairman Schneider moved to set this matter over to the April 20 Board meeting. Member Keith seconded the motion which passed by roll call vote of 8-0.

The General Counsel presented *SBE v. Citizens for Bill Brady*, an appeal of a campaign disclosure fine. Ed Brady was present on behalf of Citizens for Bill Brady. Mr. Sandvoss discussed the appeal and indicated the hearing officer recommended the appeal be granted in part and denied in part and concurred with the recommendation. He explained the appeal be granted in regard to contributions in point 1 and 2 and the appeal be denied in regard to the in-kind contribution discussed in point 3. Mr. Brady indicated his agreement with the recommendation. Vice Chairman Schneider moved to accept the recommendation of the hearing officer and General Counsel. Member Brady seconded the motion which passed by roll call vote of 8-0.

The General Counsel presented *SBE v. Committee for Retention of Judges in Cook County*, a motion for reconsideration. Robert Gordon was present to answer any questions. Mr. Sandvoss discussed the civil penalty assessed to the committee for delinquent filing in which the penalty was stayed as a first violation. Mr. Sandvoss recommended the motion to reconsider be denied. The committee's explanation was that they attempted to e-mail the report but the program was not compatible with the SBE program. The SBE refused to accept a manual report because this committee is required to file electronically. Discussion ensued on the submission of the report. Member Keith moved that the motion for reconsideration be denied. Member Smart seconded the motion which passed by roll call vote of 6-1-1 with Member McGuffage voting in the negative and Chairman Porter recusing himself from the vote.

The General Counsel presented *SBE v. Friends of John Corrigan*, a motion for reconsideration. John Corrigan was present on behalf of the Committee. Mr. Sandvoss discussed the activities leading to the assessment and the committee's appeal which was received late. Mr. Corrigan discussed his request for reconsideration and asked that the Board allow the Committee to move forward with the appeal as they would like to keep the record clean. They had sent the appeal but it was received one day after the deadline. Discussion ensued on the multiple A-1 violations and the date of the Board order as well as the date of the mailing. Member Brady moved to grant the motion

for reconsideration over the recommendation of the General Counsel. Vice Chairman Schneider seconded the motion noting that this is not on the merits of the issue but rather on the question of should he have a chance. The motion passed by roll call vote of 6-2 with Members Smart and Walters voting in the negative.

The General Counsel presented *SBE v. Acorn PAC*, *SBE v. Citizens for April Troope*, and *SBE v. Illinois New Party Political Committee*, all motions for reconsideration that could be heard at the same time. Dan Johnson Weinberger was present on behalf of the committees and explained the request for reconsideration of the decisions also indicating all three committees have been inactive for two or three years. Mr. Johnson Weinberg had checks to pay the assessed fines noting the remaining funds will be given to charity and he will then close the committees. Mr. Sandvoss indicated each committee was sent a notice of assessment and the appeal forms but none took advantage of it. He recommended denying the motion. Member Keith moved to deny the motion to reconsider in all three cases. Member Brady seconded the motion which passed by roll call vote of 8-0.

The General Counsel presented *SBE v. Citizens for Judy Cates*, a motion for reconsideration of the final order. Jason Gyere was present on behalf of the committee. Mr. Sandvoss recommended the motion be denied. Mr. Gyere explained that he is now the current treasurer but the past treasurer misled Ms. Cates and was negligent in filing or passing on information. Mr. Keith indicated that if the committee wants to make a settlement offer perhaps it should be considered at this time before the motion to reconsider is addressed. Mr. Sandvoss explained if the motion to reconsider is denied the matter ends; if it is granted the Board could consider the merits of the case and a settlement offer. With no further discussion, Member Keith moved to deny the motion for reconsideration. Member Smart seconded the motion which passed by roll call vote of 8-0 with Chairman Porter voting Member McGuffage's proxy as he had stepped out of the room.

The General Counsel presented *SBE v. Jersey County Democratic Central Committee*, an appeal of a campaign disclosure fine that the hearing officer recommended be denied. Gene Abbott was present on behalf of the committee. Mr. Abbott discussed the penalty and asked that it be

reduced from the \$900. Mr. Sandvoss reviewed the delinquent filing and recommended the appeal be denied. After further discussion Mr. Abbott offered a settlement offer of \$500. Member Brady moved to accept the recommendation of the hearing officer and General Counsel and deny the appeal. Member Smart seconded the motion which passed by roll call vote of 7-0-1. Member McGuffage was out of the room and Chairman Porter passed on his proxy vote.

Director White presented for discussion the issue of testing voting systems for the 2010 elections. Bob Saar, DuPage County Election Commission; Peter McLenna, Cook County Clerk's office; Lance Gough, Chicago Board of Election Commission; and Sandy Green, Sequoia Voting Systems were present for this discussion. Director White indicated that at the February meeting the Board voted to direct staff to obtain further information toward accomplishing testing, including costs, time to complete testing and staffing. A detailed report was included in the Board packet. Member Keith indicated this would be an unfunded program and the money collected would go to the General Revenue Fund and not the SBE. Director White indicated that under our current rules we could require the vendors to provide all resources. Currently, the SBE does not test until the vendor has received its federal identification number from the EAC. Mr. Gough asked the SBE staff to test the voting equipment prior to them receiving their number. Mr. Saar indicated that many other states have chosen to disconnect from the federal guidelines. Dianne Felts explained that the SBE has adopted the voluntary standards and Section 24C-16 of the Election Code requires that testing follow the standards for DRE'S. Discussion ensued on the Board considering rescinding their approval of the voluntary standards or allowing staff to test prior to receiving the EAC identification number. The Election Assistance Commission (EAC) has established a 120 day timeline for their testing program and one of the systems currently in the ITA is DuPage's system. Ms. Felts indicated that the EAC testing program seems to be a moving target for the vendors right now. She agreed with the possibility of rescinding the standards for a short period of time and allowing the SBE to test before the vendors are finished with ITA testing. If something would change after it goes to the EAC, the system would have to be re-tested and it is not uncommon that the EAC requires revisions. Ms. Felts explained that the ITA tests for different things that she does. Her tests involve accuracy and whether

the system works under Illinois law, where the ITA tests for physical requirements such as temperature and humidity response as well as reviewing the source code. After further discussion it was agreed the General Counsel will review whether the Board can legally begin its own testing before the EAC approves the ITA reports and any other rules or regulations that would impede the SBE from moving ahead with the request from Chicago to test the Sequoia equipment and to also work with DuPage.

The Executive Director presented the minutes of the February 5 special meeting and February 17 regular meeting. Director White discussed revisions to the February 17 minutes. Member Keith moved to approve the minutes as revised. Member Smart seconded the motion which passed by roll call vote of 8-0 with Vice Chairman Schneider voting Member Brady's proxy as he had stepped out of the room.

Director White reported on the February 24 Consolidated Primary indicating only a handful of phone calls were received. There was light turnout and no major problems at the March 3 Special Congressional Primary Election. The Special Congressional General Election will be held on April 7, 2009 the same day as the Consolidated Election. Staff assignments are located in the Board packet, along with the voting system pre-test schedule, and schedule of election judges schools.

Director White presented the ES&S M-100 v. 5.2.10 for final approval. Dianne Felts discussed the optical scan system indicating it has worked very well for the last two years and recommended final approval. Member Smart moved to approve the system as recommended by Mrs. Felts. Member Rednour seconded the motion which passed unanimously.

The Executive Director presented a legislative update indicating the Governor will give his budget address on Wednesday, March 25. Our House Appropriations hearing is scheduled for March 25, and our Senate Appropriations hearing is scheduled for April 1. Cris Cray indicated that SB 761 codified the Pay to Play Rules resolving the legality of the temporary paper filing. She informed the Board that Speaker Madigan has indicated the primary will remain in February.

The Executive Director presented the FY 09 fiscal status report for the period ending February 28, the FY 09 fiscal report for the Help Illinois Vote Fund, the FY 09 fiscal report for the EAC

Data Collection grant, and the two year plan of activity for the months of March and April for informational purposes.

Meeting recessed for a short break at 1:05 p.m. and reconvened at 1:20 p.m.

The General Counsel presented agenda items 3.a.7-11, appeals of campaign disclosure fines that the hearing officer recommended be granted as follows: *SBE v. Steve Weber for Auditor*, 08AG002; *SBE v. 23<sup>rd</sup> Ward Democratic Organization*, 08AG003; *SBE v. Citizens to Elect Eddie Washington*, 08AP052; *SBE v. Friends for Howland*, 08GE046; and *SBE v. Friends for Eddie Winters*, 08AP088. Mr. Sandvoss concurred with the recommendations of the hearing officer. No one was present in these matters. Member Smart moved that the appeals be granted as recommended by the General Counsel and hearing officer. Member Rednour seconded the motion which passed unanimously.

The General Counsel presented agenda items 3.a.12-16 and 19-22, appeals of campaign disclosure fines that the hearing officer recommended be denied as follows: *SBE v. Stark County Democratic Central Committee*, 08GE001; *SBE v. Rock Island County Democratic Women's Club*, 08GE002; *SBE v. Committee to Elect Tommy Brewer*, 08JS248; *SBE v. Citizens for Mary Margaret Maule*, 08JS251; *SBE v. Friends of the Park District*, 08JS257; *SBE v. The Republican Organization of Elk Grove Township*, 08GE054; *SBE v. Taxpayers United for Fairness*, 08JS265; *SBE v. Citizens for Diane Shapiro*, 08GE056; and *SBE v. Citizens Looking at Supporting Schools*, 08GE057. Mr. Sandvoss concurred with the recommendation of the hearing officer. No one was present in these matters. Member Smart moved to deny the appeals as recommended by the hearing officer and General Counsel. Member McGuffage seconded the motion which passed unanimously.

The General Counsel presented for informational purposes a listing of committees who have paid civil penalties.

Vice Chairman Schneider moved to recess to executive session for the purpose of discussing campaign disclosure matters, potential and pending litigation, and personnel issues. Member Brady seconded the motion which passed unanimously. Meeting recessed at 1:20 p.m. and reconvened at 1:40 p.m.

Member Keith moved in the matter of *Swiss, Skoien & Sutarik v. Roupas*, 08CD086 to adopt the recommendation of the hearing officer and General Counsel and find the case was not filed on justifiable grounds and the matter be dismissed without further action. Vice Chairman Schneider seconded the motion which passed unanimously.

Member Keith moved in the matter of *Wiggins v. Foster*, 09CD007 to adopt the recommendation of the hearing officer and General Counsel and the case be dismissed for lack of prosecution based upon the non-appearance of the complainant. Vice Chairman Schneider seconded the motion which passed unanimously.

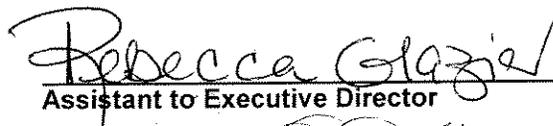
Member Keith moved to request the Attorney General of the State of Illinois represent the State Board of Elections in the matter of *Roppo v. State Board of Elections* filed in the U.S. District Court in the Northern District of Illinois. Member Rednour seconded the motion which passed unanimously.

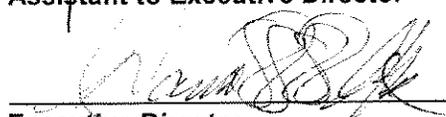
Chairman Porter discussed the meeting with the Illinois Reform Commission that he, Vice Chairman Schneider, Director White, Assistant Executive Director Borgsmiller and Steve Sandvoss attended. The same materials distributed to the Commission were distributed to the Board. Chairman Porter discussed his presentation to the Commission.

The next regular meeting of the State Board of Elections will be held on Monday, April 20, 2009 at 10:30 a.m. in Chicago.

With there being no further discussion, Vice Chairman Schneider moved to adjourn until April 20 or the call of the chair. Member Rednour seconded the motion which passed unanimously. The meeting adjourned at 2:00 p.m.

Respectfully submitted,

  
Assistant to Executive Director

  
Executive Director

# **STATE BOARD OF ELECTIONS**

**MEMORANDUM**

*From the desk of:  
Daniel W. White, Executive Director*

**TO:** Members of the Board

**SUBJECT:** 2010 Voting System Issue

**DATE:** April 9, 2009

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This is a carryover from our March meeting. Background materials from that meeting as well as a new report from Steve Sandvoss on State Testing of Voting Systems prior to EAC Certification and a Fiscal Impact Estimate of Voting Systems Testing are included for your consideration.

Attachments

# **STATE BOARD OF ELECTIONS**

**MEMORANDUM**

*From the desk of:  
Daniel W. White, Executive Director*

**TO:** Members of the Board  
**SUBJECT:** Voting Systems Issue for 2010 Elections  
**DATE:** March 9, 2009

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At the February meeting, the Board considered a joint request from the Chicago Board of Election Commissioners and the Cook County Clerk's office regarding voting systems testing issues for the 2010 elections. The Chicago Board had sent the attached letter requesting that we undertake testing of Chicago's Sequoia based WinEDS 4.0 voting system, prior to the system receiving certification from the federal Election Assistance Commission (EAC). Chicago Board Executive Director Lance Gough, Cook County Elections Director Jan Kralovec and Sandy Green from Sequoia appeared and addressed the Board.

After discussion and input from SBE staff, the Board voted to direct staff to obtain further information toward accomplishing testing, including costs, time to complete and staffing, and report back to the Board at the March meeting.

Accordingly, the following is submitted for consideration.

I have met with Voting Systems Director Dianne Felts and General Counsel Steve Sandvoss to review issues to be addressed. For purposes of this discussion we have identified the following issues for review.

1. Costs
2. Personnel
3. EAC Testing Standards
4. Illinois Statutory Requirements
5. Risks

In two memos that are attached, Dianne and Steve address these matters but, first, let me briefly summarize.

1. Costs  
Any costs for testing, including securing of additional space and staffing will be borne by election vendors. This is provided by Sections 24B-16 and 24C-16 of the Election Code that states the vendor is responsible for production and cost of fees, ballots, temporary workers, equipment and facilities needed for testing. In addition, SBE rule 204.50 says that reasonable expenses incurred by the SBE in the approval process shall be

borne by the applicant for approval of the voting system. There will be costs to the SBE in terms of man hours, but at this point the costs are indeterminate as they depend on the scope of modifications/upgrades requested. While there may be additional costs to individual jurisdictions such as Cook and Chicago, that information is not available as it is a matter of the contractual agreement between election jurisdiction and vendor. In Dianne's attached memo she has included some costs other states charge for testing.

2. Personnel

Currently there are two vendors who have submitted applications to us for modifications to their current systems - Sequoia and Premier. We also expect ES&S to be submitting an application very shortly. All three are currently seeking EAC certification as well. Dianne has indicated that with staff assistance from other SBE divisions, she will have sufficient resources and manpower to conduct these three tests this summer. Each test will run one to two months and some testing phases can be run concurrently as resources permit.

3. EAC Testing Requirements

We are required to conduct voting system testing under guidelines of the federal voting system standards. However, the EAC and the SBE testing procedures provide for different criteria. For example, the EAC tests for certain physical requirements such as temperature and humidity response. They also review the source code. We do not test for these criteria and presently do not have the capacity to do so. Please see Dianne's memo for further detail.

4. Illinois Statutory Requirements

We find only one section of Illinois law that poses a statutory challenge to conducting state testing in the absence of federal certification. That Section is 5/24C-16 which addresses DRE (direct recording electronic) voting systems and states in relevant part that the SBE shall approve all DRE's that fulfill the mandatory requirements of the federal voting system standards promulgated by the EAC. In addition, the Board has adopted the federal standards for Illinois certification. I have asked Steve Sandvoss to review this section and offer comments. Please see his attached memo.

5. Risk

Should we proceed with voting system testing prior to securing EAC approval, there is the risk that some or all of our testing may later be rendered ineffective by an EAC finding that addresses or alters some aspect of the testing we have already concluded. We may then need to redo testing of impacted voting systems.

### Findings

1. In the absence of a statutory change to Section 5/24C-16 regarding DRE's, we are bound to abide by the EAC standards.
2. We have sufficient resources to begin testing soon while the three Illinois vendors proceed through the EAC testing laboratory.
3. Above I addressed the risk of moving ahead now – later changes by the EAC could require additional testing on our part. However, eventually we will need to begin testing of upgrades and modifications that are necessary for the 2010 February Primary Election. Given the EAC's backlog in testing voting systems, the risk of later having to revise some aspects of our testing may be less than the risk of waiting for the conclusion of a protracted EAC testing procedure.

We have notified Cook, Chicago, Sequoia, ES&S and Premier that this matter is on the March Agenda. Dianne, Steve and I will review at the meeting and respond to questions.

### Attachments

COMMISSIONERS  
Langdon D. Neal, *Chairman*  
Richard A. Cowen, *Secretary*  
Marisel A. Hernandez, *Commissioner*  
Lance Gough, *Executive Director*



January 30, 2009

Mr. Daniel W. White  
Executive Director  
Illinois State Board of Elections  
100 West Randolph Street, Suite 14-100  
Chicago IL 60601

Dear Dan:

We are writing to ask the assistance of the State Board of Elections on a matter of critical importance. No voting system may be used in Illinois unless it is approved for use by the State Board. The Chicago Board of Election Commissioners currently uses voting devices and software supplied by Sequoia Voting Systems, Inc. Sequoia's vote tabulation and election management software, WinEDS version 3.0.74, was approved for use by the State Board of Elections prior to the March 2006 general primary.

Since then, the State Board has approved several software modifications and work-arounds to address changing requirements and problems which have been identified. In the meantime, Sequoia undertook a comprehensive upgrade to WinEDS and developed version 4.0 of that software that also address some of the issues that needed resolution. Sequoia initially submitted WinEDS 4.0 for federal testing and certification in August 2007. However, the entire federal testing and certification process has languished as the United States Election Assistance Commission has changed its policies and operations since inheriting from the National Association of State Election Directors the responsibility for voting system testing and certification.

In August 2008, the *New York Times* reported that known voting machine flaws could not be fixed in time for the November 2008 presidential election because of the EAC's backlog in testing the machines' hardware and software. As a result, election officials and voting machine manufacturers had to forgo important software modifications meant to address security and performance concerns.

In September 2008, the United States Government Accounting Office issued a report finding that the EAC had yet to define an approach to testing and certifying voting

systems in sufficient detail to ensure that certification activities are performed thoroughly and consistently. The GAO also found that although the EAC had broadly described an approach for tracking problems with certified voting systems and using this information to improve its certification program, key elements of the EAC's approach were either missing or inadequately defined.

Thus far, there is little indication that the EAC has taken adequate steps to get the testing and certification process on track.

In Chicago, we have been fortunate enough to have been able to conduct recent elections with few or no problems. However, looking forward to the 2010 elections, it is clear that we must have access to the features of WinEDS 4.0 to meet the demands that such elections will place on us. This includes a new requirement in 2010 that a voting system must identify when a voter has not voted for all statewide constitutional offices.

To be ready for 2010, we must begin to soon move forward with testing and implementation of WinEDS 4.0, with or without certification by the U.S. Election Assistance Commission.

Illinois law does not require that voting systems be tested and certified by either the EAC or any other federal authority. We know, however, that the State Board of Elections has in the past prudently required that voting system manufacturers first obtain federal certification before seeking approval from the State Board of Elections. However, prudence now dictates that states like Illinois must assume greater responsibility and initiative in voting system testing and certification because of the EAC's lack of diligence. States like California, Washington and New Jersey have already decided to proceed with state testing and certification of voting equipment and software because of the EAC's inaction. The State of Washington, for example, undertook its own testing and certification of Sequoia's WinEDS 4.0 software in June 2008, notwithstanding the lack of EAC certification. The State of California followed suit in October 2008. From what we have been able to determine, WinEDS 4.0 performed satisfactorily in those states in the 2008 elections.

We know, from our prior experiences, that the State Board of Elections has done an outstanding job on its own in testing and approving voting systems here in Illinois. In many respects, the State Board's testing has been more rigorous and thorough than the testing done at the federal level.

With this experience in mind, we are now asking the State Board of Elections to undertake, despite the lack of EAC certification, its own independent testing of WinEDS 4.0 with the goal of approving the same in time for implementation for the February 2010

Mr. Daniel W. White  
January 30, 2009  
Page 3

primary election. We will, of course, stand ready to cooperate with the State Board and to provide any assistance we can in this important endeavor.

We thank you in advance for your courtesy in considering this matter.

Sincerely,



Langdon D. Neal  
Chairman



Richard A. Cowen  
Secretary-Commissioner



Marisel A. Hernandez  
Commissioner

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## INTEROFFICE MEMORANDUM

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TO: Dan White, Executive Director

From: Dianne Felts, Director of Voting Systems and Standards (VOSS)

Subject: Testing

Date: March 4, 2009

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On November 17, 2003, our Board adopted the 2002 Standards. Under the Voluntary Federal Voting System Standards, the Voting System Testing Laboratories now perform tests with expertise in such fields as programming, electricity, engineering, and computer science security etc. Some examples are: source code review making sure that the vote counting equipment can withstand without disruption of normal operation or loss of data when there are surges of electric power increases and reductions of nominal specified power supply for a period of up to four hours, static electricity tests, low temperature tests, high temperature tests, humidity tests, vibration tests and security provisions that guard against loss of system integrity, availability, confidentiality, and accountability. These are just a few of the expert tests performed by the Laboratories. My staff, at this time does only logic and accuracy tests on the systems.

Some states are frustrated, as we are, regarding the EAC's snail's pace to approve new systems. The state of Washington does not require the use of voting systems certified by the EAC. They are required however, to use voting systems that have been tested and certified by an independent testing authority. They recently used a provision in their administrative rules to certify a system not tested by an Independent Testing Authority. Their administrative rules allow them to grant an emergency approval under certain conditions. They used this provision.

The state of California must use only DREs that are approved by the EAC. This same provision does not apply to optical scan machines. They recently used DREs and then had appointed people transfer the votes from the DRE paper trail to optical scan ballot sheets and then ran the ballots through scan tabulators. This had to be so cumbersome.

Florida has not adopted the Federal Standards. Florida has state detailed Standards that include source code review. They used a new system this past November. At this time they use the federally certified laboratories for only environmental testing.

Illinois requires the vendors to pay for all testing requirements. A couple of years ago my staff checked into what a few other states charge for system approvals. Ohio charges \$1500 initially and refunds the costs if less or requires more from the vendor if there are additional costs above the initial fee. Indiana as well as Michigan charge \$1500 but Michigan then only charges \$500 for any upgrades. New York charges \$5,000 and Pennsylvania charges \$3,000. And lastly, California, Missouri and Washington do not have certification fees.

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STATE OF ILLINOIS

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EXECUTIVE DIRECTOR  
Daniel W. White

MEMORANDUM

**TO:** Chairman Albert Porter  
Vice Chairman Bryan Schneider  
Members of the Board  
Executive Director Dan White

**From:** Steve Sandvoss, General Counsel

**Re:** Application of Section 24C-16 on SBE Testing of DRE Voting Systems

**Date:** March 4, 2009

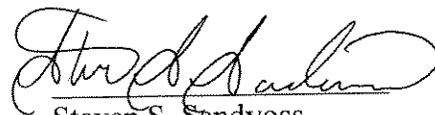
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The State Board of Elections is required to follow the provisions of Section 24C-16 [10 ILCS 5/24C-16] when testing Direct Recording Electronic Voting Systems (DRE) to determine whether they should be formally approved. The relevant provision of this Section reads as follows:

The State Board of Elections shall approve all Direct Recording Electronic Voting Systems that fulfill the functional requirements provided by Section 24C-11 of this Code, the mandatory requirements of the federal voting system standards pertaining to Direct Recording Electronic Voting Systems promulgated by the Federal Election Commission or the Election Assistance Commission, the testing requirements of an approved independent testing authority and the rules of the State Board of Elections.

You will note that one of the criteria for SBE approval is that the system must fulfill the mandatory requirements of the voting system standards (which the Board has previously adopted) pertaining to DREs that have been set by the Election Assistance Commission (EAC). To accomplish this, the system must be tested by an Independent Testing Authority (ITA) using a testing plan developed by the EAC.

Whether the Board elects to begin the testing of a voting system that SBE staff is capable of performing (addressing the requirements of Section 24C-11 and the Rules and Regulations of the SBE) prior to the voting system being tested and approved by the ITA is a policy decision of the Board, and is not prohibited by Section 24C-16. However, to fulfill the requirements of Section 24C-16, the voting system will at some point have to be tested and approved as noted in the preceding paragraph.

  
Steven S. Sandvoss  
General Counsel

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EXECUTIVE DIRECTOR  
Daniel W. White

MEMORANDUM

**TO:** Chairman Albert Porter  
Vice Chairman Bryan Schneider  
Members of the Board  
Executive Director Dan White

**From:** Steve Sandvoss, General Counsel

**Re:** State Testing of Voting Systems Prior to EAC Certification

**Date:** March 20, 2009

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The State Board of Elections (SBE) at its March 16<sup>th</sup> meeting, considered a request from the Chicago Board of Election Commissioners (the CBOE), to begin testing the Sequoia based voting system WinEDS 4.0 that the CBOE intends to use at the upcoming February 2010 Primary Election, prior to this system being approved by the Election Assistance Commission (EAC). Since this would be a deviation from the usual policy of waiting for such approval before commencing its own test, the Board was understandably hesitant to grant the request in the absence of a complete review of the issues that may impact such a decision. The central question posed to me was if the SBE decided to accommodate the CBOE's request and begin the "state test" before receiving a certificate of approval from the EAC (the "federal test"), would this run afoul of existing law. To answer this question, a review of Federal law (specifically the Help America Vote Act or "HAVA"), the Illinois State statutes and the SBE's own Rules and Regulations is necessary.

**HAVA**

Section 301 of HAVA, with a limited exception not applicable to Illinois, establishes standards that voting systems must comply with in order to be used in Federal elections. In addition, HAVA requires such systems to be accessible to persons with disabilities, including an alternative language capability. There is also a provision in Section 301 that mandates such systems to be compliant with the minimum error rates contained in the 2002 voting system standards that were established by (at that time) the Federal Election Commission (FEC).

Section 231 of HAVA sets forth certain requirements for the testing and certification of voting equipment. It states that the EAC shall provide for such testing through accredited laboratories unless the states opt to provide for the same. This provision goes on to establish the procedures for the accreditation of such labs through the intervention of the National Institute of Standards and Technology (NIST). The important point to note is that neither Section 301 nor Section 231 mandates a specific testing mechanism, much less a requirement that such testing occur prior to any other tests, such as the logic and accuracy testing that the SBE currently conducts.

## Section 24C of the Election Code

The relevant provision of the Illinois Election Code pertaining to the issue before the SBE is Section 24C-16. The relevant portion of this Section provides as follows:

The State Board of Elections shall approve all Direct Recording Electronic Voting Systems that fulfill the functional requirements provided by Section 24C-11 of this Code, the mandatory requirements of the federal voting system standards pertaining to Direct Recording Electronic Voting Systems promulgated by the Federal Election Commission or the Election Assistance Commission, the testing requirements of an approved independent testing authority and the rules of the State Board of Elections.

You will note that one of the criteria for SBE approval is that the system must fulfill the mandatory requirements of the voting system standards (which the SBE has previously adopted) pertaining to DREs that have been set by the EAC. To accomplish this, the system must be tested by an Independent Testing Authority (ITA) or what is now referred to as a Voting Systems Testing Laboratory (VSTL) using a testing plan developed by the EAC. Like HAVA, there is nothing in this provision that would require a voting system to first be submitted to a VSTL and then presented to the EAC for certification prior to its submission to the SBE for the "state testing". Bear in mind however, that in order to fulfill the requirements of Section 24C-16, the voting system will at some point have to be tested and approved under the federal testing guidelines established by the EAC, including the mandatory requirements set forth in HAVA (accessibility by the disabled).

### SBE Rules

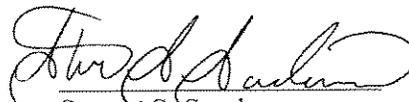
Part 204 of the Rules and Regulations of the SBE provide a comprehensive process by which voting system vendors apply for approval, submit their equipment for testing by the SBE, and obtain provisional or final approval of their system. While the Rules provide a detailed step by step procedure for approval (or non-approval), they provide no condition that such system first obtain an EAC certification prior to submission to the SBE.

### SBE Adoption of the Voluntary Voting System Standards

In 2003, the SBE by majority vote adopted the voluntary voting system standards (the 2002 version) established by the FEC. Since then, the EAC has assumed responsibility for establishing such standards and providing a method by which voting systems can be tested for compliance with these and other standards. Even had the SBE not done so, Section 24C-16 requires that all voting systems fulfill the functional requirements provided by the mandatory standards set by the EAC and for which the SBE currently tests, prior to final approval by the SBE. In any event, the adoption or non-adoption of these standards in no way impacts the order in which the "state testing" and "federal testing" is to be done.

### Conclusion

Whether the Board elects to begin testing of a particular voting system prior to that system being tested and approved by the VSTL/EAC is a policy decision of the Board that is not prohibited by HAVA, Section 24C-16 or the SBE Rules and Regulations. However, the SBE must be made aware that if the decision is made to undertake this change in past practice, it would expose the SBE to the risk of having to re-test any equipment or modifications thereto in the event that the subsequent federal testing requires a modification.

  
Steven S. Sandvoss  
General Counsel

**STATE BOARD OF ELECTIONS  
FISCAL IMPACT ESTIMATE – VOTING SYSTEMS TESTING  
FULL TEST AND MODIFICATION TEST (EXISTING SYSTEM)  
APRIL 8, 2009**

Below are estimated additional budgetary resources needed to perform VOSS division testing of a 'typical' vendor voting system. Estimated costs are broken into two categories: 1) a 'full' system test of a new vendor voting system, and 2) a 'modification only' test of a limited-scope change to an already existing (and previously tested) vendor voting system. Costs assume that requested resources are made available in the current FY budget. In addition, costs assume that the testing is performed 'in-house' by SBE staff (most economical long-term alternative):

**'Full' system test of new vendor system (estimated):**

<b><u>Elections Division – Personal Services line (1120):</u></b> Regular Personal Services costs for all existing VOSS division staff (5) <b><u>to perform full-time system testing for estimated six-month period</u></b> (\$128,300), anticipated additional overtime cost for above staff (\$11,500), for as well as two additional Elections Division employees to work on the system at half-time (50%) for the same six-month period (\$25,000):	\$164,800
<b><u>Elections Division – Fringe Benefits Lines (1129,1161,1170):</u></b> Estimated fringe benefits for additional staff identified above (based on present contribution %)	\$53,900
<b><u>Elections Division – Contractual line (1200):</u></b> Estimated Contractual Line costs for the following:	
• Rental of office space to hold testing (est. 4,000 sq. ft. @ \$1.00 per sq. ft/mo for six months)	\$24,000
• Estimated utilities (electric, gas, water, sewer) for rented office space (est. \$2,100/month for six months)	\$12,600
• Miscellaneous contractual	\$1,200
<b><u>Information Technology – Commodities (1300):</u></b> Misc. commodities (toner, office supp.)	\$2,400
<b><u>Elections Division - Printing (1302):</u></b> Misc. printing (test ballots, paper, etc.)	\$1,500
<b>Total Estimated 'Full Test' Costs (per test)</b>	<b>\$260,400</b>

**'Limited' test of a modification for an existing vendor system:**

<b><u>Elections Division – Personal Services line (1120):</u></b> Regular Personal Services costs for all existing VOSS division staff (5) <b><u>to perform modification testing for estimated one-month period</u></b> (\$21,400), no additional overtime, for as well as two additional Elections Division employees to work on the system at half-time (50%) for the same six-month period (\$4,200):	\$25,600
<b><u>Elections Division – Fringe Benefits Lines (1129,1161,1170):</u></b> Estimated fringe benefits for additional staff identified above (based on present contribution %)	\$8,400
<b><u>Elections Division – Contractual line (1200):</u></b> Estimated Contractual Line costs for the following:	
• Rental of office space to hold testing (est. 4,000 sq. ft. @ \$1.00 per sq. ft/mo for one month)	\$4,000
• Estimated utilities (electric, gas, water, sewer) for rented office space (est. \$2,100/month for one month)	\$2,100
• Miscellaneous contractual	\$200
<b><u>Information Technology – Commodities (1300):</u></b> Misc. commodities (toner, office supp.)	\$400
<b><u>Elections Division - Printing (1302):</u></b> Misc. printing (test ballots, paper, etc.)	\$250
<b>Total Estimated 'Modification Test' Costs (per test)</b>	<b>\$40,950</b>

# STATE BOARD OF ELECTIONS



*From the desk of... Steve Sandvoss, General Counsel*  
*Phone: 217-557-9939*  
*Email: [ssandvoss@elections.il.gov](mailto:ssandvoss@elections.il.gov)*

**To:** Members of the Board  
**Re:** Proposed Rulemaking  
**Date:** April 8, 2009

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On the following pages, please find a Proposed Rulemaking that would implement the provisions of P.A.95-971, or "Pay to Play" as it is commonly known. This Rulemaking would replace the existing Emergency Rules, now in effect until the end of May. Copies of this Rulemaking have been distributed to the state agencies that are impacted by Pay to Play as well as interested persons and organizations. These agencies and persons have been invited to appear at the Board meeting to offer comment.

## **Section 100.180 Business Entity Registration Procedures**

The State Board of Elections (SBE) adopts the following rulemaking to comply with Public Act 95-971. Any business entity whose existing State contracts, whose bids and proposals on State contracts or whose bids and proposals on State contracts combined with the business entity's existing State contracts in aggregate annually total more than \$50,000, shall register with the State Board of Elections in accordance with Section 9-35 of the Campaign Disclosure Act (the Act). For those business entities who wish to submit a bid or proposal on a State contract, they must register with the SBE prior to submitting their bid or proposal. The SBE will provide a certificate of registration upon successful completion of the registration process.

- a) For purposes of this Section, the terms "business entity", "contract", "State contract", "contract with a State agency", "State agency", "affiliated entity" and "affiliated person" have the meanings ascribed to those terms in Section 50-37 of the Illinois Procurement Code [30 ILCS 500/50-37].
- b) Upon the establishment of a fully functional and statutorily compliant electronic registration system, business entities will be required to submit their registrations electronically consistent with Section 9-35 of the Act. Within 60 days after the establishment of this electronic system, all business entities that have submitted their registrations via e-mail attachment or on paper shall re-submit their registration electronically. This shall include any business entity which had previously registered with the SBE, but which is no longer required to be registered. At the time of re-submission, the SBE shall provide an electronic certificate of registration to the business entity.
- c) Business entities shall register on a secure website provided by the SBE by first creating an on-line account. The SBE shall verify the authenticity of that account at the time of registration.
- d) Registration procedures:
  - 1) The following information must be supplied at the time of registration:
    - A) The name and address of the business entity. The address shall be that of the principal office of the business entity.
    - B) The name and address of any affiliated entity of the business entity, including a description of the affiliation. The address shall be that of the principal office of the affiliated entity.
    - C) The name and address of any affiliated person of the business entity, including a description of the affiliation. At least one affiliated person is required to be listed on the registration. The name and address of any minor children who must be disclosed on the business entity's registration by virtue of the fact that those persons fall under the definition of "affiliated person" under the Act, shall not be posted on the SBE website.

- D) The Federal Tax Identification Number, if the business has obtained an FEIN. If the business does not have an FEIN, an Illinois Business Tax Number (IBT) must be provided. If the business has neither, they must use a social security number, provided that the business is a sole proprietorship.
- 2) Registration shall be accomplished in one of the two following methods:
- A) A web-based program whereby information may be entered, saved and transmitted upon completion. Changes may be made by accessing such program, making the changes, and submitting those changes to the SBE via such program contained on the SBE's website.
  - B) A format provided by the Board, designed specifically for large business entities, whereby data may be submitted in lieu of completion of the web-based option. Though this method is geared toward larger business entities, any business entity regardless of size, may choose to use this method.
- e) The Board shall provide a certificate of registration to the business entity upon registration and upon any change of information submitted by such entity. The certificate shall be electronic and accessible to the business entity through the SBE's website and shall be password protected.
- 1) Any business entity required to register under Section 20-160 of the Illinois Procurement Code shall provide a copy of the registration certificate, by first class mail or hand delivery within 10 days after registration, to each affiliated entity or affiliated person whose identify is required to be disclosed.
  - 2) Any business entity required to register under Section 20-160 of the Illinois Procurement Code shall provide a copy of the registration certificate, by first class mail or hand delivery within 10 days after the addition of any affiliated entity or affiliated person whose identify is required to be disclosed, to that affiliated person or entity.
  - 3) Any business entity required to register under Section 20-160 of the Procurement Code shall notify any political committee to which it makes a contribution, at the time of the contribution, that the business entity is registered with the SBE under Section 20-160 of the Illinois Procurement Code.
  - 4) Any affiliated entity or affiliated person of a business entity required to register under Section 20-160 of the Illinois Procurement Code shall notify any political committee to which it makes a contribution that it is affiliated with a business entity registered with the SBE under Section 20-160 of the Illinois Procurement Code.

- f) Each bid submitted to and every contract executed by the State on or after January 1, 2009, shall contain:
  - 1) A certification by the bidder or contractor that either
    - i) the bidder or contractor is not required to register as a business entity with the SBE pursuant to this Section, or
    - ii) the bidder or contractor has registered as a business entity with the SBE and acknowledges a continuing duty to update the registration, and
  - 2) A statement that the contract is voidable under Section 50-60 as a result of the bidder's or contractor's failure to comply with Section 20-160.
- g) A business entity whose aggregate bids and proposals on State contracts annually total more than \$50,000, or whose aggregate bids and proposals on State contracts combined with the business entity's aggregate annual total value of State contracts exceed \$50,000 has a continuing duty to ensure that the registration is accurate during the period beginning on the date of registration and ending on the day after the contract is awarded. Any change of information, including but not limited to changes in affiliated entities or affiliated persons, must be reported to the SBE within 2 business days following such change (See 100.185(a).).
- h) A business entity whose contracts with State agencies, in the aggregate, annually total more than \$50,000 has a continuing duty to ensure that the registration is accurate for the duration of the term of office of the incumbent officeholder awarding the contract or for a period of 2 years following the expiration or termination of the contract, whichever is longer.
  - 1) Any change in information, including but not limited to changes in affiliated entities or affiliated persons, shall be reported to the SBE within 10 days following such change (See 100.185(a).);
  - 2) If a business entity required to register under 30 ILCS 500/20-160(d) has a pending bid or proposal on a State contract, then any change in information shall be reported to the SBE within 2 business days (See 100.185(a).).
- i) A copy of the business entity's certificate of registration must accompany any bid or proposal for a contract with a State agency by a business entity required to register pursuant to Public Act 95-971. The chief procurement officer of the State agency shall not accept a bid or proposal unless:
  - 1) the certificate of registration is submitted to the agency with the bid or proposal, or

- 2) the statement that the bidder or contractor is not required to register as a business entity with the State Board of Elections is submitted to the agency with the bid or proposal.
- j) A registration, and any changes to a registration, must include the business entity's verification of accuracy.
- k) Public Act 95-971 applies regardless of the method of source selection used in awarding the contract.
- l) The Board will retain the stored registration submissions of business entities submitted prior to the establishment of an electronic registration system for a period of at least 6 months following the establishment of the electronic registration system.
- m) The SBE shall keep and maintain the paper registrations filed in accordance with P.A. 95-1038 and the emergency rules enacted by the SBE on January 1, 2009, in its principal office in Springfield for a period of six months following the creation of the electronic registration system. The public may view these paper registration submissions of business entities at the SBE's principal office in Springfield during normal business hours. Copies of registrations of business entities submitted to the SBE shall also be available for public inspection at the SBE's principal office in Springfield. The searchable database provided for in Section 9-35 of the Act, shall be accessible to the public at all times following its creation.

**Section 100.185 Assessment of Civil Penalties**

- a) The provisions of Section 9-20 through 9-24 of the Campaign Disclosure Act [10 ILCS 5/9-20 through 5/9-24] relating to complaints for violations of that Article shall apply to complaints for violations of Section 9-35(d) (failure to notify affiliated persons and entities of a business entity that such entity is registered with the Board) and that part of 9-35(e) pertaining to the intentional, willful or material failure to disclose required registration information, except that the complaint shall be directed to the registered agent of the business entity, or its chief executive officer. In addition, the provision of Section 9-21 pertaining to the 60 day period prior to an election shall not apply to complaints filed under this Subpart. The willful or intentional failure to disclose material information on a business entity's registration shall subject such entity to a civil penalty assessed by the Board not to exceed \$5,000 per occurrence.
- b) The provisions of Part 125, Subparts A, B and C of the Rules and Regulations of the State Board of Elections shall apply to complaints filed against business entities.
- c) Failure to update a registration pursuant to 30 ILCS 500/20-160 (d) and (e); such subsections requiring that any change in information must be reported to the SBE within 2 business days of such change, will result in a \$1,000 per day penalty for each day the information remains unreported.

- a. Each business entity registered with the SBE pursuant to 29-160 of the Illinois Procurement Code (the Code) shall designate an individual or individuals who shall be responsible for the receipt of information that is required to be updated and the timely notification of any change of such information to the SBE. Any change in the required information shall be reported to the designated individual within 10 business days of such change, or on demand of the designated individual, whichever occurs earlier. For purposes of this subpart, information required to be updated shall be the information required of a business entity registration under Section 9-35 (b) (1): name and address of the business entity and (2): the name and address of any affiliated person or entity as those terms are defined in Section 50-37 of the Code.
- b. If the SBE determines upon review of the update of registration information that such update was not timely received, the SBE shall assess a \$1,000 per day penalty for each day the information went un-submitted. The business entity may appeal such assessment or pay the same within 30 days of the mailing date of the assessment. For purposes of this subsection, the date on the assessment notification is deemed to be the date of its mailing. If the business entity is assessed a civil penalty under the provisions of this paragraph, it shall respond in one of the following ways:
  - 1) Submit, within 30 calendar days after the mailing of the assessment notice, a waiver of appearance and appeal affidavit in the form provided by the Board stating the reasons for the late filing and to show why a civil penalty should not be assessed. This appeal affidavit shall be in writing made under oath and upon penalty of perjury sworn to before a notary public or any person authorized to administer oaths; or
  - 2) Submit, within 30 calendar days after the mailing of the assessment notice, a request for hearing and appeal affidavit in the form provided by the Board stating the reasons for the late filing and to show why a civil penalty should not be assessed. This appeal affidavit shall be in writing made under oath and upon penalty of perjury sworn to before a notary public or any person authorized to administer oaths; or
  - 3) Pay, within 30 days after the mailing of the assessment notice, the civil penalty assessed. If an appeal affidavit is filed, with or without waiver of appearance, the civil penalty shall not be due until the appeal is determined by the Board.

# **STATE BOARD OF ELECTIONS**

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**MEMORANDUM**

*From the desk of:*  
*Daniel W. White, Executive Director*

**TO:** Members of the Board

**SUBJECT:** April 7 Consolidated Election and 5<sup>th</sup> Congressional District Special Election Report

**DATE:** April 9, 2009

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Please find following:

1. A report from Elections Director Mark Mossman on election day administration;
2. A report from Voting Systems Director Dianne Felts on pre-election testing;

# STATE BOARD OF ELECTIONS



*From the desk of.... Mark Mossman, Director of Election Information*  
*Phone: 217-557-0855*  
*Email: mmossman@elections.il.gov*

**To:** Daniel W. White, Executive Director  
**Re:** April 7, 2009 Consolidated Election  
**Date:** April 9, 2009

Overall, it would appear that the Consolidated Election went relatively smoothly. There was a low volume of calls, and the majority of the calls were of the mundane and typical variety. Calls relating to problems were, with one area of exception, no more numerous and no more serious than normal for this election.

That area of exception consisted of a higher than normal number of calls relating to ballot preparation issues. These ranged from errors in certification by Local Election Officials ("LEOs") (e.g. the failure to include all of the candidates) to ballot preparation errors by Election Authorities ("EAs"; e.g. individual offices or entire units of government erroneously left off of certain ballot styles). These sorts of problems are very difficult, if not impossible, to resolve in a fully satisfactory manner when they don't surface until Election Day, after the polls are open and voting is already under way.

From an election management perspective, most would agree that the Consolidated Election is difficult to administer and presents challenges not associated with other elections. Part of the complexity lies in the facts that: (a) Illinois has substantially more units of local government than any other state (over 7000 in total, although not all of these involve elective offices); (b) the boundaries of these multitudinous units of local government frequently result in a challenging patchwork of small, irregularly shaped territories, each requiring its own unique ballot style (sometimes resulting in as many as two dozen unique ballot styles in a single precinct); (c) ballot access is gained through a petition (or certificate of nomination by caucus) filing process administered by the LEOs with only the LEO certifications going to the EAs.

I believe that the ballot preparation issues we saw during this Consolidated Election counsel us here at the SBE to be more proactive in providing assistance to the EAs in this area. I would suggest we give serious consideration to: (a) resuming the LEO training workshops throughout the state which were discontinued several years ago due to lack of funding; (b) conducting ballot preparation workshops for the EAs and election vendors; and (c) to provide the Ballot Preparation Guide on the SBE website.

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INTEROFFICE MEMORANDUM

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To: Dan White, Executive Director

From: Dianne Felts, Director of Voting Systems and Standards (VOSS)

Subject: Consolidated Primary and Election 2009 Pre-testing Report

Date: April 6, 2009

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The following is a summary of the VOSS pre-tests of Franklin, Hamilton and White counties for the Consolidated Election and Morgan County for the Consolidated Primary.

Franklin County      Platinum vendor      Accu-Vote and AutoMARK

The test consisted of 2,336 ballots. Staff tested all 35 precincts on both machines. While testing the accessible machines, staff discovered that three machines had technical difficulties. The machines gave us error messages. We gave the serial numbers to the clerk after the test and told him that they needed maintenance. Another machine that recently had been serviced, we discovered that the latch was broken where the memory card is installed. We also gave this machine's serial number to the clerk. In addition, for certain school districts with residency restrictions the accessible machines would have just one specific township and range etc. in the instructions bolded. Luckily, these bolded instructions never had a candidate on the ballot from the bolded area. The clerk did not know how this happened. We will need to address this with the vendor at a later date.

In at least six instances, the accessible machines would indicate that we, as voters had marked the ballot immediately after we put the ballots into the machines before we had even a chance to begin voting. The clerk said this has happened sometimes to his staff, especially the ballots created from "ballot-on-demand". This is the same problem that Vermilion County had in November and this spring. We since have been informed by the Vermilion County Clerk that all of her machines are fixed. She found out that the machines needed to be re-calibrated and that this solved her problems. Staff called the Franklin Clerk to inform him that re-calibration will fix his machines.

With the scan tabulators the only problem that we encountered was that one memory card needed to be reformatted.

No tabulation errors occurred.

Hamilton County      ES&S vendor      M100 and AutoMARK

The test consisted of 1,370 ballots. Staff tested all 16 precincts on both machines and tested the Early Voting Cards. Because of the spaciousness of the facilities, we ran both machines' tests, simultaneously. The first thing that staff discovered was that the memory cards for the M100s were mislabeled. Even some of the back-up cards were mislabeled. An example was that the card for the precinct named, "Twiggy" was really an

Early Voting Card and so on. In the end all the precinct memory cards were there except the clerk was missing a back-up for one precinct because she had three of another one.

When testing the accessible machines, we found that one froze up and never did get back into operation. The clerk was going to have a technician look at it. On another machine the lock on the memory card latch was broken.

Finally, the jurisdictional canvass had incorrect ballot cast figures in six political subdivisions. After the vendor investigated for a day, they finally realized that if a jurisdiction has an office with no candidate and no write-ins, the registers would be off a line or two. This is the first Consolidated with the new provisions concerning no write-in lines if no one files as one. This new provision caused the ballot cast figures to be incorrect in this county; however, the vendor found that the problem was solved if the under vote and over vote features were switched on for this report. The vendor sent a notice to all clients that this feature needs to be turned on for this report.

No candidates' tabulation errors occurred.

Morgan County            GBS vendor                            Accu-Vote and TSX

The test consisted of 378 ballots. Staff tested all 18 precincts on both machines. This was a primary in the city of Jacksonville for Mayor, Clerk and Ward 4 Alderman. The only thing staff noticed and requested of the vendor was to have the canvass changed to reflect the proper name for a candidate in Ward 4. The person's last name was Davidsmeyer and the canvass showed Davidsme.

No tabulation errors occurred.

White County            GBS vendor                            Accu-Vote and TSX

The test consisted of 1,153 ballots. Staff tested all 27 precincts on both machines. We began our test on the TSXs (DREs). The printers on the TSXs have been, at times problematic but they went to a new level in this county. Only three or four of the printers functioned properly. The remaining printers on the machines had various problems. Almost all had paper jams. In one instance the paper roll went from one office and a candidate to several offices blank or just a stream of paper with no writing on it and then picked-up offices that were much farther down on the ballot. On some machines the printers scrunched the names of candidates. One machine jammed so much that it took several attempts to finally finish casting our mock test. The vendor representative said that it needed to be looked at by a technician. Once the vendor representative arrived and we explained what had been happening, she said that the printers were dirty and needed to be cleaned. The election authority said that they must have been dirty since her initial purchase and arrival since they had always acted this way. The vendor representative explained to the county staff how to clean the printers i.e. remove the cartridge, clean the connection with denatured alcohol, and blow air on it. Apparently, the county staff had never been told this maintenance procedure before the day of our pre-test. After all printers were cleaned, they did work better.

Staff also noticed that some names were truncated on the tapes because of a limited amount of space to put them into the initial database which unfortunately, means these names were also truncated on the official canvass. We had a name on the canvass

that showed the last name as HA when it was HAMBLIN. We asked the vendor to change these to at least have the candidate's surname. He had filed as William "Bill" Hamblin.

Staff also requested that the clerk do an addendum to the canvass to include the few offices that were not included on the canvass. These offices had no candidates and no write-in lines.

No tabulation errors occurred.

\* It is apparent that the election authorities will need to spend some of the next round of HAVA monies on maintenance agreements and warehouse storage.

# **STATE BOARD OF ELECTIONS**

**MEMORANDUM**

*From the desk of:  
Daniel W. White, Executive Director*

**TO:** Members of the Board

**SUBJECT:** Legislative Update

**DATE:** April 8, 2009

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Please find attached information regarding legislation pending in the 2009 session of the General Assembly:

1. A listing and status of all election bills introduced; and
2. A listing of 2009 election legislation by topic.

At the time the Board packet materials were being assembled the legislature was in recess until Tuesday, April 21.

We will have an oral update at the Board meeting on pending legislation including our FY10 budget appropriation request.

The legislature is scheduled to adjourn May 31.

Attachments



# Illinois General Assembly

[Help](#)

## All Election Bills 2009

### Report Options

HB0007	Jack D. Franks (M. Maggie Crotty)	ELECTIONS-LEGAL DEFENSE FUND	03/19/2009 Senate Referred to Assignments
HB0024	Harry Osterman	ELEC CD-CONTRIBUTION LIMITS	03/13/2009 House Rule 19(a) / Re-referred to Rules Committee
HB0054	David Reis	U OF I-ELECT BD OF TRUSTEES	04/03/2009 House Rule 19(a) / Re-referred to Rules Committee
HB0085 h	Eddie Lee Jackson, Sr. (John J. Cullerton)	INTERNET VOTING COMMISSION	03/30/2009 Senate Referred to Assignments
HB0086	Lou Lang	ELEC-CONTRIBUTION DISCLOSURE	03/13/2009 House Rule 19(a) / Re-referred to Rules Committee
HB0087	Lou Lang	ELEC DAY REGISTRATION	03/13/2009 House Rule 19(a) / Re-referred to Rules Committee
HB0092	Lou Lang	INTERNET VOTING-TECH	03/13/2009 House Rule 19(a) / Re-referred to Rules Committee
HB0095	Lou Lang	ELECTIONS-TECH	03/13/2009 House Rule 19(a) / Re-referred to Rules Committee
HB0201	Michael J. Madigan	ST ETHICS-TECH	03/13/2009 House Rule 19(a) / Re-referred to Rules Committee
HB0260	John A. Fritchey	ST ETHICS-REVOLVING DOOR	03/13/2009 House Rule 19(a) / Re-referred to Rules Committee
HB0267 h	William Davis (James T. Meeks)	ELECTIONS-GRACE REGISTRATION	03/26/2009 Senate Referred to Assignments
HB0268	Bill Mitchell ( )	ELECTIONS-ROBO CALLS	04/02/2009 Senate Placed on Calendar Order of First Reading April 21, 2009
HB0286	Elizabeth Coulson (John J. Millner)	ST ETHICS-PUBLIC SERVICE ADS	02/20/2009 Senate Referred to Assignments
HB0290	Sidney H. Mathias	ELECTIONS-NOMINATION VACANCY	03/13/2009 House Rule 19(a) / Re-referred to Rules Committee
HB0292 h	Sidney H. Mathias	ELEC CD-CAMPAIGN FREE ZONE	03/13/2009 House Rule 19(a) / Re-referred to Rules Committee
HB0345	John A. Fritchey	ELECTIONS-TECH	03/13/2009 House Rule 19(a) / Re-referred to Rules Committee
HB0365 h	Jack D. Franks	US SENATE VACANCY	03/11/2009 House Tabled Pursuant to Rule 24
HB0368 h	Chapin Rose	ELECTIONS-VOTER REGISTRATION	03/26/2009 House Tabled By Sponsor Rep. Chapin Rose
HB0371	Sidney H. Mathias	ST ETHICS-REVOLVING DOOR	03/13/2009 House Rule 19(a) / Re-referred to Rules Committee
HB0395	Dan Brady	ELEC OFFICER-NO ENDORSEMENT	03/13/2009 House Rule 19(a) / Re-referred to Rules Committee
HB0499	Keith Farnham	ELECTIONS MILITARY DEPENDENTS	03/13/2009 House Rule 19(a) / Re-referred to Rules Committee
HB0502	Keith Farnham	ELECTIONS-SENIOR VOTERS	03/13/2009 House Rule 19(a) / Re-referred to Rules Committee
HB0553	Jack D. Franks	INSPECTOR GEN REPORTS PUBLIC	03/13/2009 House Rule 19(a) / Re-referred to Rules Committee
HB0567	Careen M. Gordon (John J. Cullerton)	ELECTIONS-COMMUNITY INTEGRATED	03/30/2009 Senate Referred to Assignments
HB0717	Sidney H. Mathias	CAMPAIGN CONTRIBUTION REPORTS	03/13/2009 House Rule 19(a) / Re-referred to Rules Committee
HB0723 h	Mike Fortner (John J. Cullerton)	ELECTION-NOMINATION VACANCY	04/02/2009 Senate Placed on Calendar Order of First Reading April 21, 2009
HB0733	Mike Boland	IL CLEAN ELECTION ACT	03/13/2009 House Rule 19(a) / Re-referred to Rules Committee
HB0736	John A. Fritchey	ST ETHICS/LOBBYING REFORM	03/13/2009 House Rule 19(a) / Re-referred to Rules Committee
HB0763	Shane Cultra	GA CAMPAIGN EXPENDITURE LIMITS	03/13/2009 House Rule 19(a) / Re-referred to Rules Committee
HB0825 h	William B. Black	ELEC CD-OPEN PRIMARY	04/03/2009 House Rule 19(a) / Re-referred to Rules Committee
HB0887	Mike Boland	JUDICIAL CAMPAIGN FINANCING	03/13/2009 House Rule 19(a) / Re-referred to Rules Committee
HB0888	Mike Boland	ELEC CD-OPEN PRIMARY	03/13/2009 House Rule 19(a) / Re-referred to Rules Committee
HB0890	Mike Boland	ELECTION DAY REGISTRATION	03/13/2009 House Rule 19(a) / Re-referred to Rules Committee
		ELECTIONS-TECH	03/13/2009 House Rule 19(a) / Re-referred to Rules Committee

HB0891	Mike Boland			
HB0915	Mike Boland	ELEC CD-PRECINCT REFERENDA	03/13/2009 House	Rule 19(a) / Re-referred to Rules Committee
HB0916	Mike Boland	ELEC-LOCAL PETITION SIGNERS	03/13/2009 House	Rule 19(a) / Re-referred to Rules Committee
HB0918	Mike Boland	ELECTIONS-PUBLIC QUESTIONS	03/13/2009 House	Rule 19(a) / Re-referred to Rules Committee
HB0922	Mike Boland	ELECTIONS-LOCAL REFERENDA	03/13/2009 House	Rule 19(a) / Re-referred to Rules Committee
HB0982	Deborah Mell	ELECTIONS-TECH	03/13/2009 House	Rule 19(a) / Re-referred to Rules Committee
HB0983	Deborah Mell	ELECTIONS-TECH	03/13/2009 House	Rule 19(a) / Re-referred to Rules Committee
HB1012	Mike Boland	ELEC-PETITION SIGNATURES	03/13/2009 House	Rule 19(a) / Re-referred to Rules Committee
HB1061	Elizabeth Coulson	ELECTIONS-CONTRIBUTION REPORT	03/13/2009 House	Rule 19(a) / Re-referred to Rules Committee
HB1064	Mike Bost	ELEC CD-NO IN PERSON ABSENTEE	03/10/2009 House	Tabled By Sponsor Rep. Mike Bost
HB1090	Patrick J. Verschoore	AUTOMATIC DIALERS-IDENTITY	02/24/2009 House	Tabled By Sponsor Rep. Patrick J Verschoore
HB1111	Mike Boland	ELEC-ELECTION DAY REGISTRATION	03/13/2009 House	Rule 19(a) / Re-referred to Rules Committee
HB1113	Mike Boland	ELEC CD-2010 VOTE BY MAIL	03/13/2009 House	Rule 19(a) / Re-referred to Rules Committee
HB1131	Richard P. Myers (John J. Cullerton)	ELECTIONS-BALLOT DELIVERY	03/30/2009 Senate	Referred to Assignments
HB1249	Jack D. Franks	ELECTIONS-TECH	03/13/2009 House	Rule 19(a) / Re-referred to Rules Committee
HB1250	Jack D. Franks	ELECTIONS-TECH	03/13/2009 House	Rule 19(a) / Re-referred to Rules Committee
HB1265	Jack D. Franks	SUMMER GENERAL PRIMARY	03/13/2009 House	Rule 19(a) / Re-referred to Rules Committee
HB1289	Joseph M. Lyons	ELECTIONS-TECH	03/13/2009 House	Rule 19(a) / Re-referred to Rules Committee
HB1323	Mike Boland	ELEC CD-EQUIPMENT/AUDITS	03/13/2009 House	Rule 19(a) / Re-referred to Rules Committee
HB1324	Mike Boland	IL CLEAN ELECTIONS ACT	03/13/2009 House	Rule 19(a) / Re-referred to Rules Committee
HB1333	Mike Boland	ELEC CD-EQUIPMENT/AUDITS	03/13/2009 House	Rule 19(a) / Re-referred to Rules Committee
HB1334	Mike Boland	ELEC CD-MAIL VOTE-CONSLDTE	03/13/2009 House	Rule 19(a) / Re-referred to Rules Committee
HB1387	Michael J. Madigan	ELECTIONS-TECH	04/03/2009 House	Rule 19(a) / Re-referred to Rules Committee
HB1388	Michael J. Madigan	ELECTIONS-TECH	04/03/2009 House	Rule 19(a) / Re-referred to Rules Committee
HB1389	Michael J. Madigan	ELECTIONS-TECH	04/03/2009 House	Rule 19(a) / Re-referred to Rules Committee
HB1390	William D. Burns	ELECTIONS-TECH	04/03/2009 House	Rule 19(a) / Re-referred to Rules Committee
HB1391	Michael J. Madigan	ELECTIONS-TECH	04/03/2009 House	Rule 19(a) / Re-referred to Rules Committee
HB1392	Michael J. Madigan	ELECTIONS-TECH	04/03/2009 House	Rule 19(a) / Re-referred to Rules Committee
HB1393	Michael J. Madigan	ELECTIONS-TECH	04/03/2009 House	Rule 19(a) / Re-referred to Rules Committee
HB1394	Michael J. Madigan	ELECTIONS-TECH	04/03/2009 House	Rule 19(a) / Re-referred to Rules Committee
HB1395	Michael J. Madigan	ELECTIONS-TECH	04/03/2009 House	Rule 19(a) / Re-referred to Rules Committee
HB1396	Michael J. Madigan	ELECTIONS-TECH	04/03/2009 House	Rule 19(a) / Re-referred to Rules Committee
HB1397	Michael J. Madigan	ELECTIONS-TECH	04/03/2009 House	Rule 19(a) / Re-referred to Rules Committee
HB1398	Michael J. Madigan	ELECTIONS-TECH	04/03/2009 House	Rule 19(a) / Re-referred to Rules Committee
HB1399	Michael J. Madigan	ELECTIONS-TECH	04/03/2009 House	Rule 19(a) / Re-referred to Rules Committee
HB1400	Michael J. Madigan	ELECTIONS-TECH	04/03/2009 House	Rule 19(a) / Re-referred to Rules Committee
HB1401	Michael J. Madigan	ELECTIONS-TECH	04/03/2009 House	Rule 19(a) / Re-referred to Rules Committee
HB1402	Michael J. Madigan	ELECTIONS-TECH	04/03/2009 House	Rule 19(a) / Re-referred to Rules Committee
HB1403	Michael J. Madigan	ELECTIONS-TECH	04/03/2009 House	Rule 19(a) / Re-referred to Rules Committee
HB1404	Michael J. Madigan	ELECTIONS-TECH	04/03/2009 House	Rule 19(a) / Re-referred to Rules Committee
HB1405	Michael J. Madigan	ELECTIONS-TECH	04/03/2009 House	Rule 19(a) / Re-referred to Rules Committee
HB1406	Michael J. Madigan	ELECTIONS-TECH	04/03/2009 House	Rule 19(a) / Re-referred to Rules Committee
HB2170	Michael J. Madigan	<b>\$BD ELECTIONS-TECH</b>	02/19/2009 House	Assigned to Appropriations-General Services Committee
HB2261	William B. Black	ELECTIONS-ST BOARD MEMBERS	03/13/2009 House	Rule 19(a) / Re-referred to Rules Committee

HB2267	Mike Boland	IL CLEAN ELECTION ACT	03/13/2009 House Rule 19(a) / Re-referred to Rules Committee
HB2303	Elaine Nekritz	ELECTIONS-TECH	03/13/2009 House Rule 19(a) / Re-referred to Rules Committee
HB2304	Elaine Nekritz	ELECTIONS-TECH	03/13/2009 House Rule 19(a) / Re-referred to Rules Committee
HB2305	Elaine Nekritz	ELECTIONS-TECH	03/13/2009 House Rule 19(a) / Re-referred to Rules Committee
HB2306	Elaine Nekritz	ELECTIONS-TECH	03/13/2009 House Rule 19(a) / Re-referred to Rules Committee
HB2307	Elaine Nekritz	ELECTIONS-TECH	03/13/2009 House Rule 19(a) / Re-referred to Rules Committee
HB2308	Elaine Nekritz	MARCH/AUGUST GENERAL PRIMARY	03/13/2009 House Rule 19(a) / Re-referred to Rules Committee
HB2364	Mike Boland	BALLOT INITIATIVE-ETHICS	03/13/2009 House Rule 19(a) / Re-referred to Rules Committee
HB2366	h Eddie Washington	ELEC-INDEPENDENT SIGNATURES	04/03/2009 House Rule 19(a) / Re-referred to Rules Committee
HB2368	Mike Boland	ELEC-LOCAL PETITION SIGNERS	03/13/2009 House Rule 19(a) / Re-referred to Rules Committee
HB2416	Naomi D. Jakobsson	ELECTIONS THIRD PARTY JUDGES	03/13/2009 House Rule 19(a) / Re-referred to Rules Committee
HB2428	h Karen May (Dan Kotowski)	ST ETHICS-APPOINTEES	03/26/2009 Senate Referred to Assignments
HB2457	Dan Brady	ELECTIONS-REGISTRATION PURGE	03/13/2009 House Rule 19(a) / Re-referred to Rules Committee
HB2458	Dan Brady	ELECTIONS-TECH	03/13/2009 House Rule 19(a) / Re-referred to Rules Committee
HB2459	Dan Brady	ELECTIONS-TECH	03/13/2009 House Rule 19(a) / Re-referred to Rules Committee
HB2460	Dan Brady	ELECTIONS-TECH	03/13/2009 House Rule 19(a) / Re-referred to Rules Committee
HB2461	Dan Brady	ELECTIONS-TECH	03/13/2009 House Rule 19(a) / Re-referred to Rules Committee
HB2503	h Tom Cross	U.S. SENATE VACANCY	03/11/2009 House Tabled Pursuant to Rule 24
HB2590	Paul D. Froehlich	PUBLIC QUESTION BALLOT LIMIT	03/13/2009 House Rule 19(a) / Re-referred to Rules Committee
HB2603	Harry Osterman	ELECTIONS-TECH	03/13/2009 House Rule 19(a) / Re-referred to Rules Committee
HB2620	William B. Black	ELECTIONS-NEW PARTY PETITIONS	04/03/2009 House Rule 19(a) / Re-referred to Rules Committee
HB2629	h Kathleen A. Ryg	ELECTIONS-VOTING AGE	04/03/2009 House Rule 19(a) / Re-referred to Rules Committee
HB2631	Kathleen A. Ryg	JUDICIAL CAMPAIGN REFORM	03/13/2009 House Rule 19(a) / Re-referred to Rules Committee
HB2987	Sidney H. Mathias	ELECTIONS-TECH	04/03/2009 House Rule 19(a) / Re-referred to Rules Committee
HB2988	Tom Cross	ELECTIONS-TECH	04/03/2009 House Rule 19(a) / Re-referred to Rules Committee
HB2989	Michael W. Tryon	ELECTIONS-TECH	04/03/2009 House Rule 19(a) / Re-referred to Rules Committee
HB2990	Tom Cross	ELECTIONS-TECH	04/03/2009 House Rule 19(a) / Re-referred to Rules Committee
HB2991	Tom Cross	ELECTIONS-TECH	04/03/2009 House Rule 19(a) / Re-referred to Rules Committee
HB2992	Tom Cross	ELECTIONS-TECH	04/03/2009 House Rule 19(a) / Re-referred to Rules Committee
HB2993	Tom Cross	ELECTIONS-TECH	04/03/2009 House Rule 19(a) / Re-referred to Rules Committee
HB2994	Tom Cross	ELECTIONS-TECH	04/03/2009 House Rule 19(a) / Re-referred to Rules Committee
HB2995	Tom Cross	ELECTIONS-TECH	04/03/2009 House Rule 19(a) / Re-referred to Rules Committee
HB2996	Tom Cross	ELECTIONS-TECH	04/03/2009 House Rule 19(a) / Re-referred to Rules Committee
HB2997	Tom Cross	ELECTIONS-TECH	04/03/2009 House Rule 19(a) / Re-referred to Rules Committee
HB2998	Tom Cross	ELECTIONS-TECH	04/03/2009 House Rule 19(a) / Re-referred to Rules Committee
HB2999	Tom Cross	ELECTIONS-TECH	04/03/2009 House Rule 19(a) / Re-referred to Rules Committee
HB3000	Tom Cross	ELECTIONS-TECH	04/03/2009 House Rule 19(a) / Re-referred to Rules Committee
HB3001	Tom Cross	ELECTIONS-TECH	04/03/2009 House Rule 19(a) / Re-referred to Rules Committee
HB3492	Tom Cross	<b>SBD ELECTIONS-TECH</b>	03/04/2009 House Placed on Calendar 2nd Reading - Short Debate **
HB3534	Tom Cross	ELECTIONS-TECH	04/03/2009 House Rule 19(b) / Re-referred to Rules Committee
HB3552	Tom Cross	ELECTIONS-TECH	04/03/2009 House Rule 19(b) / Re-referred to Rules Committee
HB3554	Tom Cross	ELECTIONS-TECH	04/03/2009 House Rule 19(b) / Re-referred to Rules Committee
HB3564	Tom Cross	ELECTIONS-TECH	04/03/2009 House Rule 19(b) / Re-referred to Rules Committee
HB3581	Tom Cross	ELECTIONS-TECH	04/03/2009 House Rule 19(b) / Re-referred to Rules Committee
HB3582	Tom Cross	ELECTIONS-TECH	04/03/2009 House Rule 19(b) / Re-referred to Rules Committee

HB3609	Mike Boland	ELECTIONS-TECH	03/13/2009 House Rule 19(a) / Re-referred to Rules Committee
HB3793	Julie Harnos	U.S. SENATE VACANCY	02/25/2009 House Referred to Rules Committee
HB3849	Deborah Mell	ELECTIONS-TECH	03/13/2009 House Rule 19(a) / Re-referred to Rules Committee
HB3850	Deborah Mell	ELECTIONS-TECH	03/13/2009 House Rule 19(a) / Re-referred to Rules Committee
HB3930	William B. Black	ELECTIONS-CON CON BALLOTS	03/13/2009 House Rule 19(a) / Re-referred to Rules Committee
HB3935	William D. Burns	ELECTIONS-TECH	03/13/2009 House Rule 19(a) / Re-referred to Rules Committee
HB3972	Eddie Lee Jackson, Sr. (James F. Clayborne, Jr.)	ABSENTEE BALLOT POSTMARK	03/26/2009 Senate Referred to Assignments
HB4007	Paul D. Froehlich	SEPTEMBER 2010 PRIMARY	03/13/2009 House Rule 19(a) / Re-referred to Rules Committee
HB4029	Paul D. Froehlich	BINDING BALLOT INITIATIVES	03/13/2009 House Rule 19(a) / Re-referred to Rules Committee
HB4037	Emily McAsey	EARLY VOTING POLLING PLACES	04/03/2009 House Rule 19(b) / Re-referred to Rules Committee
HB4051 h	Paul D. Froehlich (Don Harmon)	LOCAL RECORDS-ELECTION RECORDS	04/02/2009 Senate Placed on Calendar Order of First Reading
HB4077 h	Naomi D. Jakobsson (Michael W. Frerichs)	ELECTIONS-VOTER IDENTIFICATION	03/26/2009 Senate Referred to Assignments
HB4112	Mike Fortner	CAMPAIGN FINANCE AUDITOR	03/13/2009 House Rule 19(a) / Re-referred to Rules Committee
HB4113	Jim Durkin	U.S. SENATE VACANCIES	02/27/2009 House Referred to Rules Committee
HB4115	Rosemary Mulligan	ELECTIONS-NEGATIVE CAMPAIGNING	03/13/2009 House Rule 19(a) / Re-referred to Rules Committee
HB4116	Rosemary Mulligan	ELECTIONS-CAMPAIGN MESSAGES	03/13/2009 House Rule 19(a) / Re-referred to Rules Committee
HB4144	Tom Cross	OPEN MEETINGS- CANCELLATION	03/13/2009 House Rule 19(a) / Re-referred to Rules Committee
HB4156	Elizabeth Coulson	ST ETHICS-EXEC INVESTIGATIONS	03/13/2009 House Rule 19(a) / Re-referred to Rules Committee
HB4166	Barbara Flynn Currie	LEGISLATIVE ETHICS COMMISSION	03/13/2009 House Rule 19(a) / Re-referred to Rules Committee
HB4416	Michael J. Madigan	<b>SSTATE BOARD OF ELECTIONS</b>	03/24/2009 House Referred to Rules Committee
SB0007	John J. Cullerton	GOVERNMENT ETHICS-TECH	03/12/2009 Senate Placed on Calendar Order of 2nd Reading March 17, 2009
SB0008	John J. Cullerton	CAMPAIGN FINANCE-TECH	03/12/2009 Senate Placed on Calendar Order of 2nd Reading March 17, 2009
SB0046	Dale E. Risinger	JUNE GENERAL PRIMARY	03/13/2009 Senate Rule 3-9(a) / Re-referred to Assignments
SB0080 s	Terry Link (Eddie Washington)	ELECTIONS-CAMPAIGN FREE ZONE	04/02/2009 House Referred to Rules Committee
SB0146 s	Ira J. Silverstein (Sidney H. Mathias)	ELECTIONS ROBO CALLS	04/02/2009 House Referred to Rules Committee
SB0176	Don Harmon	COOK COUNTY-FOREST PRESERVE	03/24/2009 Senate Placed on Calendar Order of 3rd Reading March 25, 2009
SB0283 s	Dave Syverson (Paul D. Froehlich)	ELECTIONS-PRIMARY VOTER	04/02/2009 House Referred to Rules Committee
SB0284	Dan Cronin	ELECTIONS-POLITICAL COMMITTEES	03/12/2009 Senate Held in Executive; Subcommittee on Ethics
SB0285	Matt Murphy	U.S. SENATOR SPECIAL ELECTION	03/13/2009 Senate Rule 3-9(a) / Re-referred to Assignments
SB0354	John J. Cullerton	ELECTIONS-TECH	03/12/2009 Senate Placed on Calendar Order of 2nd Reading March 17, 2009
SB0355	John J. Cullerton	ELECTIONS-TECH	03/12/2009 Senate Placed on Calendar Order of 2nd Reading March 17, 2009
SB0356	John J. Cullerton	ELECTIONS-TECH	03/12/2009 Senate Placed on Calendar Order of 2nd Reading March 17, 2009
SB0357	John J. Cullerton	ELECTIONS-TECH	03/12/2009 Senate Placed on Calendar Order of 2nd Reading March 17, 2009
SB0358	John J. Cullerton	ELECTIONS-TECH	03/12/2009 Senate Placed on Calendar Order of 2nd Reading March 17, 2009

SB0369	John J. Cullerton	ELECTIONS-TECH	03/12/2009 Senate Placed on Calendar Order of 2nd Reading March 17, 2009
SB0360	John J. Cullerton	ELECTIONS-TECH	03/12/2009 Senate Placed on Calendar Order of 2nd Reading March 17, 2009
SB0361	John J. Cullerton	ELECTIONS-TECH	* 03/12/2009 Senate Placed on Calendar Order of 2nd Reading March 17, 2009
SB0362	John J. Cullerton	ELECTIONS-TECH	03/12/2009 Senate Placed on Calendar Order of 2nd Reading March 17, 2009
SB0363	John J. Cullerton	ELECTIONS-TECH	03/12/2009 Senate Placed on Calendar Order of 2nd Reading March 17, 2009
SB0600	s Chris Lauzen (Paul D. Froehlich)	ELECTIONS-ST CENTRAL COMMITTEE	04/02/2009 House Referred to Rules Committee
SB1187	John M. Sullivan	<b>SSTATE BOARD OF ELECTIONS</b>	02/06/2009 Senate Referred to Assignments
SB1270	Rickey R. Hendon	PUBLIC CAMPAIGN FINANCING-TECH	02/10/2009 Senate Referred to Assignments
SB1271	Rickey R. Hendon	ELECTIONS VACANT OFFICES	03/13/2009 Senate Rule 3-9(a) / Re-referred to Assignments
SB1370	M. Maggie Crotty (Constance A. Howard)	SOS-VOTER REGISTRATION	03/27/2009 House Referred to Rules Committee
SB1406	Michael Noland	ELEC CD-CONTRIBUTION LIMITS	03/12/2009 Senate Held in Executive; Subcommittee on Ethics
SB1428	Matt Murphy	ELECTIONS-NOMINATION VACANCY	03/12/2009 Senate Held in Executive; Subcommittee on Ethics
SB1466	Emil Jones, III (Eddie Lee Jackson, Sr.)	ABSENTEE BALLOT POSTMARK	04/02/2009 House Referred to Rules Committee
SB1473	Terry Link (Richard P. Myers)	ELECTIONS-POLITICAL COMMITTEE	03/27/2009 House Referred to Rules Committee
SB1582	s A. J. Wilhelmi (Sidney H. Mathias)	JUDGES-NO DISCLOSE ADDRESS/TEL	04/01/2009 House Referred to Rules Committee
SB1614	M. Maggie Crotty	ELECTIONS-PETITION FILING	03/13/2009 Senate Rule 3-9(a) / Re-referred to Assignments
SB1662	s Matt Murphy (Sidney H. Mathias)	ELEC CD-POLITICAL COMMITTEES	04/01/2009 House Referred to Rules Committee
SB1666	Larry K. Bomke	ELEC CD-OPEN PRIMARY	04/01/2009 Senate Third Reading - Lost; 017-037-000
SB1670	s Michael Noland (Keith Farnham)	ADD 16TH CIRCUIT ASSOC JUDGES	04/01/2009 House Referred to Rules Committee
SB1768	Heather Steans	ELEC CD-CONTRIBUTION LIMITS	03/12/2009 Senate To Subcommittee on Ethics
SB1790	Dave Syverson	ELECTIONS-CANDIDATE GUIDE	03/13/2009 Senate Rule 3-9(a) / Re-referred to Assignments
SB1799	Dale A. Righter (Richard P. Myers)	ELECTIONS-CON CON BALLOTS	04/02/2009 House Referred to Rules Committee
SB1801	Dale A. Righter (Sidney H. Mathias)	EARLY VOTING PERIOD- HOLIDAYS	04/01/2009 House Referred to Rules Committee
SB1938	s Terry Link (Michael J. Madigan)	CIRCUIT COURTS-ADD JUDGESHIPS	04/01/2009 House Referred to Rules Committee
SB1947	Jacqueline Y. Collins	ELECTIONS-TECH	03/12/2009 Senate Placed on Calendar Order of 2nd Reading March 17, 2009
SB2022	s Michael W. Frerichs (Naomi D. Jakobsson)	ELECTIONS-ABSENTEE VOTING	04/02/2009 House Referred to Rules Committee
SB2055	Gary Forby	ELECTIONS-TECH	02/20/2009 Senate Referred to Assignments
SB2063	Dale A. Righter	CAMPAIGN CONTRIBUTION LIMIT	03/12/2009 Senate To Subcommittee on Ethics
SB2077	Chris Lauzen	ELECTIONS-POLITICAL COMMITTEES	03/12/2009 Senate To Subcommittee on Ethics
SB2079	Chris Lauzen	ELECTIONS-VOTER ID	03/26/2009 Senate Postponed - Executive; Subcommittee on State and Local Governments
SB2083	Chris Lauzen	PROOF OF CITIZENSHIP	03/13/2009 Senate Rule 3-9(a) / Re-referred to Assignments
SB2144	Kwame Raoul	JUDICIAL CAMPAIGN REFORM	03/12/2009 Senate To Subcommittee on Ethics
SB2168	s Tol W. Hutchinson	ELECTIONS MILITARY	04/02/2009 House Referred to Rules Committee

	(Keith Farnham)	DEPENDENTS	
SB2183	Christine Radogno	ELECTIONS-TECH	03/24/2009 Senate Placed on Calendar Order of 3rd Reading March 25, 2009
SB2185	Christine Radogno	ELECTIONS-TECH	03/24/2009 Senate Placed on Calendar Order of 3rd Reading March 25, 2009
SB2198	Christine Radogno	ELECTIONS-TECH	03/12/2009 Senate Placed on Calendar Order of 2nd Reading March 17, 2009
SB2200	Christine Radogno	ELECTIONS-TECH	03/12/2009 Senate Placed on Calendar Order of 2nd Reading March 17, 2009
SB2202	Christine Radogno	ELECTIONS-TECH	03/12/2009 Senate Placed on Calendar Order of 2nd Reading March 17, 2009
SB2238	Chris Lauzen	ELECTIONS-TECH	02/20/2009 Senate Referred to Assignments
SB2242	Chris Lauzen	PROCUREMENT-PAY TO PLAY	03/12/2009 Senate To Subcommittee on Ethics
SB2257	Kwame Raoul	ELECTIONS-TECH	03/30/2009 Senate Placed on Calendar Order of 3rd Reading March 31, 2009
SB2259	Kwame Raoul	ELECTIONS-TECH	02/20/2009 Senate Referred to Assignments
SB2261	Kwame Raoul	ELECTIONS-TECH	02/20/2009 Senate Referred to Assignments
SB2444	John M. Sullivan	<b>STATE BOARD OF ELECTIONS</b>	03/24/2009 Senate Referred to Assignments
SB2448	Kirk W. Dillard	ST ETHICS-SANGAMON FUNDRAISING	03/25/2009 Senate Referred to Assignments
HR0145	Paul D. Froehlich	TASK FORCE ON SPECIAL ELECTION	03/04/2009 House Referred to Rules Committee
HJRCA0001	Jack D. Franks	CONAMEND-RECALL ELECTIONS	01/14/2009 House Referred to Rules Committee
HJRCA0004	Lou Lang	SUFFRAGE-VOTING AGE 17	01/14/2009 House Referred to Rules Committee
HJRCA0005	Suzanne Bassi	CON AMEND-REDISTRICTING	01/14/2009 House Referred to Rules Committee
HJRCA0006	Suzanne Bassi	CON AMEND-LEGISLATURE TERMS	01/14/2009 House Referred to Rules Committee
SJRCA0009	Dan Cronin	CONAMEND-RECALL ELECTIONS	02/19/2009 Senate To Subcommittee on Constitutional Amendments

**All Election Bills 2009** Totals: 207 - (House Bills: 142) (Senate Bills: 59) (Other Bills: 6) [Help](#)  
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## 2009 Legislation

### Budget

House Bill 4416	Madigan
Senate Bill 2444	Sullivan

### Open Primaries

House Bill 825	Black	
House Bill 888	Boland	
Senate Bill 1666	Bomke	Lost 17-37

### Changing the Primary Date

House Bill 4007	Froehlich	change to September
House Bill 1285	Franks	change to summer
House Bill 2308	Nekritz	change to March/August
Senate Bill 46	Risinger	change to June

### Campaign Contribution Limits

House Bill 24	Osterman	Extensive campaign contribution reform
House Bill 86	Lang	
House Bill 717	Mathias	
House Bill 733	Boland	IL Clean Election Act
House Bill 763	Cultra	
House Bill 887	Boland	Judicial Campaign Financing
House Bill 1061	Coulson	
House Bill 1324	Boland	IL Clean Election Act
House Bill 1390	Burns	The Lincoln Act
House Bill 2267	Boland	IL Clean Election Act
House Bill 2428	May/Kotowski	Board appointees and contributions
House Bill 2631	Ryg	Judicial Campaign Reform
House Bill 4112	Fortner	Campaign Finance Auditor
Senate Bill 284	Cronin	No transfers over \$1,000
Senate Bill 1270	Hendon	Public Campaign Financing
Senate Bill 1345	Murphy	Contributions and state contracts
Senate Bill 1406	Noland	
Senate Bill 1548	Radogno	Limit of 1 political committee/\$10,000
Senate Bill 1768	Stearns	
Senate Bill 2063	Righter	
Senate Bill 2085	Lauzen	Voluntary pledges
Senate Bill 2144	Raoul	Judicial Campaign Reform

### Special Elections/Vacancies in Office

House Bill 290	Mathias	Nomination Vacancy
House Bill 365	Franks	US Senate Vacancy
House Bill 723	Fortner/Cullerton	Nomination Vacancy
House Bill 2503	Cross	US Senate Vacancy
House Bill 3793	Hamos	US Senate Vacancy
House Bill 4113	Durkin	US Senate Vacancies
Senate Bill 285	Murphy	US Senator special election
Senate Bill 1271	Hendon	Elections for all vacant offices
Senate Bill 1428	Murphy	Nomination Vacancy

### Judges

Senate Bill 1582	Wilhelmi/Mathias	no disclose addresses
Senate Bill 1670	Noland/Farnham	add 16th circuit judges (Kane)
Senate Bill 1938	Link/Madigan	add Lake and Will judges

### Other

House Bill 07	Franks/Crotty	establishes legal defense funds
House Bill 85	Jackson/Cullerton	establishes an Internet Voting Commission
House Bill 268	Mitchell/_____	Robo calls
House Bill 567	Gordon/Cullerton	CILA's
House Bill 1131*	Myers/Cullerton	military delivery of ballots
House Bill 4051	Froehlich/Harmon	Local records
House Bill 4077	Jakobsson/Frerichs	Voter ID
Senate Bill 80	Link/Washington	Campaign Free Zone
Senate Bill 146	Silverstein/Mathias	Robo calls
Senate Bill 283	Syverson/Froehlich	Primary Voters
Senate Bill 600	Lauzen/Froehlich	State Central Committee
Senate Bill 1473*	Link/Myers	Electronic notification
Senate Bill 1662	Murphy/Mathias	D-1's
Senate Bill 1799*	Righter/Myers	Con Con language
Senate Bill 1801*	Righter/Mathias	Early voting/holidays

\*denotes SBE initiative

# **STATE BOARD OF ELECTIONS**

**MEMORANDUM**

*From the desk of:  
Daniel W. White, Executive Director*

**TO:** Members of the Board

**SUBJECT:** HAVA Update

**DATE:** April 8, 2009

---

We are nearing completion of the statewide IVRS, the final requirement for full HAVA compliance. At the meeting we will have an oral update.

# **STATE BOARD OF ELECTIONS**

---

**MEMORANDUM**

*From the desk of:  
Daniel W. White, Executive Director*

**TO:** Members of the Board  
**SUBJECT:** Proposed FY10 Board Meeting Schedule  
**DATE:** April 9, 2009

---

Attached for your consideration is the proposed 2010 Board meeting schedule. The Board may wish to review this proposed document in light of the recent practice of conducting videoconference meetings simultaneously in multiple locations.

Attachment

# STATE BOARD OF ELECTIONS

## Meeting Schedule JULY 1, 2009 - JUNE 30, 2010

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*	Wednesday, July 1	Springfield
	Monday, August 17	Chicago
	Monday, September 21	Springfield
	Monday, October 19	Chicago
	Monday, November 16	Springfield
**	Thursday, December 3	Chicago
***	Tuesday, January 19	Springfield
***	Tuesday, February 16	Chicago
****	Friday, March 5	Springfield
	Monday, April 19	Chicago
	Monday, May 17	Springfield
	Monday, June 14	Chicago
*	Statutory meeting for election of Chairman and Vice Chairman	
**	Statutory date to certify ballot for February primary election	
***	Regular meeting date changed due to holiday	
****	Proclamation of results of the February primary election	

All meetings will begin at 10:30 a.m.  
\*\*UNLESS OTHERWISE NOTICED\*\*

Dates, times and location of the meetings are subject to change. Notice of any changes will be posted prior to the meeting or information can be obtained by calling 217/782-4141 or 312/814-6440.

# **STATE BOARD OF ELECTIONS**

---

**MEMORANDUM**

*From the desk of:*  
*Daniel W. White, Executive Director*

**TO:** Members of the Board  
**SUBJECT:** Agency Conversion to Fiber Optics  
**DATE:** April 9, 2009

---

I had meant to include this item in last month's Agenda but somehow left it out. Nonetheless, I wanted to inform the Board of this development and acknowledge our remarkable IT department for completion of a significant project to convert agency data communications to fiber optics.

Please see the attached memo from Kevin Turner that summarizes the year long project to upgrade communication lines to meet increased agency demands.

Working with CMS and AT&T, our IT staff completed the project in mid-February, and with no additional monthly data communication costs, we are now communicating data on faster, state of the art fiber optics.

Congratulations to Kevin, Steve Flowers and the entire IT staff.

Attachment

## Illinois State Board of Elections

1020 South Spring Street

Springfield, IL 62704

*From the desk of: **Kevin Turner***  
*Information Technology*  
*Phone: 217-782-1575*  
*Email: [kturner@elections.il.gov](mailto:kturner@elections.il.gov)*

---

To: Daniel W. White, Executive Director  
Re: Agency Conversion to Fiber Optics for Data Communications  
Date: 2/25/09

---

Monday, February 16<sup>th</sup>, marked the complete conversion to fiber optics for the State Board of Elections. For a number of years, our agency has been linked to the outside world via three T-1 communication lines. While these lines provided relatively fast response time for most of the agency's needs, the increased demands of systems like IVRS, the new demands for Business Registration, and our very busy public website called for faster communications.

The project began well over a year ago. After researching our options, we found that SBE's Springfield office is situated within a block of a major CMS fiber trunk line running between the main data center downtown and the Harris building on South Grand Avenue. Both of these facilities provide fiber access which means we would have redundancy should one end of the line fail – a very important benefit. Additionally, the close proximity to the main fiber lines resulted in lower costs for installation.

SBE IT staff, working together with CMS and AT&T, provided the configuration proposal necessary to complete the project. Construction began last summer to lay the underground fiber lines. The remaining hardware installation took place in the fall. These steps being complete, it was determined a two phase conversion from our existing T-1 lines to the fiber was the best solution.

The first step involved transitioning all internet communication to fiber. The second step entailed converting all remaining systems such as the Springfield to Chicago office connection, our tie-in to CMS payroll and personnel systems, the video conferencing system, the connection to Secretary of State, etc.

On Monday, February 16<sup>th</sup> (President's Day), the task was completed. Thanks to some key individuals at CMS and Bob Affrunti of Clarea, Inc., this extremely complex project went flawlessly.

With no increase in monthly data communications costs, I'm pleased to report the State Board of Elections is up and running on state of the art fiber optics.

# **STATE BOARD OF ELECTIONS**

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**MEMORANDUM**

*From the desk of:*  
*Daniel W. White, Executive Director*

**TO:** Members of the Board  
**SUBJECT:** FY09 Fiscal Status Reports  
**DATE:** April 8, 2009

---

We have completed three quarters of the fiscal year and, with the exception of underfunded state retirement, we are on target to fulfill all FY09 fiscal obligations.

Attachment

**STATE BOARD OF ELECTIONS**  
**FY09 MONTHLY FISCAL REPORT**  
**General Revenue Fund**

AGENCY TOTALS MONTH ENDING: <u>March 31, 2009</u>	FY09 APPROPRIATION	YEAR TO DATE EXPENDITURE	OBLIGATED MONEY	BALANCE	% OF EXPENDITURE
PERSONAL SERVICE	\$3,171,480.00	\$2,248,870.79	\$0.00	\$922,609.21	70.91%
STATE PAID RETIREMENT	\$127,110.00	\$87,889.28	\$0.00	\$39,220.72	69.14%
RETIREMENT	\$525,160.00	\$470,520.99	\$0.00	\$54,639.01	89.60%
SOCIAL SECURITY	\$243,050.00	\$164,082.59	\$0.00	\$78,967.41	67.51%
CONTRACTUAL SERVICE	\$789,765.00	\$395,145.24	\$125,669.26	\$268,950.50	50.03%
TRAVEL	\$107,350.00	\$52,359.38	\$0.00	\$54,990.62	48.77%
PRINTING	\$42,360.00	\$26,471.48	\$0.00	\$15,888.52	62.49%
COMMODITIES	\$29,925.00	\$21,778.64	\$0.00	\$8,146.36	72.78%
EQUIPMENT	\$113,525.00	\$56,837.65	\$0.00	\$56,687.35	50.07%
TELECOMMUNICATIONS	\$106,780.00	\$72,680.62	\$0.00	\$34,099.38	68.07%
OPERATION OF AUTO EQUIPMENT	\$3,515.00	\$1,770.76	\$0.00	\$1,744.24	50.38%
HAVA MAINTENANCE OF EFFORT	\$550,000.00	\$550,000.00	\$0.00	\$0.00	100.00%
ELECTION CODE BOOKS	\$14,250.00	\$0.00	\$0.00	\$14,250.00	0.00%
<b>SUB-TOTAL (OPERATIONS)</b>	<b>\$5,824,270.00</b>	<b>\$4,148,407.42</b>	<b>\$125,669.26</b>	<b>\$1,550,193.32</b>	<b>71.23%</b>
CO CLERK & RECORDER STIPENDS	\$806,000.00	\$5,413.70	\$0.00	\$800,586.30	0.67%
ELECTION JUDGE REIMBURSEMENT	\$5,850,000.00	\$2,585,860.00	\$0.00	\$3,264,140.00	44.20%
ELECTION JUDGES/EARLY VOTING	\$2,875,000.00	\$1,268,370.00	\$0.00	\$1,606,630.00	44.12%
VOTER REGISTRATION TAPES	\$20,250.00	\$0.00	\$0.00	\$20,250.00	0.00%
IVRS LUMP SUM	\$2,498,700.00	\$145,906.43	\$0.00	\$2,352,793.57	5.84%
REDISTRICTING	\$350,000.00	\$153,460.00	\$196,540.00	\$0.00	43.85%
ADDITIONAL STATE MATCH	\$671,022.00	\$341,749.00	\$0.00	\$329,273.00	50.93%
DISALLOWED HAVA EXPENDITURES	\$3,889.00	\$3,889.00	\$0.00	\$0.00	100.00%
<b>SUB-TOTAL (GRANTS)</b>	<b>\$13,074,861.00</b>	<b>\$4,504,648.13</b>	<b>\$196,540.00</b>	<b>\$8,373,672.87</b>	<b>34.45%</b>
<b>TOTAL APPROPRIATION</b>	<b>\$18,899,131.00</b>	<b>\$8,653,055.55</b>	<b>\$322,209.26</b>	<b>\$9,923,866.19</b>	<b>45.79%</b>

**STATE BOARD OF ELECTIONS**  
**FY09 MONTHLY FISCAL REPORT**  
**General Revenue Fund**

<b>BOARD</b> <b>MONTH ENDING: March 31, 2009</b>	<b>FY09</b> <b>APPROPRIATION</b>	<b>YEAR TO DATE</b> <b>EXPENDITURE</b>	<b>BALANCE</b>	<b>% OF</b> <b>EXPENDITURE</b>
<b>CONTRACTUAL SERVICE</b>				
1205 Freight Express & Drayage	\$2,000.00	\$1,547.36	\$452.64	77.37%
1221 Repair/Maint. Furn./Office Equipment			\$0.00	0.00%
1232 Rental Motor Vehicles	\$1,000.00	\$1,000.00	\$0.00	100.00%
1239 Rental, NEC			\$0.00	0.00%
1243 Book Binding Services			\$0.00	0.00%
1266 Court Reporting & Filing Services	\$14,000.00	\$7,689.25	\$6,310.75	54.92%
1274 Reg. Fees & Conf. Expenses (Vendor)	\$100.00		\$100.00	0.00%
1275 Subscriptions			\$0.00	0.00%
1276 Reg. Fees & Conf. Expenses (Employee)			\$0.00	0.00%
1277 Association Dues	\$50.00		\$50.00	0.00%
1279 Employee Tuition & Fees				
1280 Copying, Photographic & Printing Services	\$450.00	\$413.70	\$36.30	91.93%
1286 Travel, Non-State Employee			\$0.00	0.00%
1289 Contractual Services, NEC	\$450.00	\$371.77	\$78.23	82.62%
<b>TRAVEL</b>	<b>\$18,145.00</b>	<b>\$9,387.28</b>	<b>\$8,757.72</b>	<b>51.73%</b>
<b>EQUIPMENT</b>				
1510 Office Furniture & Equipment	\$475.00		\$475.00	0.00%

<b>BOARD GRAND TOTAL</b>	<b>FY08</b> <b>APPROPRIATION</b>	<b>YEAR TO DATE</b> <b>EXPENDITURE</b>	<b>OBLIGATED</b> <b>MONEY</b>	<b>BALANCE</b>
CONTRACTUAL SERVICE	\$18,050.00	\$11,022.08		\$7,027.92
TRAVEL	\$18,145.00	\$9,387.28		\$8,757.72
EQUIPMENT	\$475.00	\$0.00		\$475.00
<b>TOTAL</b>	<b>\$36,670.00</b>	<b>\$20,409.36</b>	<b>\$0.00</b>	<b>\$16,260.64</b>

**STATE BOARD OF ELECTIONS**  
**FY09 MONTHLY FISCAL REPORT**  
**General Revenue Fund**

ADMINISTRATION MONTH ENDING: <u>March 31, 2009</u>	FY09 <u>APPROPRIATION</u>	YEAR TO DATE <u>EXPENDITURE</u>	<u>BALANCE</u>	<u>% OF EXPENDITURE</u>
<b>PERSONAL SERVICE</b>	\$534,185.00	\$403,512.78	\$130,672.22	75.54%
1129 State Paid Retirement	\$21,470.00	\$14,728.26	\$6,741.74	68.60%
1161 Retirement	\$88,445.00	\$82,482.43	\$5,962.57	93.26%
1170 Social Security	\$40,985.00	\$28,574.20	\$12,410.80	69.72%
<b>CONTRACTUAL SERVICE</b>				
1201 Petty Cash	\$300.00	\$168.96	\$131.04	56.32%
1205 Freight Express & Drayage	\$300.00	\$295.44	\$4.56	98.48%
1221 Repair/Maint. Furn./Office Equipment	\$10,000.00	\$7,428.75	\$2,571.25	74.29%
1223 Repair/Maint. Real Property	\$1,000.00		\$1,000.00	0.00%
1230 In-House Repair & Maintenance				
1231 Rental, Office Equipment	\$13,900.00	\$7,651.27	\$6,248.73	55.05%
1232 Rental, Motor Vehicles	\$4,600.00	\$3,450.00	\$1,150.00	75.00%
1233 Rental, Real Property	\$202,200.00	\$168,087.31	\$34,112.69	83.13%
1234 Rental, Machinery & Mechanical Eqmt				
1239 Rental, NEC	\$1,000.00	\$400.00	\$600.00	40.00%
1240 Statistical & Tabulation Services	\$8,500.00	\$4,226.29	\$4,273.71	49.72%
1242 Auditing & Management Services				
1248 Building & Grounds Maintenance	\$11,800.00	\$9,646.29	\$2,153.71	81.75%
1251 Gas	\$9,500.00	\$7,765.57	\$1,734.43	81.74%
1252 Electricity	\$41,000.00	\$35,343.12	\$5,656.88	86.20%
1253 Water	\$700.00	\$520.58	\$179.42	74.37%
1255 Utilities, NEC	\$600.00	\$334.51	\$265.49	55.75%
1261 Postage	\$44,000.00	\$21,344.97	\$22,655.03	48.51%
1266 Court Reporting				
1274 Reg Fees & Conf. Expenses (Vendor)	\$400.00		\$400.00	0.00%
1275 Subscription & Information Services	\$2,575.00	\$2,068.54	\$506.46	80.33%
1276 Reg. Fees & Conf. Expenses (Employee)	\$500.00		\$500.00	0.00%
1277 Association Dues	\$1,500.00	\$1,320.00	\$180.00	88.00%
1281 Interviewee Expense - To Vendors				
1285 Taxes, Licenses & Fees	\$100.00		\$100.00	0.00%
1289 Contractual Services, NEC				
<b>TRAVEL</b>				
1291 In-State	\$16,575.00	\$5,980.34	\$10,594.66	36.08%
1292 Out-of-State	\$1,000.00		\$1,000.00	0.00%
<b>PRINTING</b>	\$10,070.00	\$3,173.24	\$6,896.76	31.51%
<b>COMMODITIES</b>				
1304 Office/Library Supplies	\$12,780.00	\$7,188.08	\$5,591.92	56.24%
1391 Household & Cleaning Supplies	\$1,600.00	\$1,578.58	\$21.42	98.66%
1394 Office/Library Equip., Not exc. \$100	\$300.00	\$292.75	\$7.25	97.58%
1398 Equipment, NEC	\$500.00	\$455.66	\$44.34	91.13%
1399 Commodities, NEC	\$400.00	\$331.04	\$68.96	82.76%
<b>EQUIPMENT</b>				
1510 Office Furniture & Equipment	\$1,900.00	\$1,765.69	\$134.31	92.93%
1599 Equipment NEC	\$0.00		\$0.00	0.00%
<b>TELECOMMUNICATIONS</b>				
1710 Repair/Maintenance Telecom				
1721 Rental, Telephone Serv. & Equip.	\$45,500.00	\$27,982.15	\$17,517.85	61.50%
1722 Rental, Data Comm. Serv. & Equip.	\$52,680.00	\$38,057.16	\$14,622.84	72.24%
1728 Videoconferencing	\$6,400.00	\$4,514.80	\$1,885.20	70.54%
1729 Rental, Other Comm. Serv. & Equip.	\$1,500.00	\$1,440.00	\$60.00	96.00%
1730 Parts & Supplies for Telephone	\$700.00	\$686.51	\$13.49	98.07%
<b>OPERATION OF AUTO EQUIPMENT</b>				
1893 Repair & Maint., Auto. Equipment	\$1,200.00	\$55.99	\$1,144.01	4.67%
1894 Parts & Fittings, Auto Equipment	\$100.00		\$100.00	0.00%
1896 Gasoline, Oil & Antifreeze	\$2,215.00	\$1,714.77	\$500.23	77.42%
1899 Auto. Expenses, NEC				
<b>ADMINISTRATION GRAND TOTAL</b>	<b>FY09 APPROPRIATION</b>	<b>YEAR TO DATE EXPENDITURE</b>	<b>OBLIGATED MONEY</b>	<b>% OF BALANCE EXPENDITURE</b>
<b>PERSONAL SERVICE</b>	\$534,185.00	\$403,512.78	\$130,672.22	75.54%
<b>STATE PAID RETIREMENT</b>	\$21,470.00	\$14,728.26	\$6,741.74	68.60%
<b>RETIREMENT</b>	\$88,445.00	\$82,482.43	\$5,962.57	93.26%
<b>SOCIAL SECURITY</b>	\$40,985.00	\$28,574.20	\$12,410.80	69.72%
<b>CONTRACTUAL SERVICE</b>	\$354,475.00	\$270,051.60	\$36,167.30	76.18%
<b>TRAVEL</b>	\$17,575.00	\$5,980.34	\$11,594.66	34.03%
<b>PRINTING</b>	\$10,070.00	\$3,173.24	\$6,896.76	31.51%
<b>COMMODITIES</b>	\$15,580.00	\$9,846.11	\$5,733.89	63.20%
<b>EQUIPMENT</b>	\$1,900.00	\$1,765.69	\$134.31	92.93%
<b>TELECOMMUNICATIONS</b>	\$106,780.00	\$72,680.62	\$34,099.38	68.07%
<b>OPERATION OF AUTO EQUIPMENT</b>	\$3,515.00	\$1,770.76	\$1,744.24	50.38%
<b>TOTAL</b>	<b>\$1,194,980.00</b>	<b>\$894,566.03</b>	<b>\$36,167.30</b>	<b>\$264,246.67 74.86%</b>

**STATE BOARD OF ELECTIONS**  
**FY09 MONTHLY FISCAL REPORT**  
**General Revenue Fund**

<b>ELECTIONS</b> <b>MONTH ENDING: March 31, 2009</b>	<b>FY09</b> <b>APPROPRIATION</b>	<b>YEAR TO DATE</b> <b>EXPENDITURE</b>	<b>BALANCE</b>	<b>% OF</b> <b>EXPENDITURE</b>
<b>PERSONAL SERVICE</b>	\$1,351,185.00	\$928,179.71	\$423,005.29	68.69%
1129 State Paid Retirement	\$54,150.00	\$36,703.94	\$17,446.06	67.78%
1161 Retirement	\$223,725.00	\$195,090.46	\$28,634.54	87.20%
1170 Social Security	\$103,455.00	\$68,130.79	\$35,324.21	65.86%
<b>CONTRACTUAL SERVICE</b>				
1145 Contractual Payroll				
1205 Freight Express & Drayage	\$4,350.00	\$260.62	\$4,089.38	5.99%
1221 Repair/Maint. Furn./Office Equipment	\$200.00		\$200.00	0.00%
1231 Rental, Office Equipment				
1232 Rental, Motor Vehicles				
1237 Rental, Film & Audio/Visual Aids	\$100.00		\$100.00	0.00%
1239 Rental, NEC	\$200.00	\$100.00	\$100.00	50.00%
1242 Auditing & Management Services				
1245 Professional & Artistic Services, NEC				
1266 Court Reporting & Filing Services				
1273 Advertising				
1274 Reg Fees & Conf. Expenses (Vendor)	\$1,300.00	\$717.00	\$583.00	55.15%
1275 Subscription & Information Services	\$1,900.00		\$1,900.00	0.00%
1276 Reg. Fees & Conf. Expenses (Employee)	\$900.00	\$688.00	\$212.00	76.44%
1277 Association Dues	\$1,800.00	\$1,736.00	\$64.00	96.44%
1279 Employee Tuition & Fees	\$3,480.00		\$3,480.00	0.00%
1280 Copying, Photographic & Printing Services	\$750.00	\$240.99	\$509.01	32.13%
1285 Operating Taxes, Licenses & Fees				
1289 Contractual Services, NEC	\$6,300.00	\$6,204.46	\$95.54	98.48%
<b>TRAVEL</b>	\$41,420.00	\$25,802.96	\$15,617.04	62.30%
<b>PRINTING</b>	\$21,090.00	\$16,815.24	\$4,274.76	79.73%
<b>EQUIPMENT</b>				
1510 Office Furniture & Equipment	\$3,705.00		\$3,705.00	0.00%
<b>HAVA - Maintenance of Effort</b>	\$550,000.00	\$550,000.00	\$0.00	100.00%
<b>ELECTION CODE BOOKS</b>	\$14,250.00		\$14,250.00	0.00%

<b>ELECTIONS GRAND TOTAL</b>	<b>FY09</b> <b>APPROPRIATION</b>	<b>YEAR TO DATE</b> <b>EXPENDITURE</b>	<b>OBLIGATED</b> <b>MONEY</b>	<b>% OF</b> <b>BALANCE</b>	<b>EXPENDITURE</b>
<b>PERSONAL SERVICE</b>	\$1,351,185.00	\$928,179.71		\$423,005.29	68.69%
<b>STATE PAID RETIREMENT</b>	\$54,150.00	\$36,703.94		\$17,446.06	67.78%
<b>RETIREMENT</b>	\$223,725.00	\$195,090.46		\$28,634.54	87.20%
<b>SOCIAL SECURITY</b>	\$103,455.00	\$68,130.79		\$35,324.21	65.86%
<b>CONTRACTUAL SERVICE</b>	\$21,280.00	\$9,947.07		\$11,332.93	46.74%
<b>TRAVEL</b>	\$41,420.00	\$25,802.96		\$15,617.04	62.30%
<b>PRINTING</b>	\$21,090.00	\$16,815.24		\$4,274.76	79.73%
<b>EQUIPMENT</b>	\$3,705.00	\$0.00		\$3,705.00	0.00%
<b>HAVA - Maintenance of Effort</b>	\$550,000.00	\$550,000.00		\$0.00	100.00%
<b>ELECTION CODE BOOKS</b>	\$14,250.00	\$0.00		\$14,250.00	0.00%
<b>TOTAL</b>	<b>\$2,384,260.00</b>	<b>\$1,830,670.17</b>	<b>\$0.00</b>	<b>\$553,589.83</b>	<b>76.78%</b>

**STATE BOARD OF ELECTIONS**  
**FY09 MONTHLY FISCAL REPORT**  
**General Revenue Fund**

<b>GENERAL COUNSEL</b> <b>MONTH ENDING: March 31, 2009</b>	<b>FY09</b> <b>APPROPRIATION</b>	<b>YEAR TO DATE</b> <b>EXPENDITURE</b>	<b>BALANCE</b>	<b>% OF</b> <b>EXPENDITURE</b>
<b>PERSONAL SERVICE</b>	\$237,025.00	\$154,117.80	\$82,907.20	65.02%
1129 State Paid Retirement	\$9,500.00	\$5,957.29	\$3,542.71	62.71%
1161 Retirement	\$39,235.00	\$32,448.92	\$6,786.08	82.70%
1170 Social Security	\$18,240.00	\$11,420.97	\$6,819.03	62.61%
<b>CONTRACTUAL SERVICE</b>				
1145 Contractual Payroll				
1205 Freight Express & Drayage	\$500.00		\$500.00	0.00%
1221 Repair/Maint. Furn./Office Equipment				
1244 Legal Fees	\$38,000.00	\$5,130.00	\$32,870.00	13.50%
1245 Professional & Artistic Services, NEC	\$13,300.00		\$13,300.00	0.00%
1266 Court Reporting & Filing Services	\$18,000.00	\$4,741.43	\$13,258.57	26.34%
1273 Advertising				
1274 Reg Fees & Conf. Expenses (Vendor)	\$1,500.00	\$480.00	\$1,020.00	32.00%
1275 Subscription & Information Services	\$3,100.00	\$429.25	\$2,670.75	13.85%
1276 Reg. Fees & Conf. Expenses (Employee)				
1277 Association Dues	\$1,500.00	\$1,325.00	\$175.00	88.33%
1279 Employee Tuition & Fees				
1280 Copying, Photographic & Printing Services	\$5,100.00		\$5,100.00	0.00%
1284 Computer Software				
1289 Contractual Services, NEC	\$4,500.00	\$3,620.71	\$879.29	80.46%
<b>TRAVEL</b>	\$9,785.00	\$3,348.53	\$6,436.47	34.22%
<b>EQUIPMENT</b>				
1510 Office Furniture & Equipment	\$475.00		\$475.00	0.00%

<b>GENERAL COUNSEL GRAND TOTAL</b>	<b>FY09</b> <b>APPROPRIATION</b>	<b>YEAR TO DATE</b> <b>EXPENDITURE</b>	<b>OBLIGATED</b> <b>MONEY</b>	<b>BALANCE</b>	<b>% OF</b> <b>EXPENDITURE</b>
<b>PERSONAL SERVICE</b>	\$237,025.00	\$154,117.80		\$82,907.20	65.02%
<b>STATE PAID RETIREMENT</b>	\$9,500.00	\$5,957.29		\$3,542.71	62.71%
<b>RETIREMENT</b>	\$39,235.00	\$32,448.92		\$6,786.08	82.70%
<b>SOCIAL SECURITY</b>	\$18,240.00	\$11,420.97		\$6,819.03	62.61%
<b>CONTRACTUAL SERVICE</b>	\$85,500.00	\$15,726.39	39,870.00	\$29,903.61	18.39%
<b>TRAVEL</b>	\$9,785.00	\$3,348.53		\$6,436.47	34.22%
<b>EQUIPMENT</b>	\$475.00	\$0.00		\$475.00	0.00%
<b>TOTAL</b>	<b>\$399,760.00</b>	<b>\$223,019.90</b>	<b>\$39,870.00</b>	<b>\$136,870.10</b>	<b>55.79%</b>

**STATE BOARD OF ELECTIONS**  
**FY09 MONTHLY FISCAL REPORT**  
**General Revenue Fund**

<b>CAMPAIGN DISCLOSURE</b> <b>MONTH ENDING: March 31, 2009</b>	<b>FY09</b> <b>APPROPRIATION</b>	<b>YEAR TO DATE</b> <b>EXPENDITURE</b>	<b>BALANCE</b>	<b>% OF</b> <b>EXPENDITURE</b>
<b>PERSONAL SERVICE</b>	\$657,780.00	\$497,856.50	\$159,923.50	75.69%
1129 State Paid Retirement	\$26,315.00	\$19,882.79	\$6,432.21	75.56%
1161 Retirement	\$108,965.00	\$104,629.12	\$4,335.88	96.02%
1170 Social Security	\$50,445.00	\$36,021.16	\$14,423.84	71.41%
<b>CONTRACTUAL SERVICE</b>				
1205 Freight Express & Drayage	\$100.00		\$100.00	0.00%
1221 Repair & Maint, Furn & Office Equipment	\$1,000.00	\$808.82	\$191.18	80.88%
1225 Repair & Maint, EDP				
1229 Repair & Maint, NEC				
1232 Rental, Motor Vehicles				
1239 Rental, NEC	\$1,750.00	\$672.75	\$1,077.25	38.44%
1245 Professional & Artistic Services, NEC	\$2,500.00		\$2,500.00	0.00%
1248 Building & Ground Maintenance				
1266 Court Reporting & Filing Services				
1274 Reg Fees & Conf. Expenses (Vendor)	\$2,000.00	\$960.00	\$1,040.00	48.00%
1275 Subscription & Information Services				
1276 Reg. Fees & Conf. Expenses (Employee)				
1277 Association Dues				
1279 Employee Tuition and Fees	\$345.00		\$345.00	0.00%
1285 Operating Taxes, Licenses & Fees				
1286 Travel, Non-State Employee				
1289 Contractual Services, NEC				
<b>TRAVEL</b>				
1291 In-State	\$8,405.00	\$3,422.91	\$4,982.09	40.72%
1292 Out-of-State	\$1,000.00		\$1,000.00	0.00%
<b>PRINTING</b>	\$11,200.00	\$6,483.00	\$4,717.00	57.88%
<b>EQUIPMENT</b>				
1510 Office Furniture & Equipment	\$8,645.00	\$1,729.71	\$6,915.29	20.01%

<b>CAMPAIGN DISCLOSURE GRAND TOTAL</b>	<b>FY09</b> <b>APPROPRIATION</b>	<b>YEAR TO DATE</b> <b>EXPENDITURE</b>	<b>OBLIGATED</b> <b>MONEY</b>	<b>BALANCE</b>	<b>% OF</b> <b>EXPENDITURE</b>
<b>PERSONAL SERVICE</b>	\$657,780.00	\$497,856.50		\$159,923.50	75.69%
<b>STATE PAID RETIREMENT</b>	\$26,315.00	\$19,882.79		\$6,432.21	75.56%
<b>RETIREMENT</b>	\$108,965.00	\$104,629.12		\$4,335.88	96.02%
<b>SOCIAL SECURITY</b>	\$50,445.00	\$36,021.16		\$14,423.84	71.41%
<b>CONTRACTUAL SERVICE</b>	\$7,695.00	\$2,441.57		\$5,253.43	31.73%
<b>TRAVEL</b>	\$9,405.00	\$3,422.91		\$5,982.09	36.39%
<b>PRINTING</b>	\$11,200.00	\$6,483.00		\$4,717.00	57.88%
<b>EQUIPMENT</b>	\$8,645.00	\$1,729.71		\$6,915.29	20.01%
<b>TOTAL</b>	<b>\$880,450.00</b>	<b>\$672,466.76</b>	<b>\$0.00</b>	<b>\$207,983.24</b>	<b>76.38%</b>

**STATE BOARD OF ELECTIONS**  
**FY09 MONTHLY FISCAL REPORT**  
**General Revenue Fund**

<b>INFORMATION TECHNOLOGY</b>	<b>FY09</b>	<b>YEAR TO DATE</b>		<b>% OF</b>	
<b>MONTH ENDING: March 31, 2009</b>	<b>APPROPRIATION</b>	<b>EXPENDITURE</b>	<b>BALANCE</b>	<b>EXPENDITURE</b>	
<b>PERSONAL SERVICE</b>	\$391,305.00	\$265,204.00	\$126,101.00	67.77%	
1129 State Paid Retirement	\$15,675.00	\$10,617.00	\$5,058.00	67.73%	
1161 Retirement	\$64,790.00	\$55,870.06	\$8,919.94	86.23%	
1170 Social Security	\$29,925.00	\$19,935.47	\$9,989.53	66.62%	
<b>CONTRACTUAL SERVICE</b>					
1145 Contractual Payroll					
1205 Freight Express & Drayage					
1221 Repair/Maint. Furn./Office Equipment	\$13,000.00		\$13,000.00	0.00%	
1223 Repair/Maint. Real Property	\$6,000.00	\$5,634.29	\$365.71	93.90%	
1225 Repair/Maint. EDP Equipment	\$27,000.00	\$6,697.83	\$20,302.17	24.81%	
1230 In-House Repair of Equipment					
1234 Rental, Machinery and Mech. Equip					
1239 Rental, NEC					
1242 Auditing & Management Services	\$70,000.00	\$39,696.07	\$30,303.93	56.71%	
1244 Legal Fees					
1245 Professional & Artistic Services, NEC	\$108,065.00	\$20,000.00	\$88,065.00	18.51%	
1271 Surety Bond & Ins. Prem.	\$600.00	\$349.00	\$251.00	58.17%	
1272 Travel & Expense Reimbursement (Vendor)					
1274 Reg Fees & Conf. Expenses (Vendor)	\$6,000.00		\$6,000.00	0.00%	
1275 Subscription & Information Services	\$2,800.00	\$1,586.94	\$1,213.06	56.68%	
1276 Reg. Fees & Conf. Expenses (Employee)	\$300.00	\$198.00	\$102.00	66.00%	
1277 Association Dues					
1279 Employee Tuition and Fees	\$5,000.00	\$520.00	\$4,480.00	10.40%	
1284 Computer Software	\$63,000.00	\$11,149.40	\$51,850.60	17.70%	
1285 Operating Taxes, Licenses & Fees					
1286 Travel, Non-State Employee					
1289 Contractual Services, NEC	\$1,000.00	\$125.00	\$875.00	12.50%	
<b>TRAVEL</b>					
1291 In-State	\$5,500.00	\$4,417.36	\$1,082.64	80.32%	
1292 Out-of-State	\$5,520.00		\$5,520.00	0.00%	
<b>PRINTING</b>					
<b>COMMODITIES</b>					
1304 Office/Library Supplies	\$12,445.00	\$10,101.41	\$2,343.59	81.17%	
1332 Industrial & Shop Materials					
1394 Office/Library Equip. under \$100					
1398 Equipment, NEC	\$900.00	\$831.12	\$68.88	92.35%	
1399 Commodities, NEC	\$1,000.00	\$1,000.00	\$0.00	100.00%	
<b>EQUIPMENT</b>					
1510 Office Furniture & Equipment					
1515 EDP Equipment	\$98,325.00	\$53,342.25	\$44,982.75	54.25%	
<b>INFORMATION TECHNOLOGY GRAND TOTAL</b>	<b>FY09</b>	<b>YEAR TO DATE</b>	<b>OBLIGATED</b>	<b>% OF</b>	
	<b>APPROPRIATION</b>	<b>EXPENDITURE</b>	<b>MONEY</b>	<b>EXPENDITURE</b>	
<b>PERSONAL SERVICE</b>	\$391,305.00	\$265,204.00		67.77%	
<b>STATE PAID RETIREMENT</b>	\$15,675.00	\$10,617.00		67.73%	
<b>RETIREMENT</b>	\$64,790.00	\$55,870.06		86.23%	
<b>SOCIAL SECURITY</b>	\$29,925.00	\$19,935.47		66.62%	
<b>CONTRACTUAL SERVICE</b>	\$302,765.00	\$85,956.53	\$49,631.96	28.39%	
<b>TRAVEL</b>	\$11,020.00	\$4,417.36		40.08%	
<b>PRINTING</b>	\$0.00	\$0.00		0.00%	
<b>COMMODITIES</b>	\$14,345.00	\$11,932.53		83.18%	
<b>EQUIPMENT</b>	\$98,325.00	\$53,342.25		54.25%	
<b>TOTAL</b>	<b>\$928,150.00</b>	<b>\$507,275.20</b>	<b>\$49,631.96</b>	<b>\$371,242.84</b>	<b>54.65%</b>

**STATE BOARD OF ELECTIONS**  
**FY09 MONTHLY FISCAL REPORT**  
**General Revenue Fund**

<b><u>IVRS LUMP SUM</u></b>	<b><u>YEAR TO DATE</u></b>
<b><u>MONTH ENDING: March 31, 2009</u></b>	<b><u>EXPENDITURE</u></b>
<b>PERSONAL SERVICE</b>	\$109,958.00
1129 State Paid Retirement	\$4,256.44
1161 Retirement	\$23,152.80
1170 Social Security	\$8,077.03
<b>CONTRACTUAL SERVICE</b>	
1205 Freight Express & Drayage	
1221 Repair/Maint. Furn./Office Equipment	
1232 Rental Motor Vehicles	
1239 Rental, NEC	
1243 Book Binding Services	
1266 Court Reporting & Filing Services	
1274 Reg. Fees & Conf. Expenses (Vendor)	
1275 Subscriptions	
1276 Reg. Fees & Conf. Expenses (Employee)	
1277 Association Dues	
1279 Employee Tuition & Fees	
1280 Copying, Photographic & Printing Services	
1286 Travel, Non-State Employee	
1289 Contractual Services, NEC	
<b>TRAVEL</b>	\$213.95
<b>EQUIPMENT</b>	
1510 Office Furniture & Equipment	\$248.21
<b>LOCAL GRANTS</b>	
4453 Reimbursement to Governmental Units	
4458 Services, NEC	
4470 Grants to Local Governments	
4479 Payments to Other State Agencies	
<b>LUMP SUM APPROPRIATION FOR YEAR</b>	<b>\$2,498,700.00</b>
<b>TOTAL LUMP SUM EXPENDITURES</b>	<b>\$145,906.43</b>
<b>REMAINING LUMP SUM APPROPRIATION</b>	<b>\$2,352,793.57</b>

# **STATE BOARD OF ELECTIONS**

**MEMORANDUM**

*From the desk of:  
Daniel W. White, Executive Director*

**TO:** Members of the Board  
**SUBJECT:** FY09 HAVA Fiscal Status Reports  
**DATE:** April 8, 2009

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With election authority focus on local elections, there is very little HAVA related activity to report.

Attachments

**STATE BOARD OF ELECTIONS**  
**FY09 MONTHLY FISCAL REPORT**  
 Help Illinois Vote Fund

AGENCY TOTALS	SECTION 101	SECTION 102	SECTION 261	SECTION 251	TOTAL
<u>MONTH ENDING: March 31, 2009</u>	<u>Discretionary Funds</u>	<u>Entitlement Payments</u>	<u>EAID Disbursements</u>	<u>Requirements</u>	<u>Fund Activity</u>
<b>CASH BALANCE AT BEGINNING OF YEAR</b>	\$3,624,058.92	\$136,049.00	-\$16,261.10	\$17,903,538.09	\$21,647,384.91
Program Revenues from Federal Govt	\$0.00	\$0.00	\$550,560.34	\$0.00	\$550,560.34
Miscellaneous Revenues					\$0.00
Interest Earned on Comptroller Balances	\$69,885.08	\$0.00	\$0.00	\$315,573.92	\$385,459.00
Interest Penalties Received					\$0.00
State Match Receipts				\$341,749.00	\$341,749.00
<b>TOTAL CASH REVENUES</b>	<b>\$69,885.08</b>	<b>\$0.00</b>	<b>\$550,560.34</b>	<b>\$657,322.92</b>	<b>\$1,277,768.34</b>
<b>YEAR TO DATE CASH EXPENDITURES</b>					
PERSONAL SERVICE	\$105,968.51			\$0.00	\$105,968.51
STATE-PAID RETIREMENT	\$3,639.56			\$0.00	\$3,639.56
RETIREMENT	\$22,309.30			\$0.00	\$22,309.30
SOCIAL SECURITY	\$7,874.85			\$0.00	\$7,874.85
GROUP INSURANCE	\$24,154.22			\$0.00	\$24,154.22
CONTRACTUAL SERVICE	\$21,340.20			\$480,123.72	\$501,463.92
TRAVEL	\$10,568.97			\$0.00	\$10,568.97
PRINTING	\$0.00			\$0.00	\$0.00
COMMODITIES	\$0.00			\$0.00	\$0.00
EQUIPMENT	\$0.00			\$11,390.00	\$11,390.00
TELECOMMUNICATIONS	\$1,768.87			\$67,117.67	\$68,886.54
OPERATION OF AUTO. EQUIPMENT	\$0.00			\$0.00	\$0.00
INDIRECT COST REFUNDS	\$349,943.64			\$815,665.36	\$1,165,609.00
<b>SUB-TOTAL CASH EXPENDITURES (OPERATIONS)</b>	<b>\$547,568.12</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$1,374,296.75</b>	<b>\$1,921,864.87</b>
AWARDS & GRANTS	\$168,214.96	\$0.00	\$592,634.24	\$4,690,016.89	\$5,450,866.09
<b>TOTAL CASH EXPENDITURES</b>	<b>\$715,783.08</b>	<b>\$0.00</b>	<b>\$592,634.24</b>	<b>\$6,064,313.64</b>	<b>\$7,372,730.96</b>
<b>CASH BALANCE AT END OF MONTH</b>	<b>\$2,978,160.92</b>	<b>\$136,049.00</b>	<b>-\$58,335.00</b>	<b>\$12,496,547.37</b>	<b>\$15,552,422.29</b>

**STATE BOARD OF ELECTIONS**  
**FY09 MONTHLY FISCAL REPORT**  
 Help Illinois Vote Fund

<u>SECTION 101 - DISCRETIONARY FUNDS</u> <u>MONTH ENDING: March 31, 2009</u>	<u>FY09</u> <u>APPROPRIATION</u>	<u>YEAR TO DATE</u> <u>EXPENDITURE</u>	
<b>PERSONAL SERVICE</b>	\$105,968.51	\$105,968.51	
1129 State Paid Retirement	\$3,639.56	\$3,639.56	
1161 Retirement	\$22,309.30	\$22,309.30	
1170 Social Security	\$7,874.85	\$7,874.85	
1180 Group Insurance	\$24,154.22	\$24,154.22	
<b>CONTRACTUAL SERVICE</b>			
1205 Freight Express/Drayage	\$16.00	\$16.00	
1223 Repair & Maintenance Real Property			
1225 Repair & Maintenance, EDP Equip.			
1231 Rental, Office Equipment			
1232 Rental, Motor Vehicles			
1237 Rental, Film & Audio/Visual Aids			
1239 Rental, NEC			
1242 Auditing & Management Services	\$20,874.20	\$20,874.20	
1243 Book Binding & Processing Services			
1244 Legal Fees			
1245 Professional & Technical Services, NEC			
1261 Postage			
1266 Court Reporting & Filing Services			
1273 Advertising			
1274 Registration Fees & Conf. Exp. (Vendor)	\$450.00	\$450.00	
1276 Registration Fees & Conf. Exp. (Employee)			
1280 Copying, Photographic & Printing Serv.			
1284 Computer Software			
1286 Travel, Reimb. to Non-State Employees			
1289 Contractual Services, NEC			
<b>TRAVEL</b>			
1291 In-State	\$9,024.24	\$9,024.24	
1292 Out-of-State	\$1,544.73	\$1,544.73	
<b>PRINTING</b>			
<b>COMMODITIES</b>			
1304 Office/Library Supplies			
1308 Educational & Instructional Materials			
1394 Office/Library Equip., Not Exceed. \$100			
1398 Equipment, NEC			
1399 Commodities, NEC			
<b>EQUIPMENT</b>			
1510 Office Furniture & Equipment			
1515 EDP Equipment			
1561 Training Equipment			
6625 Leasehold Improvements			
<b>TELECOMMUNICATIONS</b>			
1721 Rental, Telephone Serv. & Equip.	\$318.44	\$318.44	
1722 Rental, Data Comm. Serv. & Equip.	\$1,450.43	\$1,450.43	
1728 Video Conferencing			
1729 Rental, Other Comm. Serv. & Equip.			
1730 Parts & Supplies for Telephone			
1740 Answering & Pag. Comm. Serv. Equip.			
1750 Telephone, Data, Radio & Other Equip.			
1799 Telecommunication Services, NEC			
<b>OPERATION OF AUTO EQUIPMENT</b>			
1893 Repair & Maint., Automotive Equipment			
1894 Parts & Fittings, Automotive Equipment			
1896 Gasoline, Oil & Antifreeze			
1898 Automotive Services, NEC			
1899 Automotive Expenses, NEC			
<b>INDIRECT COST REFUNDS</b>			
1993 Indirect Cost Allocation Refund	\$349,943.64	\$349,943.64	
<b>GRANTS</b>			
4453 Reimbursement to Governmental Units			
4458 Services, NEC			
4470 Grants to Local Governments (PPA)			
4470 Grants to Local Governments (EAI)			
4470 Grants to Local Governments (AAG)	\$168,214.96	\$168,214.96	
4470 Grants to Local Governments			
4479 Payments to Other State Agencies			
<b>SECTION 101 GRAND TOTAL</b>	<b>FY09</b> <b>APPROPRIATION</b>	<b>YEAR TO DATE</b> <b>EXPENDITURE</b>	<b>OBLIGATED</b> <b>MONEY</b>
<b>PERSONAL SERVICE</b>	\$105,968.51	\$105,968.51	
<b>STATE PAID RETIREMENT</b>	\$3,639.56	\$3,639.56	
<b>RETIREMENT</b>	\$22,309.30	\$22,309.30	
<b>SOCIAL SECURITY</b>	\$7,874.85	\$7,874.85	
<b>GROUP INSURANCE</b>	\$24,154.22	\$24,154.22	
<b>CONTRACTUAL SERVICE</b>	\$21,340.20	\$21,340.20	
<b>TRAVEL</b>	\$10,568.97	\$10,568.97	
<b>PRINTING</b>	\$0.00	\$0.00	
<b>COMMODITIES</b>	\$0.00	\$0.00	
<b>EQUIPMENT</b>	\$0.00	\$0.00	
<b>TELECOMMUNICATIONS</b>	\$1,768.87	\$1,768.87	
<b>OPERATION OF AUTO EQUIPMENT</b>	\$0.00	\$0.00	
<b>INDIRECT COST REFUNDS</b>	\$349,943.64	\$349,943.64	
<b>GRANTS</b>	\$168,214.96	\$168,214.96	
<b>TOTAL</b>	<b>\$715,783.08</b>	<b>\$715,783.08</b>	<b>\$0.00</b>

**STATE BOARD OF ELECTIONS**  
**FY09 MONTHLY FISCAL REPORT**  
 Help Illinois Vote Fund

**SECTION 102 - ENTITLEMENT PAYMENTS**  
**MONTH ENDING: March 31, 2009**

**FY09**  
**APPROPRIATION**

**YEAR TO DATE**  
**EXPENDITURE**

**PERSONAL SERVICE**

- 1129 State Paid Retirement
- 1161 Retirement
- 1170 Social Security

**CONTRACTUAL SERVICE**

- 1205 Freight Express/Drayage
- 1225 Repair & Maintenance, EDP Equip.
- 1231 Rental, Office Equipment
- 1237 Rental, Film & Audio/Visual Aids
- 1239 Rental, NEC
- 1242 Auditing & Management Services
- 1243 Book Binding & Processing Services
- 1244 Legal Fees
- 1245 Professional & Technical Services, NEC
- 1261 Postage
- 1266 Court Reporting & Filing Services
- 1274 Registration Fees & Conf. Exp. (Vendor)
- 1276 Registration Fees & Conf. Exp. (Employee)
- 1280 Copying, Photographic & Printing Serv.
- 1284 Computer Software
- 1289 Contractual Services, NEC

**TRAVEL**

- 1291 In-State
- 1292 Out-of-State

**PRINTING**

**COMMODITIES**

- 1304 Office/Library Supplies
- 1394 Office/Library Equip., Not Exceed. \$100
- 1398 Equipment, NEC
- 1399 Commodities, NEC

**EQUIPMENT**

- 1510 Office Furniture & Equipment
- 1515 EDP Equipment
- 1599 Equipment, NEC

**TELECOMMUNICATIONS**

- 1721 Rental, Telephone Serv. & Equip.
- 1722 Rental, Data Comm. Serv. & Equip.
- 1728 Video Conferencing
- 1729 Rental, Other Comm. Serv. & Equip.
- 1730 Parts & Supplies for Telephone
- 1740 Answering & Pag. Comm. Serv. Equip.
- 1750 Telephone, Data, Radio & Other Equip.
- 1799 Telecommunication Services, NEC

**OPERATION OF AUTO EQUIPMENT**

- 1893 Repair & Maint., Automotive Equipment
- 1894 Parts & Fittings, Automotive Equipment
- 1896 Gasoline, Oil & Antifreeze
- 1898 Automotive Services, NEC
- 1899 Automotive Expenses, NEC

**GRANTS**

- 4453 Reimbursement to Governmental Units
- 4458 Services, NEC
- 4470 Grants to Local Governments, NEC

<b><u>SECTION 102 GRAND TOTAL</u></b>	<b><u>FY09</u></b> <b><u>APPROPRIATION</u></b>	<b><u>YEAR TO DATE</u></b> <b><u>EXPENDITURE</u></b>	<b><u>OBLIGATED</u></b> <b><u>MONEY</u></b>
<b>PERSONAL SERVICE</b>	\$0.00	\$0.00	
<b>STATE PAID RETIREMENT</b>	\$0.00	\$0.00	
<b>RETIREMENT</b>	\$0.00	\$0.00	
<b>SOCIAL SECURITY</b>	\$0.00	\$0.00	
<b>CONTRACTUAL SERVICE</b>	\$0.00	\$0.00	
<b>TRAVEL</b>	\$0.00	\$0.00	
<b>PRINTING</b>	\$0.00	\$0.00	
<b>COMMODITIES</b>	\$0.00	\$0.00	
<b>EQUIPMENT</b>	\$0.00	\$0.00	
<b>TELECOMMUNICATIONS</b>	\$0.00	\$0.00	
<b>OPERATION OF AUTO EQUIPMENT</b>	\$0.00	\$0.00	
<b>GRANTS</b>	\$0.00	\$0.00	
<b>TOTAL</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>

**STATE BOARD OF ELECTIONS**  
**FY09 MONTHLY FISCAL REPORT**  
 Help Illinois Vote Fund

**SECTION 261 - EAID DISBURSEMENTS**  
**MONTH ENDING: March 31, 2009**

**FY09**  
**APPROPRIATION**

**YEAR TO DATE**  
**EXPENDITURE**

**PERSONAL SERVICE**

1129 State Paid Retirement  
 1161 Retirement  
 1170 Social Security

**CONTRACTUAL SERVICE**

1205 Freight Express/Drayage  
 1225 Repair & Maintenance, EDP Equip.  
 1231 Rental, Office Equipment  
 1237 Rental, Film & Audio/Visual Aids  
 1239 Rental, NEC  
 1242 Auditing & Management Services  
 1243 Book Binding & Processing Services  
 1244 Legal Fees  
 1245 Professional & Technical Services, NEC  
 1261 Postage  
 1266 Court Reporting & Filing Services  
 1274 Registration Fees & Conf. Exp. (Vendor)  
 1276 Registration Fees & Conf. Exp. (Employee)  
 1280 Copying, Photographic & Printing Serv.  
 1284 Computer Software  
 1289 Contractual Services, NEC

**TRAVEL**

1291 In-State  
 1292 Out-of-State

**PRINTING**

**COMMODITIES**

1304 Office/Library Supplies  
 1394 Office/Library Equip., Not exc. \$100  
 1398 Equipment, NEC  
 1399 Commodities, NEC

**EQUIPMENT**

1510 Office Furniture & Equipment  
 1515 EDP Equipment  
 1599 Equipment, NEC

**TELECOMMUNICATIONS**

1721 Rental, Telephone Serv. & Equip.  
 1722 Rental, Data Comm. Serv. & Equip.  
 1728 Video Conferencing  
 1729 Rental, Other Comm. Serv. & Equip.  
 1730 Parts & Supplies for Telephone  
 1740 Answering & Pag. Comm. Serv. Equip.  
 1750 Telephone, Data, Radio & Other Equip.  
 1799 Telecommunication Services, NEC

**OPERATION OF AUTO EQUIPMENT**

1893 Repair & Maint., Automotive Equipment  
 1894 Parts & Fittings, Automotive Equipment  
 1896 Gasoline, Oil & Antifreeze  
 1898 Automotive Services, NEC  
 1899 Automotive Expenses, NEC

**GRANTS**

4453 Reimbursement to Governmental Units  
 4470 Grants to Local Governments (VAID)  
 4470 Grants to Local Governments (VAID II)

\$592,634.24

\$592,634.24

<b>SECTION 261 GRAND TOTAL</b>	<b>FY09 APPROPRIATION</b>	<b>YEAR TO DATE EXPENDITURE</b>	<b>OBLIGATED MONEY</b>
<b>PERSONAL SERVICE</b>	\$0.00	\$0.00	
<b>STATE PAID RETIREMENT</b>	\$0.00	\$0.00	
<b>RETIREMENT</b>	\$0.00	\$0.00	
<b>SOCIAL SECURITY</b>	\$0.00	\$0.00	
<b>CONTRACTUAL SERVICE</b>	\$0.00	\$0.00	
<b>TRAVEL</b>	\$0.00	\$0.00	
<b>PRINTING</b>	\$0.00	\$0.00	
<b>COMMODITIES</b>	\$0.00	\$0.00	
<b>EQUIPMENT</b>	\$0.00	\$0.00	
<b>TELECOMMUNICATIONS</b>	\$0.00	\$0.00	
<b>OPERATION OF AUTO EQUIPMENT</b>	\$0.00	\$0.00	
<b>GRANTS</b>	\$592,634.24	\$592,634.24	
<b>TOTAL</b>	<b>\$592,634.24</b>	<b>\$592,634.24</b>	<b>\$0.00</b>

**STATE BOARD OF ELECTIONS**  
**FY09 MONTHLY FISCAL REPORT**  
**Help Illinois Vote Fund**

<u>SECTION 251 - REQUIREMENTS</u> <u>MONTH ENDING: March 31, 2009</u>	<u>FY09</u> <u>APPROPRIATION</u>	<u>YEAR TO DATE</u> <u>EXPENDITURE</u>
<b>PERSONAL SERVICE</b>		
1129 State Paid Retirement		
1161 Retirement		
1170 Social Security		
1180 Group Insurance		
<b>CONTRACTUAL SERVICE</b>		
1205 Freight Express/Drayage		
1223 Repair & Maintenance Real Property		
1225 Repair & Maintenance, EDP Equip.		
1231 Rental, Office Equipment		
1232 Rental, Motor Vehicles		
1237 Rental, Film & Audio/Visual Aids		
1239 Rental, NEC		
1242 Auditing & Management Services	\$470,798.32	\$470,798.32
1243 Book Binding & Processing Services		
1244 Legal Fees		
1245 Professional & Technical Services, NEC	\$4,622.90	\$4,622.90
1261 Postage		
1266 Court Reporting & Filing Services		
1273 Advertising		
1274 Registration Fees & Conf. Exp. (Vendor)		
1276 Registration Fees & Conf. Exp. (Employee)		
1280 Copying, Photographic & Printing Serv.		
1284 Computer Software	\$4,702.50	\$4,702.50
1289 Contractual Services, NEC		
<b>TRAVEL</b>		
1291 In-State		
1292 Out-of-State		
<b>PRINTING</b>		
<b>COMMODITIES</b>		
1304 Office/Library Supplies		
1308 Educational & Instructional Materials		
1394 Office/Library Equip., Not Exceed. \$100		
1398 Equipment, NEC		
1399 Commodities, NEC		
<b>EQUIPMENT</b>		
1510 Office Furniture & Equipment		
1515 EDP Equipment	\$11,390.00	\$11,390.00
1561 Training Equipment		
6625 Leasehold Improvements		
<b>TELECOMMUNICATIONS</b>		
1721 Rental, Telephone Serv. & Equip.		
1722 Rental, Data Comm. Serv. & Equip.		
1728 Video Conferencing		
1729 Rental, Other Comm. Serv. & Equip.		
1730 Parts & Supplies for Telephone		
1740 Answering & Pag. Comm. Serv. Equip.		
1750 Telephone, Data, Radio & Other Equip.		
1799 Telecommunication Services, NEC	\$67,117.67	\$67,117.67
<b>OPERATION OF AUTO EQUIPMENT</b>		
1893 Repair & Maint., Automotive Equipment		
1894 Parts & Fittings, Automotive Equipment		
1896 Gasoline, Oil & Antifreeze		
1898 Automotive Services, NEC		
1899 Automotive Expenses, NEC		
<b>INDIRECT COST REFUNDS</b>		
1993 Indirect Cost Allocation Refund	\$815,665.36	\$815,665.36
<b>GRANTS</b>		
4453 Reimbursement to Govt Units (AVE)	\$213,952.06	\$213,952.06
4453 Reimbursement to Govt Units (Phase II)	\$3,519,721.39	\$3,519,721.39
4453 Reimbursement to Govt Units (ALA)	\$678,952.45	\$678,952.45
4453 Reimbursement to Govt Units (EDG)		
4470 Grants to Local Governments (VRS)	\$277,390.99	\$277,390.99
4479 Payments to Other State Agencies		

<u>SECTION 101 GRAND TOTAL</u>	<u>FY09</u> <u>APPROPRIATION</u>	<u>YEAR TO DATE</u> <u>EXPENDITURE</u>	<u>OBLIGATED</u> <u>MONEY</u>
PERSONAL SERVICE	\$0.00	\$0.00	
STATE PAID RETIREMENT	\$0.00	\$0.00	
RETIREMENT	\$0.00	\$0.00	
SOCIAL SECURITY	\$0.00	\$0.00	
GROUP INSURANCE	\$0.00	\$0.00	
CONTRACTUAL SERVICE	\$480,123.72	\$480,123.72	\$355,139.95
TRAVEL	\$0.00	\$0.00	
PRINTING	\$0.00	\$0.00	
COMMODITIES	\$0.00	\$0.00	
EQUIPMENT	\$11,390.00	\$11,390.00	
TELECOMMUNICATIONS	\$67,117.67	\$67,117.67	
OPERATION OF AUTO EQUIPMENT	\$0.00	\$0.00	
INDIRECT COST REFUNDS	\$815,665.36	\$815,665.36	
GRANTS	\$4,690,016.89	\$4,690,016.89	
<b>TOTAL</b>	<b>\$6,064,313.64</b>	<b>\$6,064,313.64</b>	<b>\$355,139.95</b>

# **STATE BOARD OF ELECTIONS**

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**MEMORANDUM**

*From the desk of:*  
*Daniel W. White, Executive Director*

**TO:** Members of the Board  
**SUBJECT:** EAC Election Data Collection Grant  
**DATE:** April 8, 2009

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Progress continues with the Data Collection Grant. Most expenditures are related to services of our contractual vendor Catalyst Consulting.

Attachment

STATE BOARD OF ELECTIONS  
FY09 MONTHLY FISCAL REPORT  
EAC Data Collection Grant

AGENCY TOTALS  
MONTH ENDING: March 31, 2009

TOTAL  
Fund Activity

Program Revenues from Federal Govt	\$557,649.00
Miscellaneous Revenues	\$0.00
Interest Earned on Comptroller Balances	\$3,668.00
Interest Penalties Received	\$0.00

<b>TOTAL CASH REVENUES</b>	<b>\$561,317.00</b>
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<b>YEAR TO DATE CASH EXPENDITURES</b>
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PERSONAL SERVICE	\$0.00
STATE-PAID RETIREMENT	\$0.00
RETIREMENT	\$0.00
SOCIAL SECURITY	\$0.00
GROUP INSURANCE	\$0.00
CONTRACTUAL SERVICE	\$430,688.00
TRAVEL	\$1,782.13
PRINTING	\$0.00
COMMODITIES	\$0.00
EQUIPMENT	\$0.00
TELECOMMUNICATIONS	\$0.00
OPERATION OF AUTO. EQUIPMENT	\$0.00
INDIRECT COST REFUNDS	\$0.00

<b>SUB-TOTAL CASH EXPENDITURES (OPERATIONS)</b>	<b>\$432,470.13</b>
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AWARDS & GRANTS	\$0.00
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<b>TOTAL CASH EXPENDITURES</b>	<b>\$432,470.13</b>
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<b>CASH BALANCE AT END OF MONTH</b>	<b>\$128,846.87</b>
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**STATE BOARD OF ELECTIONS  
FY09 MONTHLY FISCAL REPORT  
EAC DATA COLLECTION GRANT**

<u>MONTH ENDING: March 31, 2009</u>	<u>FY09 APPROPRIATION</u>	<u>YEAR TO DATE EXPENDITURE</u>	
<b>PERSONAL SERVICE</b>			
1129 State Paid Retirement			
1161 Retirement			
1170 Social Security			
1180 Group Insurance			
<b>CONTRACTUAL SERVICE</b>			
1205 Freight Express/Drayage			
1223 Repair & Maintenance Real Property			
1225 Repair & Maintenance, EDP Equip.			
1231 Rental, Office Equipment			
1232 Rental, Motor Vehicles			
1237 Rental, Film & Audio/Visual Aids			
1239 Rental, NEC			
1242 Auditing & Management Services	\$125,920.00	\$125,920.00	
1243 Book Binding & Processing Services			
1244 Legal Fees			
1245 Professional & Technical Services, NEC			
1261 Postage			
1266 Court Reporting & Filing Services			
1273 Advertising			
1274 Registration Fees & Conf. Exp. (Vendor)			
1276 Registration Fees & Conf. Exp. (Employee)			
1280 Copying, Photographic & Printing Serv.			
1284 Computer Software			
1286 Travel, Reimb. to Non-State Employees			
1289 Contractual Services, NEC			
<b>TRAVEL</b>			
1291 In-State	\$1,547.16	\$1,547.16	
1292 Out-of-State			
<b>PRINTING</b>			
<b>COMMODITIES</b>			
1304 Office/Library Supplies			
1308 Educational & Instructional Materials			
1394 Office/Library Equip., Not Exceed. \$100			
1398 Equipment, NEC			
1399 Commodities, NEC			
<b>EQUIPMENT</b>			
1510 Office Furniture & Equipment			
1515 EDP Equipment			
1561 Training Equipment			
6625 Leasehold Improvements			
<b>TELECOMMUNICATIONS</b>			
1721 Rental, Telephone Serv. & Equip.			
1722 Rental, Data Comm. Serv. & Equip.			
1728 Video Conferencing			
1729 Rental, Other Comm. Serv. & Equip.			
1730 Parts & Supplies for Telephone			
1740 Answering & Pag. Comm. Serv. Equip.			
1750 Telephone, Data, Radio & Other Equip.			
1799 Telecommunication Services, NEC			
<b>OPERATION OF AUTO EQUIPMENT</b>			
1893 Repair & Maint., Automotive Equipment			
1894 Parts & Fittings, Automotive Equipment			
1896 Gasoline, Oil & Antifreeze			
1898 Automotive Services, NEC			
1899 Automotive Expenses, NEC			
<b>INDIRECT COST REFUNDS</b>			
1993 Indirect Cost Allocation Refund			
<b>GRANTS</b>			
4453 Reimbursement to Governmental Units			
4458 Services, NEC			
4470 Grants to Local Governments			
4470 Grants to Local Governments			
4479 Payments to Other State Agencies			
<b>GRAND TOTAL</b>	<b>FY09 APPROPRIATION</b>	<b>YEAR TO DATE EXPENDITURE</b>	<b>OBLIGATED MONEY</b>
PERSONAL SERVICE	\$0.00	\$0.00	
STATE PAID RETIREMENT	\$0.00	\$0.00	
RETIREMENT	\$0.00	\$0.00	
SOCIAL SECURITY	\$0.00	\$0.00	
GROUP INSURANCE	\$0.00	\$0.00	
CONTRACTUAL SERVICE	\$125,920.00	\$125,920.00	\$910,080.00
TRAVEL	\$1,547.16	\$1,547.16	
PRINTING	\$0.00	\$0.00	
COMMODITIES	\$0.00	\$0.00	
EQUIPMENT	\$0.00	\$0.00	
TELECOMMUNICATIONS	\$0.00	\$0.00	
OPERATION OF AUTO EQUIPMENT	\$0.00	\$0.00	
INDIRECT COST REFUNDS	\$0.00	\$0.00	
GRANTS	\$0.00	\$0.00	
<b>TOTAL</b>	<b>\$127,467.16</b>	<b>\$127,467.16</b>	<b>\$910,080.00</b>

# **STATE BOARD OF ELECTIONS**

**MEMORANDUM**

*From the desk of:  
Daniel W. White, Executive Director*

**TO:** Members of the Board

**SUBJECT:** Two Year Plan of Activity

**DATE:** April 8, 2009

---

Attached is the two-year plan of staff activity for the months of April and May for your review and information.

Attachment

<b>Start Date</b>	<b>End Date</b>	<b>Activity</b>	<b>Division</b>
4 /1 /2009		Date upon which the State Board of Elections shall notify political committees that have failed to file a PRE-ELECTION REPORT OF CAMPAIGN CONTRIBUTIONS or in lieu thereof a Statement of Nonparticipation for the April 7, 2009 Consolidated Election that an assessment will be levied against the committee for failure to file the report or statement in a timely fashion. Rules and	CAMP DISC
4 /2 /2009		Last day for early voting at the office of the Election Authority and locations designated by the Election Authority. 10 ILCS 5/19A-15	EL INFO
4 /3 /2009		The Board will refer to the Attorney General of Illinois for compliance enforcement each jurisdiction whose computerized voter registration submission has not been received for the Consolidated Primary 2009 submission	VRS
4 /6 /2009		Last day for election authorities to send a sealed copy of each tested program for the upcoming election to the State Board of Elections. The SBE secures the programs until the next Consolidated Election, and if no contest or appeal is pending - destroys them.	VOSS
4 /6 /2009		Last day of period during which any receipts by a political committee of a contribution in an aggregate of more than \$500 must be reported within 2 business days following receipt. 10 ILCS 5/9-10	CAMP DISC
4 /7 /2009		CONSOLIDATED ELECTION	EL INFO
4 /8 /2009		Begin preparing the ELECTION JUDGES MANUALS OF INSTRUCTION for elections in 2010. (Complete by August 15, 2009.) 10 ILCS 5/1A-8 (1, 2, 3, 4, 11)	ET&RD
4 /8 /2009		Begin updating ELECTION JUDGES' TRAINING PROGRAM AND JUDGES' EXAMS. (Complete by August 15.) 10 ILCS 5/1A-8 (1,	ET&RD
4 /8 /2009		Provide the election authorities in those jurisdictions where in-precinct counting equipment is utilized a list of the precincts selected on a random basis by the State Board of Elections. 10 ILCS 5/24B-15, 24C-15	VOSS

<b>Start Date</b>	<b>End Date</b>	<b>Activity</b>	<b>Division</b>
4 /10/2009		Begin planning for the distribution of campaign financing notices/packets to state political committees for the Semi-Annual Report. (Packets to be mailed May 29, 2009.) 10 ILCS	CAMP DISC
4 /13/2009		The date that a second letter goes out to all delinquent committees advising them that an assessment for late filing is continuing and that a complaint will be filed if the committee fails to file a Pre-Election Report or in lieu thereof a Statement of Nonparticipation for the April 7, 2009 Consolidated Election. Rules and Regulations 125.425	CAMP DISC
4 /14/2009		Begin review of computer operator's logs for the performance of automatic tabulating equipment used in the Consolidated Election. (Rules and Regulations)	VOSS
4 /20/2009		BOARD MEETING. 10 ILCS 5/1A7	EXEC DIR
4 /21/2009		Last day for local election authorities to count absentee, military & overseas ballots which were postmarked by midnight April 6,2009. 10 ILCS 5/19-8(c) & 20-8[c]	LEG
4 /24/2009		(date subject to change) 3rd Reading Deadline	LEG
		Final day on which SENATE bills may be called for final action on 3rd reading in the SENATE. (Senate Rule) Final day on which HOUSE bills may be called for a final vote on 3rd reading in the HOUSE.	
4 /27/2009		Notify election authorities of requirement to submit computerized voter registration information for the May 15, 2009 submission in a format prescribed by the SBE	VRS
4 /27/2009		Complete analysis of Referenda Profile for the Consolidated Election. 10 ILCS 5/1A-8 (1, 2,	VOSS
4 /28/2009		Notify election officials who failed to submit their computer operator's log or analogous information 10 ILCS 5/24A-13, 24B-13, 24C-14 (Rules and Regulations).	VOSS
4 /28/2009		Link report due from the LEO's to the SBE. 10 ILCS5/19-20, 20-20.	LEG
4 /29/2009		Send to each election authority a current computerized voter registration error report, from the Consolidated General 2009	VRS

<b>Start Date</b>	<b>End Date</b>	<b>Activity</b>	<b>Division</b>
4 /29/2009		Send notice to election authorities who failed to submit a computerized voter registration file, for the Consolidated General 2009 submission. Rules and Regulations	VRS
5 /1 /2009		Send draft of the 2010 CANDIDATE'S GUIDE to legal for review. (Complete by July 31, 2008.) 10 ILCS 5/1A-8 (1, 2, 4, 11)	ET&RD
5 /1 /2009		Prepare dates for the Appointment of Election Judges 2010/2011 document. Send to all election authorities by May 21, 2009. 10ILCS 5/13-1(1.1,2,3,5 & 7)	ET&RD
5 /8 /2009		Canvass results of Fox Waterway Agency trustees election.	EL INFO
5 /14/2009		The Board will refer to the Attorney General of Illinois for compliance enforcement each jurisdiction whose computerized voter registration submission has not been received for the Consolidated General 2009 submission	VRS
5 /15/2009		First day for election authority to submit computerized voter registration file for the May 15, 2009 submission. 10 ILCS 5/4-8,5-7,6-36	VRS
5 /15/2009		(date subject to change) Final day for which HOUSE committees may take action on SENATE bills. (House Rule) Final day for which SENATE committees may take action on HOUSE bills. (Senate Rule)	LEG
5 /18/2009		BOARD MEETING 10 ILCS 5/1A7	EXEC DIR
5 /26/2009		Last day for election authorities to submit request for extension to file computerized voter registration information for the May 15, 2009 submission. Rules and Regulations	VRS
5 /26/2009		Last day for election authority to submit computerized voter registration file for the May 15, 2009 submission. 10 ILCS 5/4-8,5-7,6-36	VRS
5 /29/2009		Last day to notify political committees that have filed a Statement of Organization of their obligation to file a SEMI-ANNUAL REPORT OF CAMPAIGN CONTRIBUTIONS AND EXPENDITURES. 10 ILCS 5/9-10, 9-16(7)	CAMP DISC

<b>Start Date</b>	<b>End Date Activity</b>	<b>Division</b>
5 /29/2009	(date subject to change) Final day on which all HOUSE bills may be called for a final SENATE vote on 3rd reading. (Senate Rule) Final day on which all SENATE bills may be called for a final HOUSE vote on 3rd reading. (House Rule)	LEG
5 /31/2009	General Assembly Adjournment (House/Senate Rule)	LEG
6 /1 /2009	Submit the 2010 CANDIDATE'S GUIDE for printing. (Printing to be completed by July 31, 2009.) 10 ILCS 5/1A-8 (1, 2, 4, 11)	ET&RD
6 /8 /2009	Begin work on post session BILL RECOMMENDATIONS to the Board and Governor's office. 10 ILCS 5/1A-8(8)	LEG
6 /15/2009	BOARD MEETING. 10 ILCS 5/1A7	EXEC DIR
6 /25/2009	Send to each election authority a current computerized voter registration error report, from the May 15, 2009 submission	VRS
6 /25/2009	Send notice to election authorities who failed to submit a computerized voter registration file, for the May 15, 2009 submission. Rules and Regulations	VRS
6 /30/2009	Distribute 2010 CANDIDATE'S GUIDE to State Library Documents Section and to those on our mailing list. (Project began January 2, 2009.) 10 ILCS 5/1A-8 (1, 2, 4, 7, 11)	ET&RD
7 /1 /2009	STATUTORY BOARD MEETING. Swearing-in ceremony, election of chairman and vice chairman, monthly meeting. 10 ILCS 5/1A-8 (6)	EXEC DIR
7 /1 /2009	First day that any political committee shall file its SEMI-ANNUAL REPORT OF CAMPAIGN CONTRIBUTIONS AND EXPENDITURES. 10 ILCS 5/9-10	CAMP DISC
7 /1 /2009	Begin updating the SBE GUIDE FOR POLLWATCHERS. (Complete by September 1, 2009.) 10 ILCS 5/1A-8 (1, 2, 4, 11)	ET&RD
7 /1 /2009	Start review and update MILITARY/OVERSEAS booklet. Submit to printer by Nov 30, 2009 10 ILCS 5/1A-8 (1,2,3,7,11)	ET&RD

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187  
Springfield, Illinois 62708  
217/782-4141  
Fax: 217/782-5959

James R. Thompson Center  
100 West Randolph, Suite 14-100  
Chicago Illinois 60601  
312/814-6440  
Fax: 312/814-6485



BOARD MEMBERS  
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William McGuffage  
Wanda Rednour  
Jesse Smart  
Robert Walters

EXECUTIVE DIRECTOR  
Daniel W. White  
April 8, 2009

Friends of Dorothy Brown  
John Butts  
8201 S Paxton Ave.  
Chicago, IL 60617

L8922

**NOTICE TO POLITICAL COMMITTEE**

Dear Political Committee Officer/Representative,

Please be advised that your Motion for Reconsideration of a Final Board Order, case number 08 AP 085 will be presented to the Board at its April 2009 meeting. You are welcome to attend the meeting to answer any questions the Board may have, however your presence is not mandatory. The meeting will begin at 10:30 AM on Monday, April 20, 2009 and will be held in the James R Thompson Center, 100 W Randolph, Suite 9-040, Chicago IL. You may also attend the meeting via Video Conference at our Springfield office, located at 1020 S. Spring Street, Springfield IL.

Any Motions regarding this matter must be made in writing and received by the General Counsel no later than four (4) days before the date of the meeting. If you have any further questions please feel free to contact our office.

Sincerely,  
  
Rupert T. Borgsmiller, Director  
Division of Campaign Disclosure

RTB: sm

RECEIVED  
STATE BOARD OF ELECTIONS  
FEB 25 2009 11:04:30

**STATE BOARD OF ELECTION  
STATE OF ILLINOIS**

L-8922-12

February 25, 2009

**RE: Friends of Dorothy Brown – Committee Number L8922  
Motion for Reconsideration**

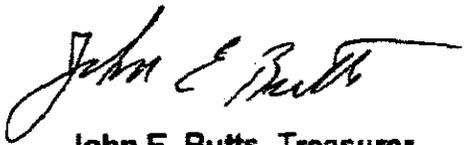
**The Friends of Dorothy Brown (FODB) Campaign Committee is requesting the State Board of Election reconsider it's final order Number 8 AP 085.**

**The FODB Committee has been cited for not filing Form A-1 for the reporting period June 2008. The FODB Committee filed the June 2008 report in a timely manner. After receiving the notification and reviewing the records, it is noted the reported amount of \$4,250.00 was reported in error. The correct amount should have been reported as \$250.00 this amount is not required on form A-1. The FODB Committee believe that it should not be charged a civil penalty for an error but given a chance to amend the June 2008 D-2 filing.**

**The FODB Committee, thus, requests a Motion for Reconsideration.**

**Your consideration of this matter is greatly appreciated.**

**Sincerely**



**John E. Butts, Treasurer  
Friends of Dorothy Brown  
Campaign Committee**

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

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Springfield, Illinois 62708-4187  
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Chicago Illinois 60601-3232  
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BOARD MEMBERS  
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Bryan Schneider, Vice Chairman  
Patrick Brady  
John Keith  
William McGuffage  
Wanda Rednour  
Jesse Smart  
Robert Walters

EXECUTIVE DIRECTOR  
Daniel W. White  
January 27, 2009

Friends of Dorothy Brown  
John Butts  
POB 17405  
Chicago, IL 60617

L8922

Dear Friends of Dorothy Brown;

We are in receipt of an appeal submitted on behalf of your political committee. However, it was not received in a timely manner. Rule 125.425 (f) states that a committee may appeal an assessed penalty within 30 days of the mailing of the assessment notice. We grant committees 30 days from the date of the mailing. In this case the assessment letter was mailed on December 16, 2008 and the due date was January 15, 2009. Your appeal however was not received until January 27, 2009, with a postmark of January 24, 2009.

Therefore, a Final Order will be issued at the next monthly meeting of the State Board of Elections. If you wish to contest the findings of the Final Order, your recourse would be to file a written Motion for Reconsideration pursuant to Administrative Review Law 125.440. Such motion should set forth in specific detail the grounds alleged for reconsideration and must be filed with the Board not later than 7 days after the effective date of the Board's order. If you have any questions, please feel free to contact our office.

Sincerely;

  
Rupert T. Borgsmiller, Director  
Campaign Disclosure Division

RTB:sm

STATE OF ILLINOIS )  
 ) SS  
COUNTY OF COOK )

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

In the Matter Of: )  
 )  
State Board of Elections )  
Complainant(s), )  
Vs. ) 08 AP 085  
 )  
Friends of Dorothy Brown )  
Respondent(s). )

**FINAL ORDER**

TO: Friends of Dorothy Brown L8922  
POB 17405  
Chicago, IL 60617

This matter coming to be heard this 17<sup>th</sup> day of February, 2009 as an imposition of a civil penalty under Article 9 of the Illinois Election Code (10 ILCS 5/9-1 *et. seq.*), and the State Board of Elections being fully advised in the premises,

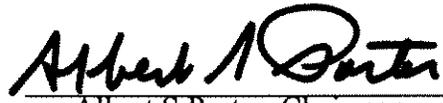
**THE BOARD FINDS**

1. In case number 08 AP 085, a \$4250.00 civil penalty was initially assessed against the Respondent for failing to file a Schedule A-1 report in conjunction with the February 2008 election; and
2. An appeal of the civil penalty was not timely submitted by the committee, and
3. The committee was previously assessed a penalty of \$7000.00 for failing to file Schedule A-1 reports in conjunction with the February 1999 election (99 F 382), a penalty of \$5000.00 for failing to file Schedule A-1 reports in conjunction with the November 2004 election (04 AG 112), a penalty of \$3000.00 for failing to file Schedule A-1 reports in conjunction with the November 2006 election (06 AG 105), and a penalty of \$3896.00 for failing to file Schedule A-1 reports in conjunction with the February 2007 election (07 AC 036). The appeal of the first two assessments was denied, and the second two assessments were not appealed. All assessments were reduced by the Board and have been paid in full by the committee, and
4. Pursuant to section 9-10 of the Code, the assessment is \$4250.00 (100% of the value of the delinquent reported contributions).

IT IS ORDERED:

1. A civil penalty in the amount of \$4250.00 is imposed and is now due and owing within 30 days of the effective date of this Order; and
2. The effective date of this Order is February 18, 2009, and
3. This is a Final Order subject to review under the Administrative Review Law and Section 9-22 of the Election Code.

DATED: 2/18/2009

  
Albert S Porter, Chairman

STATE OF ILLINOIS

COUNTY OF SANGAMON

BEFORE THE STATE BOARD OF ELECTIONS

STATE OF ILLINOIS

Illinois State Board of Elections

**Complainant**

v.

**08 MA 011**

Committee for Ed Smith

L 822

**Respondent**

**REPORT OF HEARING EXAMINER**

Appeal of Civil Penalty for Delinquently Filing the 2006 December Semi-Annual Report, the 2007 June Semi-Annual Report, the 2007 December Semi-Annual Report, the Pre-Election Report for the 2006 General Election, the Pre-Election Report for the 2007 Consolidated Election, failure to report 15 contributions on a Schedule A-1 for the 2006 General Election, and failure to report 3 contributions on a Schedule A-1 for the 2008 General Primary Election

The 2006 December Semi-Annual Report was received on April 20, 2008, 303 days late, resulting in a civil penalty assessment of \$5000; the 2007 June Semi-Annual Report was received on April 20, 2008, 185 days late, resulting in a civil penalty assessment of \$5000; the 2007 December Semi-Annual Report was received on April 20, 2008, 62 days late, resulting in a civil penalty assessment of \$5000; the Pre-Election Report for the 2006 General Election was received April 20, 2008, 11 days late, resulting in a civil penalty assessment of \$1100; the Pre-Election Report for the 2007 Consolidated Election was received April 20, 2008, 11 days late, resulting in a civil penalty assessment of \$4400. Penalties were also assessed totaling \$25,550 for contributions exceeding \$500 which were not listed on Schedule A-1s for the 2006 General Election and penalties totaling \$4001 for contributions exceeding \$500 which were not listed on Schedule A-1s for the 2008 General Primary Election. The total assessment is \$50,051.

**Respondent's Case**

Emma Robinson, the Treasurer of the Committee, filed an Appeal Affidavit and Request for Hearing. The hearing was originally scheduled for 1:00 PM November 21, 2008, but was continued to 10:00 AM December 2, 2008. Attorney Michael Kasper appeared on behalf of the Respondent.

The Respondent does not contest the penalties for failure to file the Schedule A-1 reports, except for the \$1000 contribution received from Friends of Roosevelt Coats on 2/2/08. This Contribution was reported in error as a \$1000 contribution; testimony and a submitted copy of the check verify that the check was

for \$100, rather than \$1000. The Respondent does not contest any other Schedule A-1 violations as long as the penalties are reduced as stated in the notification to the Respondent.

The Respondent does contest that portion of the complaint addressing the failure to file the three semi-annual reports and the two pre-election reports. He states that the Committee had filed the required reports. The Board is treating these reports as though they had not been filed. There is no dispute that the Committee filed all the reports and no dispute that the Committee filed incomplete reports. The Committee has since filed amendments to all of these reports. The Respondent finds it troubling that the Board has assessed the maximum fines against this Committee when it never assesses penalties against any other Committee filing amended reports. Although these reports may be more incomplete than others, they were timely filed. The Respondent concedes that the Committee failed to file all its contributions, but to treat them differently than a Committee that filed half its contributions, or two-thirds of its contributions, or all but one contribution, he feels that the Board does not have the authority to do that. He states that nowhere in Section 9-10 or in any other Section of the Act, is the Board given the authority regarding incomplete reports. The verification attested to by the Committee references language in Section 5/9-26, which reads in part: "Willful failure to file or willful filing of false or incomplete information required by this Article shall constitute a business offense subject to a fine of up to \$5,000..." The Respondent states that in this case the Board is exceeding its statutory authority. Section 5/9-10 gives the Board the authority to determine if a report is filed; Section 5/9-26 is outside of the jurisdiction of the Board and is enforced by the State's Attorney.

### **Recommendation**

The Respondent argues that the reports were filed on time pursuant to Section 5/9-10 of the Act, and that the Board exceeded its authority by assessing penalties for the reports in question. He makes the point that the original filings, although incomplete, were timely filed. He argues that committees file amended reports all of the time, and no penalties are assessed and he questions why this Committee is being singled out.

In formulating my recommendation, I considered Section 100.10(d) of Board Rules and Regulations. The definition of 'Filing' reads as follows: " 1) To constitute a "filing" as used in the Election Code and this Part, the statement, report or document must be in apparent and substantial conformity with the requirements of the Election Code. "Apparent and substantial conformity" requires that the filing contain the following: (A) The signature of the person making the filing, (B) Completion of all applicable sections of the report; and (C) Attachment of all appropriate schedules. 2) Inadvertent error or omission of a de minimus nature in the completion of report, statement or document shall not be deemed to a "willful failure to file or a willful filing of false or incomplete information" pursuant to Section 9-26 of the Election Code.

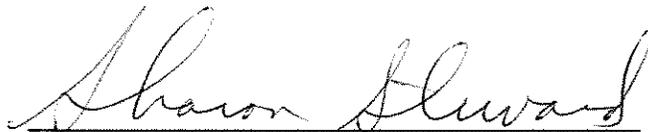
I certainly cannot and would not attempt to determine why the Committee submitted reports with all zeros, but I do not believe that they would meet the definition of 'filing' as defined in Section 100.10(d) of Board Rules. What I can do is point out that when amended reports were filed as the result of a complaint filed against this Committee, several thousands of dollars in receipts and expenditures were reported, which did not appear on the original filings. All original filings in question showed only a beginning and ending balance with all zeroes in their receipts and expenditures sections on the D-2 forms. Breaking down each report, the amended 2006 December Semi-Annual Report showed approximately \$71,000 in receipts and \$43,000 in expenditures which were not reported on the original report; the amended 2007 June Semi-Annual Report showed approximately \$71,000 in receipts and \$68,000 in expenditures which were not reported on the original report; the amended 2007 December

Semi-Annual Report showed approximately \$62,000 in receipts, and \$79,000 in expenditures, which were not reported on the original report. The same pattern is reflected in the pre-election reports, even the one for which the Committee was not assessed a penalty, the pre-election report filed for the 2007 Consolidated Primary, an election in which the candidate appeared on the ballot. All of this information remained unreported for months, and was only filed with the Board after a complaint was filed against the Committee. My concern is that if such reports are considered to be valid filings not subject to civil penalties, what is to prevent other committees from filing similar reports.

I therefore recommend that the appeal in regards to the failure to file the three semi-annual reports and the two pre-election reports be denied. The original filings by this Committee were nothing more than pieces of paper with no information on them. The law requires that Reports of Campaign Contributions be filed for each election and Reports of Campaign Contribution and Expenditures be filed semi-annually. No information was reported by the Committee on any of the filings in question. These filings did not reflect any of the activity that took place during each particular reporting period.

In regards to the 15 Schedule A-1 violations resulting from failure to file such reports in connection with the GE 2006 general election, I recommend the appeal be denied, as these were uncontested by the Respondent. However, since this election was the first during which Schedule A-1 violations occurred, I also recommend that the penalty be reduced to 10% of the original assessment, or \$2550. In regards to the 3 Schedule A-1 violations resulting from failure to file such reports in connection with the 2008 General Primary Election, the appeal is granted regarding the one \$1000 contribution from Friends of Roosevelt Coats, which attached documentation has shown that this was actually a \$100 contribution, and did not need to be reported on a Schedule A-1. In regards to the two remaining contributions, the Respondent did not contest either of them; therefore I recommend that the appeal be denied. However, I also recommend that since this is the second election for which such penalties have been assessed, the penalties be reduced to 50% of the original amount, or \$1500.

If these recommendations are accepted by the Board, the amount due and owing for the Schedule A-1 violations is \$4,050. The amount due and owing for the failure to file the three semi-annual reports and the two pre-election reports is \$20,500. The total amount due and owing is \$24,550. I further recommend that the Committee file an amended 2008 June Semi-annual Report within thirty days to accurately reflect the correct amount of the contribution incorrectly reported on the Schedule A-1 Report.



Sharon Steward – Hearing Examiner

February 3, 2009

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187  
Springfield, Illinois 62708  
217/782-4141  
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Chicago Illinois 60601  
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Fax: 312/814-6485



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Wanda Rednour  
Jesse Smart  
Robert Walters

EXECUTIVE DIRECTOR  
Daniel W. White  
October 2, 2008

Committee for Ed Smith  
261 N. Pulaski Rd.  
Chicago, IL 60624

L822

Dear Committee for Ed Smith;

As you have been previously notified, this committee failed to file the following documents during the requisite filing period:

Report Type:	Semiannual Report of Campaign Contribution and Expenditures
Report Period:	July 1, 2006 through December 31, 2006
Filing Period:	January 2, 2007 through January 31, 2007

Based upon this committee's failure to comply with the provision of 10 ILCS 5-9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on April 20, 2008, 303 day(s) late. As such, this committee has been assessed a fine of \$5000.00.

In addition, this committee failed to file the following documents during the requisite filing period:

Report Type:	Semiannual Report of Campaign Contribution and Expenditures
Report Period:	January 1, 2007 through June 30, 2007
Filing Period:	July 2, 2007 through July 20, 2007

Based upon this committee's failure to comply with the provision of 10 ILCS 5-9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on April 20, 2008, 185 day(s) late. As such, this committee has been assessed a fine of \$5000.00.

In addition, this committee failed to file the following documents during the requisite filing period:

Report Type:	Semiannual Report of Campaign Contribution and Expenditures
Report Period:	July 1, 2007 through December 31, 2007
Filing Period:	January 2, 2008 through January 2, 2008

Based upon this committee's failure to comply with the provision of 10 ILCS 5-9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on April 20, 2008, 62 day(s) late. As such, this committee has been assessed a fine of \$5000.00.

In addition, this committee failed to file the following documents during the requisite filing period:

Report Type:	Pre-Election Report of Campaign Contribution and Expenditures
Report Period:	July 1, 2006 through October 8, 2006
Filing Period:	October 10, 2006 through October 23, 2006

Based upon this committee's failure to comply with the provision of 10 ILCS 5-9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on April 20, 2008, 11 day(s) late. As such, this committee has been assessed a fine of \$1100.00.

In addition, this committee failed to file the following documents during the requisite filing period:

Report Type:	Pre-Election Report of Campaign Contribution and Expenditures
Report Period:	January 29, 2007 through March 18, 2007
Filing Period:	March 19, 2007 through April 2, 2007

Based upon this committee's failure to comply with the provision of 10 ILCS 5-9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on April 20, 2008, 11 day(s) late. As such, this committee has been assessed a fine of \$4400.00.

In addition, this committee failed to file the following documents during the requisite filing period:

This committee has failed to file the following Schedule A-1's, Report of Campaign contributions of more than \$500.00, within 2 business days of receipt as required by the Illinois Campaign Disclosure Act:

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Fine Assessed</u>	<u>Amount of Contribution</u>	<u>Date A-1 Received</u>	<u>Days Late</u>
Argent Real Estate Development Corp	11/4/06	\$2500.00	\$2500.00	*not filed	1
Argent Real Estate Development Corp	11/4/06	\$2500.00	\$2500.00	*not filed	1
Corporate Aviation Group	11/4/06	\$2500.00	\$2500.00	*not filed	1
Haddad Food & Liquors	11/3/06	\$1000.00	\$1000.00	*not filed	1
Sandra & Demain LaPointe	11/4/06	\$1000.00	\$1000.00	*not filed	1
Adriana & Michael Markese	11/4/06		**500.00		
Adriana & Michael Markese	11/4/06	\$500.00	\$500.00	*not filed	1
Metropolitan Chicago Corp	11/4/06	\$2500.00	\$2500.00	*not filed	1
Par Family Limited Partnership	11/4/06	\$2500.00	\$2500.00	*not filed	1
Personal Food & Liquors	11/4/06	\$2500.00	\$2500.00	*not filed	1
Redevelopment Enterprises Inc	11/4/06	\$1500.00	\$1500.00	*not filed	1
Denia Sanetra	11/4/06	\$1000.00	\$1000.00	*not filed	1
William & Rose Schreiber	11/4/06	\$1000.00	\$1000.00	*not filed	1
Seaton Trucking	11/4/06	\$1000.00	\$1000.00	*not filed	1
Select Environmental Services	11/4/06	\$2500.00	\$2500.00	*not filed	1
Michael Wsol	11/4/06	\$1000.00	\$1000.00	*not filed	1

The committee is fined a **total** of \$25,550.00 for delinquently filing Schedule A-1 reports as required by the Illinois Campaign Disclosure Act. This total **does not** reflect any previously assessed fines.

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b-5) of the Election Code, the Board may impose fines for violations not to exceed 100% of the total amount of the contributions that were untimely reported, but in no case when a fine is imposed shall it be less than 10% of the total amount of the contributions that were untimely reported.

Since this is the first delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$2550.00, (10% of the total amount reflected above) if you do not choose to file an appeal under the Board's present policy. The total amount due will be imposed with the issuance of a Final Board Order after the 30-day appeal period had expired. This amount must be paid (including any previously assessed fines), within 30 days of the issuance of the Order.

In addition, this committee has failed to file the following Schedule A-1's, Report of Campaign contributions of more than \$500.00, within 2 business days of receipt as required by the Illinois Campaign Disclosure Act:

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Fine Assessed</u>	<u>Amount of Contribution</u>	<u>Date A-1 Received</u>	<u>Days Late</u>
Gajella Ramm	2/4/08	\$1000.00	\$1000.00	*not filed	1
Rao Gaddama Srinivas	2/4/08	\$2001.00	\$2001.00	*not filed	1
Friends of Roosevelt Coats	2/2/08	\$1000.00	\$1000.00	*not filed	1

The committee is fined a **total** of \$4001.00 for delinquently filing Schedule A-1 reports as required by the Illinois Campaign Disclosure Act. This total *does not* reflect any previously assessed fines.

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b-5) of the Election Code, the Board may impose fines for violations not to exceed 100% of the total amount of the contributions that were untimely reported, but in no case when a fine is imposed shall it be less than 10% of the total amount of the contributions that were untimely reported.

Since this is the second delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$2001.00, (50% of the total amount reflected above) if you do not choose to file an appeal under the Board's present policy. The total amount due will be imposed with the issuance of a Final Board Order after the 30-day appeal period had expired. This amount must be paid (including any previously assessed fines), within 30 days of the issuance of the Order.

Enclosed please find the Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalties have been assessed in error. Notice of Appeal must be filed within 30 days of the mailing of this assessment notice.

If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment. If the above listed violations are not appealed they will be required to be paid by the committee within 30 days:

If you have any questions regarding the appeal process, please call Sue McArthur at 217/782-1543.

Sincerely,



Rupert T. Borgsmiller  
Director, Division of Campaign Disclosure

RTB:sm

cc: Officer(s), Candidate(s)

Enclosure(s) appeal documents

\* This contribution was reported on your Semi-Annual Report but should have been reported on a Schedule A-1 Report of Campaign Contributions of more than \$500.00, within 2 business days of receipt.

\*\* This contribution did not, by itself, necessitate filing of a Schedule A-1. No fine was assessed for this contribution – it is listed for informational purposes only. A subsequent contribution, when aggregated with this contribution, exceeded the "more than \$500.00" threshold and was used as the basis for the fine assessment.

State of Illinois )  
County of Cook )

CHICAGO

NOV -3 AM 11:44

BEFORE THE STATE BOARD OF ELECTIONS  
OF THE STATE OF ILLINOIS

STATE  
BOARD OF ELECTIONS

IN THE MATTER OF; )  
ILLINOIS STATE BOARD OF ELECTIONS, )  
Complainant )  
vs. )  
Committee for Ed Smith )  
Respondent(s). )

No. 08 MA 011

APPEAL AFFIDAVIT

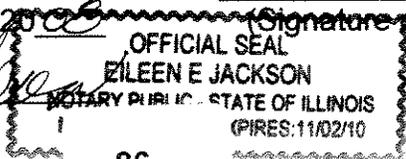
I, Emma J. Robinson, the Treasurer of the  
(Name) (Chairman/Treasurer)  
Committee for Ed Smith  
(Name of the Committee)

Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are: The violation was committed unintentionally.

Subscribed and Sworn to Before me  
This 31 Day of October, 2008

Emma J. Robinson  
(Signature of Chairman/Treasurer)

[Signature]  
NOTARY PUBLIC





**STATE OF ILLINOIS  
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS**

Illinois State Board of Elections  
**Complainant**

v.

**09 DS 012**

Citizens for Arlene Mulder      L 3242  
**Respondent**

**REPORT OF HEARING EXAMINER**  
Appeal of Civil Penalty Assessment for Delinquently Filing the  
2008 December Semi-Annual Report

This report was received on January 22, 2009, 2 days late, resulting in a civil penalty assessment of \$100.

Franklin E. Lee, the Treasurer of the Committee, filed a Waiver of Appearance and submitted on the Appeal Affidavit the following: On the Affidavit, he stated that the reason the report was late was due to some unexpected problems they encountered with the IDIS program. They have been filing electronically for a number of years without incident. They were unable to access their file, apparently because files had been corrupted and were unavailable. They were using a newer computer purchased in 2008 which was using Microsoft Vista. After some additional time delay, while consulting with other computer technicians to correct this problem, the decision was eventually made to run the IDIS software only on a computer which uses Windows XP. As a result, they were able to retrieve the backup files and complete the report. Unfortunately, these technical problems caused them to be unable to file the report by the required date.

In order to be consistent with previous Board decisions when a legitimate electronic filing issue was presented as a defense for a late filing, I recommend that the appeal be granted. Although the IDIS software does work in a Windows Vista operating system, and the specific problem cannot be determined from this Affidavit, Windows Vista seems to be the heart of the problem for this committee. However, since the committee has resolved the issue by using a different computer, it should be aware that the use of this defense a second time may not be looked upon favorably by the Board.



---

Sharon Steward – Hearing Examiner

March 31, 2009

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187  
Springfield, Illinois 62708  
217/782-4141  
Fax: 217/782-5959

James R. Thompson Center  
100 West Randolph, Suite 14-100  
Chicago Illinois 60601  
312/814-6440  
Fax: 312/814-6485



BOARD MEMBERS  
Albert Porter, Chairman  
Bryan Schneider, Vice Chairman  
Patrick Brady  
John Keith  
William McGuffage  
Wanda Rednour  
Jesse Smart  
Robert Walters

EXECUTIVE DIRECTOR  
Daniel W. White  
February 27, 2009

Citizens for Arlene Mulder  
Lauree Harp  
408 E Thomas  
Arlington Heights, IL 60004

L3242

Dear Citizens for Arlene Mulder;

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:	Semiannual Report of Campaign Contributions and Expenditures
Report Period:	July 1, 2008 through December 31, 2008
Filing Period:	January 2, 2009 through January 20, 2009

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received by the Board on January 22, 2009, 2 day(s) late. As such, this committee has been assessed a fine of \$100.00.

Enclosed please find Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. Notice of Appeal must be filed within 30 days of the mailing of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.

Since this is a first time violation, the assessed civil penalty will be *stayed*. Any subsequent violation of any provision of Article 9 of the Election Code or of a Board Order shall result in the assessment of an additional penalty as provided in Section 125.425 of the Rules and Regulations governing the State Board of Elections, with that civil penalty and any previously assessed penalty to be paid within 30 days. Therefore, you need not pay this assessed civil penalty unless another violation occurs.

If you have questions regarding the appeal process, please call Sue McArthur at 217/782-1543.

Sincerely,

A handwritten signature in black ink, appearing to read "Rupert T. Borgsmiller".

Rupert T. Borgsmiller  
Director, Division of Campaign Disclosure

RTB:sm  
Enclosure(s): appeal forms

09 MAR 19 AM 9:29

State of Illinois )  
County of COOK )

BEFORE THE STATE BOARD OF ELECTIONS  
OF THE STATE OF ILLINOIS

IN THE MATTER OF; )  
ILLINOIS STATE BOARD OF ELECTIONS, )  
Complainant )  
Vs. )  
CITIZENS FOR ARLEN MULLER )  
Respondent(s). )

Case No. 09 DS 012

APPEAL AFFIDAVIT

I, Franklyn E Lee, the Treasurer of the  
(Name) (Chairman/Treasurer)  
CITIZENS FOR ARLEN MULLER  
(Name of the Committee)

Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

See statement attached

Signed and Sworn to by  
REBECCA SCHAPS  
before me this 17 Day of  
MARCH, 2009  
REBECCA SCHAPS  
Notary Public

Franklyn E Lee  
(Signature of Chairman/Treasurer)



Citizens for Arlene Mulder

# L3242

c/o Franklyn E Lee  
706 N Hickory  
Arlington Heights, Ill. 60004

Illinois State Board of Elections

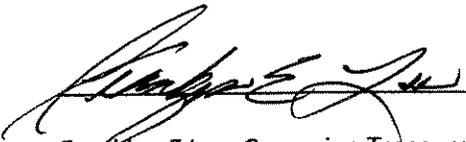
Appeal Affidavit

The principal reason why the Semiannual Report (copy attached) was delivered (electronically) a day and a half late, was due to some unexpected problems that were encountered with the IDIS program for this filing period. Our campaign has been filing using the electronic IDIS filing software for a number of years in the past without incident.

The initial problem stemmed from our inability to access any of the prior IDIS campaign files. The IDIS software indicated that the files had been corrupted and were unavailable. After several phone conversations with members of the State Board of Elections technical staff, it appeared to us that the files had been inadvertently corrupted by using a newer computer purchased in 2008 which was running using the Microsoft Vista operating system. After some additional time delay, while consulting with other computer technicians to correct this problem, the decision was eventually made to run the IDIS software only on a computer which uses older non Microsoft Vista software (Windows XP).

As a result we were able to finally retrieve IDIS backup files and were then able to complete the semiannual report. Unfortunately, these technical problems caused us to be unable to file the report by the required date.

Your consideration in removing this civil penalty for reasonable cause would be very much appreciated.



Franklyn E Lee, Campaign Treasurer



FORM

D-2

REPORT OF CAMPAIGN CONTRIBUTIONS AND EXPENDITURES (CHECK APPROPRIATE BOXES)(PLEASE TYPE OR PRINT IN BLACK INK)

- Pre-Election Report - Election Date
Semi-Annual Report
Non-Participation - Election Date
FINAL REPORT
Amendment of Report indicated above

Full name and complete mailing address of Political Committee

Citizens for Arlene Mulder
706 N. Hickory Ave

Arlington Heights IL 60004
CHECK IF ADDRESS CHANGE

FOR OFFICE USE ONLY

IDENTIFICATION NO.

Table with 4 columns: REPORTING PERIOD, CASH AVAILABLE AT THE BEGINNING OF THE REPORTING PERIOD, STATE POLITICAL COMMITTEES RETURN TO, LOCAL POLITICAL COMMITTEES AND STATE AND LOCAL POLITICAL COMMITTEES RETURN ORIGINAL TO AND COPY TO.

SEE GUIDE TO CAMPAIGN DISCLOSURE FOR INSTRUCTIONS

COMPLETE 1-7 FOR PRE-ELECTION REPORTS
COMPLETE ALL SECTIONS FOR SEMI-ANNUAL AND FINAL REPORTS

SECTION A - RECEIPTS

- 1. Individual Contributions: a. Itemized (from Schedule A) .. \$ 0.00 (1a)
2. Transfers In: a. Itemized (from Schedule A) .. \$ 0.00 (2a)
3. Loans Received: a. Itemized (from Schedule A) .. \$ 0.00 (3a)
4. Other Receipts: a. Itemized (from Schedule A) .. \$ 0.00 (4a)
5. In-kind Contributions: a. Itemized (from Schedule I) .. \$ 0.00 (5a)

SECTION B - EXPENDITURES

- 6. Transfers Out: a. Itemized (from Schedule B).. \$ 0.00 (6a)
7. Loans Made: a. Itemized (from Schedule B).. \$ 0.00 (7a)
8. Expenditures: a. Itemized (from Schedule B).. \$ 3143.17 (8a)
TOTAL EXPENDITURES (6-8) \$ 3599.55

SECTION C - DEBTS AND OBLIGATIONS

- (Include previously reported unpaid debts)
9. a. Itemized (from Schedule C) . \$ 0.00 (9a)
b. Not-Itemized ..... \$ 0.00 (9b)
TOTAL DEBTS & OBLIGATIONS \$ 0.00

SECTION D - CASH BALANCE

- Funds available at the beginning of the reporting period ..... \$ 11768.36 (A)
Total Receipts (Section A) ..... \$ 28.45 (B)
Subtotal ..... \$ 11796.81 (C)
Total Expenditures (Section B) .. \$ 3599.55 (D)
Funds available at the close of the reporting period ..... \$ 8197.26 (E)
Investment Total ..... \$ 0.00 (F)

VERIFICATION

I DECLARE THAT THIS REPORT OF CAMPAIGN CONTRIBUTIONS OR THIS SEMI-ANNUAL REPORT OF CAMPAIGN CONTRIBUTIONS AND EXPENDITURES (INCLUDING ACCOMPANYING SCHEDULES AND STATEMENTS) HAS BEEN EXAMINED BY ME AND TO THE BEST OF MY KNOWLEDGE AND BELIEF IS A TRUE, CORRECT AND COMPLETE REPORT AS REQUIRED BY ARTICLE 9 OF THE ELECTION CODE. I UNDERSTAND THAT WILLFULLY FILING A FALSE OR INCOMPLETE REPORT IS A BUSINESS OFFENSE SUBJECT TO A FINE OF UP TO \$5000.

Franklyn E. Lee
SIGNATURE OF TREASURER OR CANDIDATE
(THIS FORM MAY BE REPRODUCED)

01/22/2009
DATE

REPORTING PERIOD: FROM 07/01/2008 THRU 12/31/2008

## SCHEDULE B

INDICATE THE PART OF FORM D-2 BEING ITEMIZED:

- PART 6 — TRANSFERS OUT  
 EXPENDITURES TO POLITICAL COMMITTEES —  
 INCLUDING TICKET & RAFFLE PURCHASES
- PART 7 — LOANS MADE
- PART 8 — EXPENDITURES

**FOR OFFICE USE ONLY**

IDENTIFICATION NO.

**SEE GUIDE TO CAMPAIGN DISCLOSURE FOR INSTRUCTIONS**

ITEMIZED EXPENDITURES FULL NAME, MAILING ADDRESS, AND ZIP CODE	DATE OF EXPENDITURE	BENEFICIARY	AMOUNT OF EACH EXPENDITURE THIS REPORTING PERIOD	AGGREGATE AMOUNT THIS REPORTING PERIOD
Newport Promotional Services 1440 Hicks Rd  Rolling Meadows IL 60008 PURPOSE: promotional items	12/27/2008	Citizens for Arlene Mulder	1908.17	1908.17
U. S Post Office 909 W. Euclid  Arlington Heights IL 60004 PURPOSE: postage	12/13/2008	Citizens for Arlene Mulder	105.00	525.00
U. S Post Office 909 W. Euclid  Arlington Heights IL 60004 PURPOSE: postage	12/13/2008	Citizens for Arlene Mulder	420.00	525.00
Metropolis Performing Arts Center 111 W Campbell St.  Suite 203 Arlington Heights IL 60005 PURPOSE: Donation	09/21/2008	Citizens for Arlene Mulder	500.00	500.00

NAME OF POLITICAL COMMITTEE: Citizens for Arlene Mulder

3 / 3

REPORTING PERIOD: FROM 07/01/2008 THRU 12/31/2008

## SCHEDULE B

INDICATE THE PART OF FORM D-2 BEING ITEMIZED:

PART 6 — TRANSFERS OUT  
EXPENDITURES TO POLITICAL COMMITTEES —  
INCLUDING TICKET & RAFFLE PURCHASES

PART 7 — LOANS MADE

PART 8 — EXPENDITURES

FOR OFFICE USE ONLY

IDENTIFICATION NO.

### SEE GUIDE TO CAMPAIGN DISCLOSURE FOR INSTRUCTIONS

ITEMIZED EXPENDITURES FULL NAME, MAILING ADDRESS, AND ZIP CODE	DATE OF EXPENDITURE	BENEFICIARY	AMOUNT OF EACH EXPENDITURE THIS REPORTING PERIOD	AGGREGATE AMOUNT THIS REPORTING PERIOD
Arlington Hts Fraternal Order of Police #80  P.O. Box 4391  Arlington Heights IL 60006 PURPOSE: ad - ad book	08/19/2008	Citizens for Arlene Mulder	210.00	210.00

**STATE OF ILLINOIS  
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS**

Illinois State Board of Elections  
**Complainant**

v.

**09 DS 118**

Citizens Committee for Ronnie Lewis      L 14974  
**Respondent**

**REPORT OF HEARING EXAMINER**

Appeal of Civil Penalty Assessment for Delinquently Filing the  
2008 December Semi-Annual Report

This Report was filed 2/9/09, 14 days late, resulting in a civil penalty assessment of \$350.

Jill Williams, the Treasurer of the Committee, filed a Waiver of Appearance, and submitted on the Appeal Affidavit the following: On the Affidavit, Ms. Williams stated that no cash contributions or any other activities occurred in 2008. When they attempted to file a blank report electronically, they failed. However, the reason for failure was corrected after talking to Board staff. The form was filed after the correction was made.

In order to be consistent with previous Board decisions when an electronic filing issue is presented as a defense, I recommend that the appeal be granted. However, since the Committee is now aware of the electronic filing process, they should be aware that the use of this defense a second time may not be looked upon favorably by the Board. In addition, this report reflected no activity, and Ms. Williams stated that there were no cash contributions or any other activities in 2008.

  
\_\_\_\_\_  
Sharon Steward – Hearing Examiner  
March 30, 2009

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187  
Springfield, Illinois 62708  
217/782-4141  
Fax: 217/782-5959

James R. Thompson Center  
100 West Randolph, Suite 14-100  
Chicago Illinois 60601  
312/814-6440  
Fax: 312/814-6485



BOARD MEMBERS  
Albert Porter, Chairman  
Bryan Schneider, Vice Chairman  
Patrick Brady  
John Keith  
William McGuffage  
Wanda Rednour  
Jesse Smart  
Robert Walters

EXECUTIVE DIRECTOR  
Daniel W. White  
February 27, 2009

Citizens Committee for Ronnie Lewis  
Myra Williams  
14647 Greenwood #108  
Dolton, IL 60419

L14974

Dear Citizens Committee for Ronnie Lewis;

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:	Semiannual Report of Campaign Contributions and Expenditures
Report Period:	July 1, 2008 through December 31, 2008
Filing Period:	January 2, 2009 through January 20, 2009

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received by the Board on February 9, 2009, 14 day(s) late. As such, this committee has been assessed a fine of \$350.00.

Enclosed please find Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. Notice of Appeal must be filed within 30 days of the mailing of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.

Since this is a first time violation, the assessed civil penalty will be *stayed*. Any subsequent violation of any provision of Article 9 of the Election Code or of a Board Order shall result in the assessment of an additional penalty as provided in Section 125.425 of the Rules and Regulations governing the State Board of Elections, with that civil penalty and any previously assessed penalty to be paid within 30 days. Therefore, you need not pay this assessed civil penalty unless another violation occurs.

If you have questions regarding the appeal process, please call Sue McArthur at 217/782-1543.

Sincerely,

A handwritten signature in black ink, appearing to read "Rupert T. Borgsmiller".

Rupert T. Borgsmiller  
Director, Division of Campaign Disclosure

RTB:sm  
Enclosure(s): appeal forms

CHICAGO

State of Illinois )  
County of Cook )

MAR -5 PM 1:26

STATE  
BOARD OF ELECTIONS

BEFORE THE STATE BOARD OF ELECTIONS  
OF THE STATE OF ILLINOIS

IN THE MATTER OF; )  
ILLINOIS STATE BOARD OF ELECTIONS, )  
Complainant )  
Vs. )  
Citizens Committee For Ronne Lewis )  
Respondent(s). )

Case No. 09 DS 118

APPEAL AFFIDAVIT

I, Jill Williams, the Treasurer of the  
(Name) (Chairman/Treasurer)  
Citizens Committee For Ronne Lewis  
(Name of the Committee)

Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

No. cash contribution or any other activities  
occurred in 2008. When we attempted to file  
a blank report electronically, we failed. However,  
the reason for failure was corrected after talking to  
your agent in Springfield. Form filed after correction.

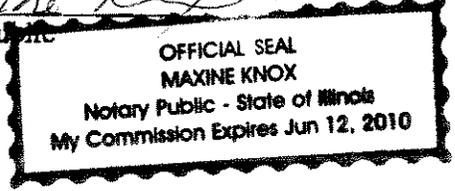
Signed and Sworn to by:

before me this 3 Day of

March, 2009

Maxine Knox  
Notary Public

Jill Williams  
(Signature of Chairman/Treasurer)



**STATE OF ILLINOIS  
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS**

Illinois State Board of Elections  
**Complainant**

v.

**09 DS 123**

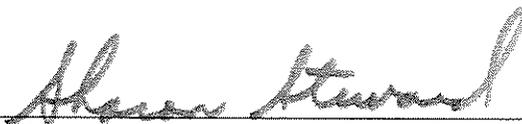
Pulaski County Republican Central Cmte.      S 551  
**Respondent**

**REPORT OF HEARING EXAMINER**  
Appeal of Civil Penalty Assessment for Delinquently Filing the  
2008 December Semi-Annual Report

The Report was received on February 4, 2009, 11 days late, resulting in a civil penalty assessment of \$275.

Cheryl Dunaway, the Treasurer of the Committee, filed a Waiver of Appearance and submitted on the Appeal Affidavit the following: On the Affidavit, Ms. Dunaway referenced an attachment. On that attachment she states that she has attached a copy of the report that had been filed with the County Clerk's office on January 13, 2009. The report to the Board was mailed on the same day. The envelope was returned to them by the post office on February 2, 2009. They had a severe ice storm the last of January and apparently the letter was not returned due to mail not being delivered for a few days in Pulaski County. As soon as they received the letter, they resent the form. The original letter was returned because apparently a stamp on the envelope came off and enough postage was not on the envelope and thus returned for postage. Ms. Dunaway states that they originally mailed the report on January 13, 2009.

The report received by the Board was postmarked February 2, 2009, as stated in the Affidavit. However, Ms. Dunaway also attached the original envelope which had been returned for insufficient postage. This envelope addressed to the Board shows a postmark date of January 13, 2009, with a postage due stamp in the amount of 83 cents. Section 100.125 of Board Rules addresses postmark dates, but the circumstances of this appeal are unusual in that the envelope was postmarked, then returned to the sender for insufficient postage. However, it is clear that the report was mailed on January 13, 2009, which was part of Ms. Dunaway's affidavit. This is more than 72 hours prior to the filing deadline. I therefore recommend that the appeal be granted.



Sharon Steward – Hearing Examiner  
April 1, 2009



09 MAR 27 AM 11:41

State of Illinois )  
County of \_\_\_\_\_ )

BEFORE THE STATE BOARD OF ELECTIONS  
OF THE STATE OF ILLINOIS

IN THE MATTER OF; )  
ILLINOIS STATE BOARD OF ELECTIONS, )  
Complainant )

Vs. )  
Pulaski County Republican Central Committee )  
Respondent(s). )

Case No. 09 DS 123

APPEAL AFFIDAVIT

I, Cheryl Dunaway, the Treasurer of the  
(Name) (Chairman/Treasurer)  
Pulaski County Republican Central Committee  
(Name of the Committee)

Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

\_\_\_\_\_  
Please see attached letter  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signed and Sworn to by:  
Cheryl Dunaway  
before me this 25th Day of  
March, 2009  
Donna K. Little  
Notary Public

Cheryl Dunaway  
(Signature of Chairman/Treasurer)



PULASKI COUNTY REPUBLICAN CENTRAL COMMITTEE  
c/o ELMER ROSE  
581 E CEDAR ST  
OLMSTED IL 62970

March 25, 2009

TO: Illinois State Board of Elections

RE: Penalty Assessment

Attached is a copy of the semi-annual report for the Pulaski County Republican Central Committee which was filed with the Pulaski County Clerks office and dated January 13, 2009. The report was filed and mailed on the same day. The letter was returned to us by the post office, but was not returned until February 2, 2009. We had a severe ice storm the last of January and apparently the letter was not returned due to mail not being delivered for a few days in our county. As soon as the letter was received by us we resent the form. The letter was returned because apparently a stamp on the envelope came off and enough postage was not on the envelope and thus returned for postage.

Due to the report actually being mailed and filed on January 13, 2009 we respectfully request that the penalty be waived.



STATE OF ILLINOIS  
COUNTY OF SANGAMON

BEFORE THE STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

Illinois State Board of Elections

**Complainant**

v.

**09 DS 124**

Will County Democratic Central Committee

S 560

**Respondent**

**REPORT OF HEARING EXAMINER**

Appeal of Civil Penalty Assessment For Delinquently Filing  
The 2008 December Semi-Annual Report

The Report was received on January 21, 2009, 1 day late, resulting in a civil penalty assessment of \$50. In addition, the Committee had previously been assessed a total of \$950 in civil penalties (appealed, reduced, paid) for failure to file a Schedule A-1 for 5 contributions received in conjunction with the 2006 General Election. The total assessment is \$50.

Thomas M. Brislane, the Treasurer of the Committee, filed a Waiver of Appearance and submitted on the Appeal Affidavit the following: On the Affidavit, Mr. Brislane stated that IDIS would not permit the filing of the semi-annual report using the same filing date as their amended pre-election report. He attempted to file repeated on January 20, 2009, but could not. The manual didn't help him. Only the following day did he learn that a later date could have been entered.

He is correct in that the software will not allow duplicate filed-on dates, but will allow a later date to be entered. In order to be consistent with previous Board decisions in which an electronic filing issue was used as a defense, I recommend that the appeal be granted. However, since the Committee is now aware of this, and also that assistance may be sought from staff, it is doubtful that the Board would look favorably upon the use of an electronic filing defense a second time.



---

Sharon Steward – Hearing Examiner

March 24, 2009

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187  
Springfield, Illinois 62708  
217/782-4141  
Fax: 217/782-5959

James R. Thompson Center  
100 West Randolph, Suite 14-100  
Chicago Illinois 60601  
312/814-6440  
Fax: 312/814-6485



BOARD MEMBERS  
Albert Porter, Chairman  
Bryan Schneider, Vice Chairman  
Patrick Brady  
John Keith  
William McGuffage  
Wanda Rednour  
Jesse Smart  
Robert Walters

EXECUTIVE DIRECTOR  
Daniel W. White  
February 27, 2009

Will County Democratic Central Committee  
PO Box 4242  
Joliet, IL 60434

S560

Dear Will County Democratic Central Committee;

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:	Semiannual Report of Campaign Contribution and Expenditures
Report Period:	July 1, 2008 through December 31, 2008
Filing Period:	January 2, 2009 through January 20, 2009

Based upon this committee's failure to comply with the provision of 10 ILCS 5-9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on January 21, 2009, 1 day(s) late. As such, this committee has been assessed a fine of \$50.00.

Enclosed please find the Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. Notice of Appeal must be filed within 30 days of the mailing of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.

If the above listed violation is not appealed and since this is a subsequent violation it is required to be paid by the committee within 30 days:

If you have any questions regarding the appeal process, please call Sue McArthur at 217/782-1543.

Sincerely,

A handwritten signature in black ink, appearing to read "Rupert T. Borgsmiller".

Rupert T. Borgsmiller  
Director, Division of Campaign Disclosure

RTB:sm  
Enclosure(s) appeal documents

State of Illinois )  
County of Will )

STATE BOARD OF ELECTIONS

09 MAR 18 PM 2:23

BEFORE THE STATE BOARD OF ELECTIONS  
OF THE STATE OF ILLINOIS

IN THE MATTER OF; )  
ILLINOIS STATE BOARD OF ELECTIONS, )  
Complainant )  
Vs. )  
Will County Democratic Central Committee )  
Respondent(s). )

Case No. 09 DS 124

APPEAL AFFIDAVIT

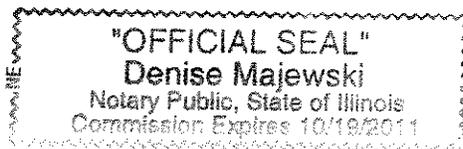
I, Thomas M. Brislane, the Treasurer of the  
(Name) (Chairman/Treasurer)  
Will County Democratic Central Committee  
(Name of the Committee)

Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

The Board of Elections software (IDIS) would not permit the filing of our D-2 report using the same filing date as our amended Pre-Election report. I attempted to file repeatedly on January 22, 2009 but could not obtain acceptance. The manual was of no help. Only the following day did I learn that a later could have been entered

Signed and Sworn to by:  
Thomas Brislane  
before me this 13 Day of  
March, 2008 ~~2009~~  
Denise Majewski  
Notary Public

Thomas M. Brislane  
(Signature of Chairman/Treasurer)



**Will County Democratic Central Committee**  
Post Office Box 4242  
Joliet, Illinois 60434  
Telephone 815-727-1313

March 16, 2009

State Board of Elections  
1020 South Spring Street  
Springfield IL 62704

Re: Will County Democratic Central Committee  
Committee S560/L228

**APPEAL OF LATE FILING PENALTY**  
D-2 Report for the Period Ending December 31<sup>st</sup>, 2008

I spoke with Campaign Disclosure Specialist Jason Hinds on January 20<sup>th</sup> 2009. I was unfamiliar with the procedure as to how to enter a complete itemization of our disbursements when we had filed a pre-election report on October 20, 2008 that, as is permitted, excluded those disbursements. I was told that the proper procedure was to file and amended D-2, and I did so, using January 20, 2009 as the filing date in the electronic filing.

I repeatedly and unsuccessfully attempted to file our final D-2, that reflected additional receipts on January 20, 2009. This necessitated an additional amended D-2. I made several attempts in the evening of January 20, 2009 after the Board of Elections offices were closed for the day and I could not seek assistance. I consulted the online Filing Manual but could find no reference to this issue. I abandoned my efforts at 11PM that night.

In a final effort to document my difficulties, I faxed two Raffle Reports for the period covered by our Semi-Annual Report for December 31<sup>st</sup>, 2008. On the cover sheet of those transmittals, I included the following comment:

"I am experiencing great difficulty in filing our Semi-Annual Report which is due today. For some reason, the program is denying me the ability to enter a proper filing date on the report, which is completed and ready for transmittal. I will contact you tomorrow, January 21, 2009 to discuss this further."

I spoke with Campaign Disclosure Specialist John Levin at 8:30a on January 21, 2009 and I described the difficulties I experienced in filing the our Semi-Annual D2 on January 20, 2009. Mr. Levin informed me that the issue is that a report cannot be filled if it bears the same filing date as an earlier report for the same period. He agreed that the manual and on-help does not address this issue.

Thus, according to Mr. Levin it would have been possible to file the reports by the deadline by entering a future date but I was not aware of this. I made the entirely reasonable assumption that I had to enter the actual date, which was in this case, the due date.

I submit that my failure to file was entirely due to a software anomaly that I could resolve on the filing date. I respectfully appeal the Board's assessment and I ask that you remove the penalty.

Sincerely,



Thomas M. Brislane,  
Treasurer, Will County Democratic Central Committee  
(708) 946-6550 (Office)  
(708) 946-6664 (Fax)  
[tbrislane@aol.com](mailto:tbrislane@aol.com) (e-mail)

**STATE OF ILLINOIS  
COUNTY OF COOK**

**BEFORE THE STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS**

Illinois State Board of Elections  
**Complainant**

v.

Case No. **08 AG 007**

Democratic Party of Illinois                      S4866  
**Respondent**

**REPORT OF HEARING EXAMINER**

Appeal of Civil Penalty Assessment for Failure to File Schedule A-1's  
In conjunction with the 2008 General Election

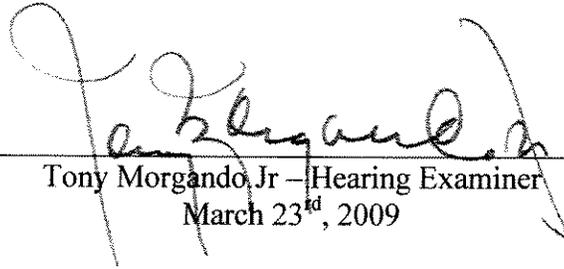
According to the political committee's December 2008 Semi Annual Report, it received two (2) contributions from the Friends of Michael Madigan, dated October 7<sup>th</sup>, and October 21<sup>st</sup>, in the amount of \$300,000.00 during the Schedule A-1 filing period, October 6<sup>th</sup>, 2008 through and including November 3<sup>rd</sup>, 2008, which failed to be reported within two (2) business days of receipt as required by statute. The political committee has been assessed a civil penalty in the amount of \$600,000.

Mr. Michael Kasper, Treasurer, filed a Request for Hearing and Appeal Affidavit, on December 30<sup>th</sup>, 2008, indicating: "The penalty has been wrongfully assessed for reason that will be put forward at the hearing requested".

Hearing in this matter was originally set for Monday, February 2<sup>nd</sup>, 2009, to be conducted at the Chicago Board office, 100 W. Randolph, 14-100, at 9:00 a.m. The hearing was subsequently continued to Monday, March 16<sup>th</sup>, at 10:00 a.m.

Mr. Michael Kasper, Treasurer, appeared on behalf of the political committee. Mr. Kasper indicated that the contributions in question were wire transfers, which were authorized by Mr. Tim Mapes through the Bank of America. Mr. Kasper (1) submitted a copy of an email originating from Mr. Mapes to Ms. Felicitas Castillo, Sales Support Supervisor, Bank of America, indicating the request for a \$300,000.00 wire transfer of funds to the Democratic Party of Illinois, and acknowledgement such transfer was complete, dated Tuesday, October 7<sup>th</sup>, 2008, and, (2) a Bank of America Client Wire Transfer Request and Authorization Form, indicating Mr. Tim Mapes as the Requestor on behalf of the Friends of Michael Madigan, for the transfer of \$300,000.00, to the Democratic Party of Illinois, dated Tuesday, October 21<sup>st</sup>, 2008. Mr. Kasper states, as indicated on his submitted affidavit (attached), "That on October 7, 2008 and on October 21, 2008, the Democratic Party of Illinois received contributions in the amount of \$300,000.00. Both these contributions were received via wire transfer without written instrument. Neither the Chairman nor I had any knowledge of the receipt of these wire transfers until October 25, 2008, at which time A-1 Reports were filed".

Based upon a review of the documents/statements and affidavit submitted in this matter, the Hearing Examiner finds proper notice was not provided an officer of the political committee to file required Schedule A-1's within the timeframe the wire transfers actually occurred. Therefore, it is the recommendation of the Hearing Examiner that the appeal in this matter be granted. The Hearing Examiner further recommends that the political committee amend its December 2008 Semi-Annual Report to correctly reflect the date such contributions were acknowledged received.



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Tony Morgando, Jr. - Hearing Examiner  
March 23<sup>rd</sup>, 2009

DEC-04-2008 10:20

**Mapes, Tim**

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**From:** Castillo, Felicitas [felicia.castillo@bankofamerica.com]  
**Sent:** Tuesday, October 07, 2008 3:50 PM  
**To:** Mapes, Tim  
**Cc:** Gonzalez, Veronica; Gyure, Jason  
**Subject:** RE: wire today

Hi Tim,

Your wire has been completed.

Thanks,

*Felicia Castillo*  
*Sales Support Associate*  
*Mail Code: ILA-135-07-60*  
*135 S. LaSalle St.*  
*Chicago, IL 60603*

312.904.7486

---

**From:** Mapes, Tim [mailto:Mapes@ildems.com]  
**Sent:** Tuesday, October 07, 2008 2:38 PM  
**To:** Castillo, Felicitas  
**Cc:** Gonzalez, Veronica; Gyure, Jason  
**Subject:** wire today

Felicia/Veronica:

I would like to wire today, Tuesday, October 7, 2008: \$300,000.00

from

Friends of Michael J. Madigan  
Account: 2229019

to:  
Democratic Party of Illinois  
ABA: 072000915  
Account#: 5211143341  
National City Bank  
Springfield, IL

**Tim Mapes**  
Executive Director  
Democratic Party of Illinois  
1201 South Veterans Parkway - Suite C  
Springfield, IL 62704  
v: 217.546.7404  
f: 217.546.8847  
[mapes@ildems.com](mailto:mapes@ildems.com)

DEC-04-2008 07:21

TO: Tim Mapes COMPANY:



Julie Chambers fax: 804-262-1870  
Client Wire Transfer Request and Authorization

Refilled case: 1-383218458

REQUESTOR NAME (Authorized Signer) <u>Timothy D. Mapes</u>	PHONE <u>217-793-2301</u>	TODAY'S DATE <u>10/21/08</u>
CLIENT NAME <u>Friends of Michael J. Madigan</u>		DATE WIRE TO BE SENT <u>10/21/08</u>

DEBIT ACCOUNT NUMBER <u>222909</u>	US \$ AMOUNT OF WIRE <u>300.00</u>	COUNTRY / CURRENCY (if not US \$) <u>US</u>	FOREIGN \$ AMOUNT (if applicable)
ACCOUNT TYPE <input checked="" type="checkbox"/> Checking <input type="checkbox"/> Savings <input type="checkbox"/> Loan	STATE <u>IL</u>	BENEFICIARY ACCOUNT # <u>52114341</u>	
BENEFICIARY NAME <u>Democratic Party of Illinois</u>	BENEFICIARY BANK NAME <u>National City Bank</u>	ABA# / SWIFT# <u>072000915</u>	
STREET ADDRESS <u>1201 S Veterans Parkway</u>	CITY <u>Springfield</u>	STATE <u>IL</u>	COUNTRY <u>US</u>
		ZIP / MAIL CODE <u>62704</u>	
STREET ADDRESS (if available) <u>1101 Centre West</u>	CITY <u>Springfield</u>	STATE <u>IL</u>	COUNTRY <u>US</u>
		ZIP / MAIL CODE <u>62704</u>	

ADDITIONAL INSTRUCTIONS (Attention to: Phone advice, customer reference #; contact upon arrival)

INTERMEDIARY BANK NAME (Optional)	ABA# / SWIFT#
STREET ADDRESS (if available)	CITY
	STATE
	COUNTRY
	ZIP / MAIL CODE

DEBIT ACCOUNT NUMBER	US \$ AMOUNT OF WIRE	ACCOUNT TYPE <input type="checkbox"/> Checking <input type="checkbox"/> Savings <input type="checkbox"/> Loan
TAXPAYER NAME	NAME CONTROL	TAX ID #
TAX TYPE	TAX YEAR	TAX MONTH
		TAX AMOUNT

ADDITIONAL INSTRUCTIONS: (Enter optional Tax Breakdown or Tax Subtype, or any other additional information here.)

SECTION 4 - VERIFY AUTHORITY TO INITIATE WIRE TRANSFER

To verify the authenticity of this wire request, Bank of America will use account/service documentation on file to confirm that the Requestor who signs below has been authorized by the Client to initiate the request. A callback procedure to the Client will also be conducted.

Name of Authorized Signer: Timothy D. Mapes (Print or Type) Timothy D. Mapes (Signature)

- SECTION 5 - IMPORTANT WIRE TRANSFER INFORMATION
- Print clearly in black ink.
  - Fax completed form to:
    - US Clients Only: 866.655.4033 (toll free)
    - International Clients: 404.521.3591 (country code 001)
  - Remember cutoff times:
    - Same Day Outgoing Wire (USD or FX): 1:30pm PT / 3:30pm CT / 4:30pm ET
    - Tax Payment: 12:30pm PT / 2:30pm CT / 3:30pm ET
    - Future-dated Wire: 5:00pm PT / 7:00pm CT / 6:00pm ET
  - To obtain the Fed Reference Number, call 800.577.5473.
  - For questions on completing this form, call the Client Service Center at 888.400.5009.
  - For information about other wire initiation services offered by Bank of America, please contact your Client Team or Treasury Management Representative.

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187  
Springfield, Illinois 62708  
217/782-4141  
Fax: 217/782-5959

James R. Thompson Center  
100 West Randolph, Suite 14-100  
Chicago Illinois 60601  
312/814-6440  
Fax: 312/814-6485



BOARD MEMBERS  
Albert Porter, Chairman  
Bryan Schneider, Vice Chairman  
Patrick Brady  
John Keith  
William McGuffage  
Wanda Rednour  
Jesse Smart  
Robert Walters

EXECUTIVE DIRECTOR  
Daniel W. White  
December 16, 2008

Democratic Party of Illinois  
Michael Madigan, Michael Kasper  
POB 518  
Springfield, IL 62705

S4866

Dear Democratic Party of Illinois;

This committee has failed to file the following Schedule A-1's, Report of Campaign contributions of more than \$500.00, within 2 business days of receipt as required by the Illinois Campaign Disclosure Act:

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Fine Assessed</u>	<u>Amount of Contribution</u>	<u>Date A-1 Received</u>	<u>Days Late</u>
Friends of Michael Madigan	10/7/08	\$300000.00	\$300000.00	10/25/08	11
Friends of Michael Madigan	10/21/08	\$300000.00	\$300000.00	10/25/08	2

The committee is fined a **total** of \$600,000.00 for delinquently filing Schedule A-1 reports as required by the Illinois Campaign Disclosure Act. This total **does not** reflect any previously assessed fines.

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b-5) of the Election Code, the Board may impose fines for violations not to exceed 100% of the total amount of the contributions that were untimely reported, but in no case when a fine is imposed shall it be less than 10% of the total amount of the contributions that were untimely reported.

Since this is the first delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$60,000.00, (10% of the total amount reflected above) if you do not choose to file an appeal under the Board's present policy. The total amount due will be imposed with the issuance of a Final Board Order after the 30-day appeal period had expired. This amount must be paid (including any previously assessed fines), within 30 days of the issuance of the Order.

Enclosed please find Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fines if you believe the civil penalties have been assessed in error. ***If you have a legitimate reason for your delinquent filing, it would behoove you to send in the appeal form since the Board has the discretion to take extenuating and other circumstances into account in determining the amount of your penalty.*** Notice of Appeal must be filed within 30 days of the mailing of this assessment for it to be considered.

DEC-17-2008 14:23

STATE BOARD OF ELECTIONS

08 DEC 2008 PM 3:52

State of Illinois )  
County of \_\_\_\_\_ )

BEFORE THE STATE BOARD OF ELECTIONS  
OF THE STATE OF ILLINOIS

IN THE MATTER OF; )  
ILLINOIS STATE BOARD OF ELECTIONS, )  
Complainant )  
Vs. )  
DEMOCRATIC PARTY of ILLINOIS )  
Respondent(s). )

Case No. 54866

APPEAL AFFIDAVIT

I, MICHAEL KASPER, the TREASURER of the  
(Name) (Chairman/Treasurer)  
DEMOCRATIC PARTY of ILLINOIS  
(Name of the Committee)

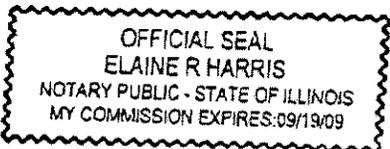
Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

THE PENALTY HAS BEEN UNWARRANTEDLY ASSESSED  
FOR REASON THAT WILL BE PRESENTED  
AT THE HEARING REQUESTED.

Signed and Sworn to by:

before me this 30th Day of  
DECEMBER, 2008  
ELAINE R. HARRIS  
Notary Public

Michael Kasper  
(Signature of Chairman/Treasurer)



AFFIDAVIT

I, Michael J. Kasper, being first duly sworn, hereby certify the following, and if called to testify could truthfully testify as to the following:

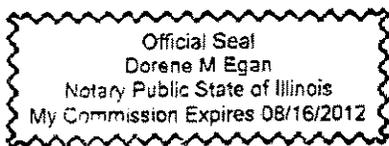
- 1. I am the Treasurer and General Counsel of the Democratic Party of Illinois, having held these positions since 1994.
- 2. The Chairman of the Democratic Party of Illinois is Michael J. Madigan, who was first elected to that position in 1994, and re-elected in 1998, 2002 and 2006.
- 3. That on October 7, 2008 and on October 21, 2008 the Democratic Party of Illinois received contributions in the amount of \$300,000.00. Both of these contributions were received via wire transfer without any written instrument.
- 4. The Democratic Party of Illinois maintains a review system through which both the Chairman and I review every contribution received by check.
- %. Neither the Chairman nor I had any knowledge of the receipt of these wire transfers were until October 25, 2008, at which time A1 Reports were filed.

Further Affiant sayeth not.

*Michael J. Kasper*

Subscribed and sworn to by Michael J. Kasper on this 23<sup>rd</sup> day of March, 2009

*Dorene M. Egan*  
Notary Public



STATE OF ILLINOIS  
COUNTY OF SANGAMON

BEFORE THE STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

Illinois State Board of Elections  
**Complainant**

v.

09 DS 147

DuPage Young Republicans            S 4900  
**Respondent**

**REPORT OF HEARING EXAMINER**  
Appeal of Civil Penalty Assessment For Delinquently Filing  
The 2008 December Semi-Annual Report

The Report was received on January 22, 2009, 2 days late, resulting in a civil penalty assessment of \$50. In addition, the Committee had been assessed a \$2000 civil penalty (appealed, appeal denied, paid) for delinquently filing the pre-election report for the 2006 General Primary Election; and an \$80 civil penalty (appealed, appeal denied, paid) for failing to file a Schedule A-1 for the 2006 General Primary Election. The total outstanding penalty is \$50.

Andrew Solemi, the Treasurer of the Committee, filed a Waiver of Appearance and submitted on the Appeal Affidavit the following: On the Affidavit, he stated that on 1/19/09, they incorrectly filed the semi-annual report as the pre-election report. However, they refiled that same report under the correct name on 1/22/09. Therefore, they did file before the deadline, but it was under the wrong report title. They attached receipts for both filings.

Mr. Solemi stated that the correct report was filed, but that it was filed as a pre-election report rather than a semi-annual report. That is incorrect, as the reporting period for the report filed on the 19<sup>th</sup> was 10/17/08-10/17/08. But, when the error was brought to their attention, they immediately filed the correct report on the 22<sup>nd</sup>. There was a report filed on 1/19/09, and apparently the Committee thought that this was the correct report and that it had met its filing obligation. In order to be consistent with previous Board rulings when an electronic filing issue was presented by the Committee as a defense, I recommend that the appeal be granted. However, since there are a number of means available for the Committee to determine if the correct report has been filed, the Committee should be aware that the Board may not look favorably upon the use of this defense a second time.



---

Sharon Steward – Hearing Examiner  
April 6, 2009

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187  
Springfield, Illinois 62708  
217/782-4141  
Fax: 217/782-5959

James R. Thompson Center  
100 West Randolph, Suite 14-100  
Chicago Illinois 60601  
312/814-6440  
Fax: 312/814-6485



BOARD MEMBERS  
Albert Porter, Chairman  
Bryan Schneider, Vice Chairman  
Patrick Brady  
John Keith  
William McGuffage  
Wanda Rednour  
Jesse Smart  
Robert Walters

EXECUTIVE DIRECTOR  
Daniel W. White  
February 27, 2009

DuPage Young Republicans  
POB 6346  
Bloomington, IL 60108

S4900

Dear DuPage Young Republicans;

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:	Semiannual Report of Campaign Contributions and Expenditures
Report Period:	July 1, 2008 through December 31, 2008
Filing Period:	January 2, 2009 through January 20, 2009

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received by the Board on January 22, 2009, 2 day(s) late. As such, this committee has been assessed a fine of \$50.00.

Enclosed please find Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. Notice of Appeal must be filed within 30 days of the mailing of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.

Since this is a first time violation, the assessed civil penalty will be *stayed*. Any subsequent violation of any provision of Article 9 of the Election Code or of a Board Order shall result in the assessment of an additional penalty as provided in Section 125.425 of the Rules and Regulations governing the State Board of Elections, with that civil penalty and any previously assessed penalty to be paid within 30 days. Therefore, you need not pay this assessed civil penalty unless another violation occurs.

If you have questions regarding the appeal process, please call Sue McArthur at 217/782-1543.

Sincerely,

A handwritten signature in black ink, appearing to read "Rupert T. Borgsmiller".

Rupert T. Borgsmiller  
Director, Division of Campaign Disclosure

RTB:sm  
Enclosure(s): appeal forms

09 MAR 26 PM 3:10

State of Illinois )  
County of \_\_\_\_\_ )

BEFORE THE STATE BOARD OF ELECTIONS  
OF THE STATE OF ILLINOIS

IN THE MATTER OF; )  
ILLINOIS STATE BOARD OF ELECTIONS, )  
Complainant )  
Vs. )  
DuPage Young Republicans )  
Respondent(s). )

Case No. \_\_\_\_\_

APPEAL AFFIDAVIT

I, Andrew Salemi, the Treasurer of the  
(Name) (Chairman/Treasurer)  
DuPage Young Republicans  
(Name of the Committee)

Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

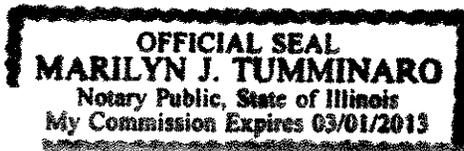
ON 1/19/2009 we incorrectly filled the Semianual Report  
the Pre-election Report. However, we refiled that same report  
under the correct name on 1/22/2009. Therefore, we did  
file before the deadline but it was under the wrong report  
title, please view the attached

Signed and Sworn to by:

Marilyn J. Tumminaro  
before me this 15<sup>th</sup> Day of  
APRIL, 2009

Marilyn J. Tumminaro  
Notary Public

[Signature]  
(Signature of Chairman/Treasurer)



**From:** Disclose@elections.il.gov ()  
**To:** asalemi34@yahoo.com  
**Date:** Thursday, January 22, 2009 7:31:37 PM  
**Subject:** Illinois Electronic Filing Acknowledgement

**DISCLOSE -- Illinois Political Financial Disclosure Filing Acknowledgement**

This is to acknowledge the receipt and acceptance of your electronic filing via the DISCLOSE protocol.

Your filing was received and accepted by our system at Thu Jan 22 19:31:36 2009, and was assigned the Filing ID of: IL-104275

Please make a note of this, as it will be necessary to refer to this information in the future.

Thank you for using DISCLOSE.

For your reference, the output of the validation check was as follows:

Illinois PDP File Validator Ver: IL-1.00.17

Developed by NIC Technologies, Inc. 1996-2001

Committee ID: FID2529  
 Committee Name: DuPage Young Republicans  
 Filing Type: D-2 (Amended)  
 From/Through: 20080701 - 20081231

Cover/Summary Page Totals for Form: D-2

Line No.	Dollar Total
1A	0.00
1B	350.00
2A	0.00
2B	0.00
3A	0.00
3B	0.00
4A	0.00
4B	0.00
TOT1-4	350.00
5A	0.00
5B	100.00
TOT5	100.00
6A	332.95
6B	250.00
7A	0.00

7B	0.00
8A	707.32
8B	362.99
TOT6-8	1,653.26
9A	0.00
9B	0.00
TOT9	0.00
A	4,325.98
B	350.00
C	4,675.98
D	1,653.26
E	3,022.72
F	0.00

>>>----> PDP data file PASSED validation! <----<<<

**From:** Disclose@elections.il.gov ()  
**To:** asalemi34@yahoo.com  
**Date:** Monday, January 19, 2009 12:47:11 PM  
**Subject:** Illinois Electronic Filing Acknowledgement

**DISCLOSE -- Illinois Political Financial Disclosure Filing Acknowledgement**

This is to acknowledge the receipt and acceptance of your electronic filing via the DISCLOSE protocol.

Your filing was received and accepted by our system at Mon Jan 19 12:47:10 2009, and was assigned the Filing ID of: IL-103138

Please make a note of this, as it will be necessary to refer to this information in the future.

Thank you for using DISCLOSE.

For your reference, the output of the validation check was as follows:

Illinois PDP File Validator Ver: IL-1.00.17

Developed by NIC Technologies, Inc. 1996-2001

Committee ID: FID2529  
 Committee Name: DuPage Young Republicans  
 Filing Type: D-2  
 From/Through: 20081017 - 20081017

Cover/Summary Page Totals for Form: D-2

Line No.	Dollar Total
1A	0.00
1B	200.00
2A	0.00
2B	0.00
3A	0.00
3B	0.00
4A	0.00
4B	0.00
TOT1-4	200.00
5A	0.00
5B	0.00
TOT5	0.00
6A	332.95
6B	250.00
7A	0.00
7B	0.00

>>>----> PDP data file PASSED validation! <----<<<

**STATE OF ILLINOIS  
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS**

Illinois State Board of Elections  
**Complainant**

v.

**09 DS 151**

The Alliance PAC  
**Respondent**

S 5926

**REPORT OF HEARING EXAMINER**  
Appeal of Civil Penalty Assessment for Delinquently Filing the  
2008 December Semi-Annual Report

The Report was received on January 23, 2009, 3 days late, resulting in a civil penalty assessment of \$150.

Ron Conner, the Chairman of the Committee, filed a Waiver of Appearance and submitted on the Appeal Affidavit the following: On the Affidavit, Mr. Conner stated that the bookkeeper of the Alliance PAC filed the report on Friday, January 16, 2009, just before he went out of town. He confirmed the filing with Mr. Conner before he left. When the bookkeeper filed the report electronically there were computer server issues, which prohibited the receiving or sending of any e-mail. Hanson Technology was not able to fix the server issue for several days; hence, the Board receiving the actual report on a later date. The filing system indicated that the report went through but the e-mail confirmation came at a later date due to the system being dysfunctional. They can provide evidence from the Tech Company that fixed the server issue which prohibited the sending or receiving of any e-mails during this time period. The Alliance PAC has never filed late and this particular situation was out of their hands due to the situation with the server being down for several days. He asks that the Board look at the Committee's filing history and hopes that the penalty will be waived.

In order to be consistent with previous Board decisions when an electronic filing issue is presented as a defense in regards to a delinquent filing, I recommend that the appeal be granted. This Committee was having server issues which prevented the report to be timely filed. However, since the Board has taken this into consideration when making its decision in this matter, the Committee should be aware that the Board may not look favorably upon the use of this defense a second time.



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Sharon Steward – Hearing Examiner  
March 31, 2009

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187  
Springfield, Illinois 62708  
217/782-4141  
Fax: 217/782-5959

James R. Thompson Center  
100 West Randolph, Suite 14-100  
Chicago Illinois 60601  
312/814-6440  
Fax: 312/814-6485



BOARD MEMBERS  
Albert Porter, Chairman  
Bryan Schneider, Vice Chairman  
Patrick Brady  
John Keith  
William McGuffage  
Wanda Rednour  
Jesse Smart  
Robert Walters

EXECUTIVE DIRECTOR  
Daniel W. White  
February 27, 2009

The Alliance PAC  
Ron Connor  
48 Kirkwood Dr  
Clinton, IL 61727

S5926

Dear The Alliance PAC;

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:	Semiannual Report of Campaign Contributions and Expenditures
Report Period:	July 1, 2008 through December 31, 2008
Filing Period:	January 2, 2009 through January 20, 2009

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received by the Board on January 23, 2009, 3 day(s) late. As such, this committee has been assessed a fine of \$150.00.

Enclosed please find Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. Notice of Appeal must be filed within 30 days of the mailing of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.

Since this is a first time violation, the assessed civil penalty will be *stayed*. Any subsequent violation of any provision of Article 9 of the Election Code or of a Board Order shall result in the assessment of an additional penalty as provided in Section 125.425 of the Rules and Regulations governing the State Board of Elections, with that civil penalty and any previously assessed penalty to be paid within 30 days. Therefore, you need not pay this assessed civil penalty unless another violation occurs.

If you have questions regarding the appeal process, please call Sue McArthur at 217/782-1543.

Sincerely,

A handwritten signature in black ink, appearing to read "Rupert T. Borgsmiller".

Rupert T. Borgsmiller  
Director, Division of Campaign Disclosure

RTB:sm  
Enclosure(s): appeal forms

State of Illinois )  
County of Sangamon )

STATE BOARD OF ELECTIONS

09 MAR 20 PM 3:42

BEFORE THE STATE BOARD OF ELECTIONS  
OF THE STATE OF ILLINOIS

IN THE MATTER OF; )  
ILLINOIS STATE BOARD OF ELECTIONS, )  
Complainant )  
Vs. )  
The Alliance PAC )  
Respondent(s). )

Case No. 09DJ151

APPEAL AFFIDAVIT

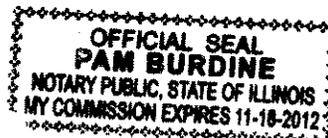
I, Ron Conner, the Chairman of the  
(Name) (Chairman/Treasurer)  
The Alliance PAC  
(Name of the Committee)

Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

See attached document please.

Signed and Sworn to by:  
R.C. Conner  
before me this 20<sup>th</sup> Day of  
March, 2008  
Pam Burdine  
Notary Public

R.C. Conner  
(Signature of Chairman/Treasurer)



## Appeal Affidavit

*Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:*

The bookkeeper of the Alliance PAC filed the report on Friday, January 16, 2009 just before he went out of town. I had a conversation with him to confirm that the report was going to be filed before he left out of town. When the bookkeeper filed the report electronically there were computer server issues, which prohibited the receiving or sending of any email. Hanson Technology was not able to fix the server issues for several days hence the board of elections receiving the actual report on a later date. The filing system indicated that the report went through but the email confirmation came at a later date due to the system being dysfunctional. We can provide evidence from the Tech Company that fixed the server issue which prohibited the sending or receiving of any emails during this time period. The Alliance PAC has never filed late and this particular situation was out of our hands due to the situation with the server being down for several days. We ask that you look at our filing history and hope that you can waive the \$150 fee with the understanding of our past filing history.

**STATE OF ILLINOIS  
COUNTY OF COOK**

**BEFORE THE STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS**

Illinois State Board of Elections  
**Complainant**

v.

Case No. **08 AG 010**

William Davis for State Representative      S8040  
**Respondent**

**REPORT OF HEARING EXAMINER**

Appeal of the Civil Penalty Assessment for the late Filing of  
Schedule A-1's in conjunction with the 2008 November General Election

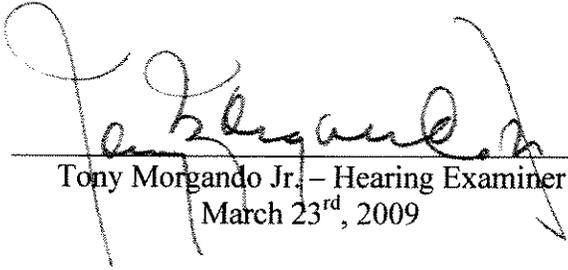
According to the political committee's Schedule A-1's filed with the State Board of Elections (herein referred to as SBE) in relation to the November 2008 General Election, the William Davis for State Representative committee received two (2) contributions; IPACE, in the amount of \$1,000.00, dated 10/30/08, nine (9) days late, and the IL State Medical Society PAC, in the amount of \$1,000.00, dated 10/27/08, one (1) day late. As such, the political committee has been assessed a fine of \$2,000.00.

Ms. Tawny Smith, Treasurer, filed a Request for Hearing and Appeal Affidavit, on January 14<sup>th</sup>, 2009, indicating: "The committee will offer support of the appeal at the time of the hearing".

Hearing in this matter was set for Monday, February 2<sup>nd</sup>, to be conducted at the Chicago Board office, 100 W. Randolph, Suite 14-100, Chicago, Illinois, at 9:30 a.m.

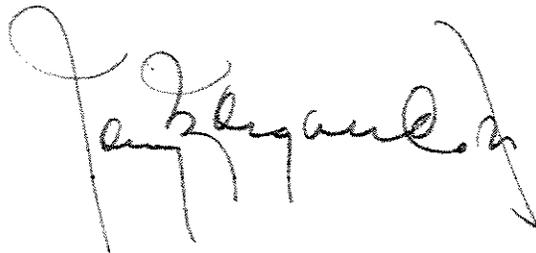
Mr. William Davis, Candidate, and Ms. Tawny Smith, Treasurer, appeared on behalf of the political committee. Ms. Smith provided the Hearing Examiner with a written statement (attached) indicating; "The contribution made by I.P.A.C.E. was received on October 30, 2008 on the day the A-1 was filed. The date noted on the A-1 reported as the date of the contribution is the actual date on the check. Ms. Smith entered as evidence a copy of the I.P.A.C.E. cancelled check from the bank, reflecting a deposit date of 10/31/08 (attached). In relation to the Illinois Medical Society PAC contribution, in the amount of \$1,000.00, Ms. Smith introduced correspondence/email transmission, directed at Mr. Kim Brown, SBE staff, dated 10/22/08 (attached), stating "I submitted an A1 for William Davis and I did it twice because the first one is an error. The A1 is for the contribution made by Illinois State Medical Political Action Committee for \$1,000 is correct". Ms. Smith indicated that an amended A-1 could not be filed so a new A-1 was submitted reporting the IL State Medical PAC contribution of October 22<sup>nd</sup>, 2008, on an A-1 received by the SBE on October 27<sup>th</sup>, 2008.

I feel based upon a review of the documents/statements presented in this matter, and discussions with SBE staff, (1) the \$1,000 I.P.A.C.E. contribution originally disclosed being received on October 15<sup>th</sup>, 2008, actually was received by the political committee on October 30<sup>th</sup>, 2008, and (2) the \$1,000 IL Medical Society PAC contribution was received on October 22<sup>nd</sup>, 2008, and attempted uploading the same date was unsuccessful. Documents presented by the Respondent would indicate the treasurer made significant overtures to SBE staff for assistance and clarification. It therefore is the recommendation of the Hearing Examiner that the appeal be granted in this matter. The Hearing Examiner further recommends that the political committee prepare and file an amended 2008 December Semi-Annual Report to reflect corrected contribution dates.



---

Tony Morgando Jr. – Hearing Examiner  
March 23<sup>rd</sup>, 2009



February 2, 2009

Mr. Tony Morgando  
State Board of Elections  
100 West Randolph, Suite 14-100  
Chicago, Illinois 60601

Dear Mr. Morgando:

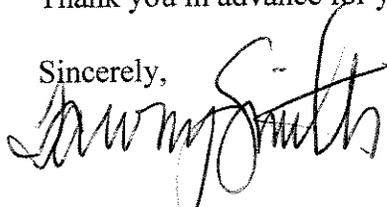
I write to offer a statement to explain why I do not agree with the assessment of a fine for a delinquent filing of two A-1's for the William Davis for State Representative Committee. The two contributions were submitted when received. The contribution made by I.P.A.C.E. was received on October 30, 2008 on the day the A-1 was filed. The date noted on the A-1 reported as the date of the contribution is the actual date on the check. (I am providing a copy of the check as verification.) It was my understanding that when filing a contribution all of the information required is taken from the check (*i.e. the name of the organization, check amount, check number, and date.*)

After further discussion about the A-1 filing procedure it was understood that the date entered should be the date the contribution was received. The contribution/received date for the Illinois State Medical Society PAC is October 22, 2008 as noted. (A copy of the check is submitted as evidence.) I think the error may have occurred because of a typo. I am submitting documentation and written communication as evidence to confirm the A-1 was submitted on October 22, 2008, not October 27, 2008. The November 8<sup>th</sup> election date was noted incorrectly when the A-1 was filed. The mistake was brought to my attention by the Kim Brown with the State Board of Elections and the information was reentered immediately. I think if that error had not happened the committee would not have received a delinquent filing notice for the contribution received from the Illinois State Medical Society PAC.

I believe in both circumstances the information was submitted in a timely manner as required. I do not feel the committee acted in a delinquent manner in reporting the contributions. Therefore, I ask the State Board of Elections to reconsider the fine.

Thank you in advance for your attention given to my request.

Sincerely,



Tawny Smith  
Treasurer  
William Davis for State Representative Committee



Bank Smarter

IPACE GENERAL  
DO NOT MAIL

IPACE  
107 E EDWARDS ST  
SPRINGFIELD IL 62761

NAME OF SUPPLIER CUE  
DATE OF BILLING  
CITY STATE ZIP

016846

\*\*\*\*\*ONE THOUSANT AND XX / 100 US DOLLAR\*\*\*\*\*

041

CITY OF SPRINGFIELD

10/15/2008

\$1,000.00

AUTHORIZED SIGNATURE

*Barbara C. Wick*

DAVIN WILLIAM FOR STATE REPRESENTATIVE  
P.O. BOX 704  
HUNTERWOOD, IL 60930

#016846# OCT 11 2008 5:59 PM 031072216

#30001000000

AMT: 1,000.00 SEQ: 81001030  
CK: 16846 DT: 10/31/08 ST: Paid

**Brown, Kim**

STATE BOARD OF ELECTIONS

08 OCT 23 AM 7:55

**From:** tsmithtv@aol.com  
**Sent:** Wednesday, October 22, 2008 8:02 PM  
**To:** Brown, Kim  
**Subject:** A1 Question

Good Evening Kim,

I submitted an A1 for William Davis and I did it twice because the first one is an error. The A1 is for the contribution made by Illinois State Medical Society Political Action Committee for \$1000.00 is correct.

The first A1 list all of the checks over 500.00 for the Report period. In error, I thought I had to list all checks. Can you tell me how or if I need to amend the first A1? I tried to do it but I didn't see that as an option. Those checks were received before October 6th, but are included in the pre election report.

Please advise. Thank you for your help.

Tawny Smith

---

McCain or Obama? Stay updated on coverage of the Presidential race while you browse - [Download Now!](#)

**STATE OF ILLINOIS  
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS**

Illinois State Board of Elections  
**Complainant**

v.

**09 DS 175**

Illinois School Administrators PAC      S 8664  
**Respondent**

**REPORT OF HEARING EXAMINER**

Appeal of Civil Penalty Assessment for Delinquently Filing the  
2008 December Semi-Annual Report

The Report was received on January 23, 2009, 3 days late, resulting in a civil penalty assessment of \$150.

Rick Schmitt, the Chairman of the Committee, filed a Waiver of Appearance and submitted on the Appeal Affidavit the following: On the Affidavit, Mr. Schmitt stated that they made a mistake when filing the semi-annual report. They filed the report on January 6, 2009, and received a receipt confirming that the report had been successfully uploaded. However, by mistake, the specific report that was filed electronically was an incorrect report. The person filing the report had called the Board on the 6<sup>th</sup> to verify that the report had been received; it was verified that a report had been received by the Board. It wasn't until January 23<sup>rd</sup> that they realized that the wrong report had been filed; they immediately filed the correct report. This time they double-checked to make sure the correct report was uploaded.

The Committee had inadvertently uploaded the 2007 June Semi-Annual Report when it meant to upload the 2008 December Semi-Annual Report. In order to be consistent with previous Board decisions in which an electronic filing issue was presented as a valid defense, I recommend that the appeal be granted. However, the Committee should be aware that this can occur when filing electronically, and that the Board may not look favorably upon the use of this defense a second time.



---

Sharon Steward – Hearing Examiner  
March 30, 2009

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187  
Springfield, Illinois 62708  
217/782-4141  
Fax: 217/782-5959

James R. Thompson Center  
100 West Randolph, Suite 14-100  
Chicago Illinois 60601  
312/814-6440  
Fax: 312/814-6485



BOARD MEMBERS  
Albert Porter, Chairman  
Bryan Schneider, Vice Chairman  
Patrick Brady  
John Keith  
William McGuffage  
Wanda Rednour  
Jesse Smart  
Robert Walters

EXECUTIVE DIRECTOR  
Daniel W. White  
February 27, 2009

Illinois School Administrators PAC  
2648 Beechler Ct  
Springfield, IL 62703

S8664

Dear Illinois School Administrators PAC;

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:	Semiannual Report of Campaign Contributions and Expenditures
Report Period:	July 1, 2008 through December 31, 2008
Filing Period:	January 2, 2009 through January 20, 2009

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received by the Board on January 23, 2009, 3 day(s) late. As such, this committee has been assessed a fine of \$150.00.

Enclosed please find Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. Notice of Appeal must be filed within 30 days of the mailing of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.

Since this is a first time violation, the assessed civil penalty will be *stayed*. Any subsequent violation of any provision of Article 9 of the Election Code or of a Board Order shall result in the assessment of an additional penalty as provided in Section 125.425 of the Rules and Regulations governing the State Board of Elections, with that civil penalty and any previously assessed penalty to be paid within 30 days. Therefore, you need not pay this assessed civil penalty unless another violation occurs.

If you have questions regarding the appeal process, please call Sue McArthur at 217/782-1543.

Sincerely,

Rupert T. Borgsmiller  
Director, Division of Campaign Disclosure

RTB:sm  
Enclosure(s): appeal forms

09 MAR 19 PM 2: 54

State of Illinois )  
 )  
County of Sangamon )

BEFORE THE STATE BOARD OF ELECTIONS  
OF THE STATE OF ILLINOIS

IN THE MATTER OF; )  
 )  
ILLINOIS STATE BOARD OF ELECTIONS, )  
 )  
Complainant )  
 )  
vs. )  
 )  
IL School Administrators Political Action Committee )  
Respondent(s). )

No. 09 DS 175

APPEAL AFFIDAVIT

I, Rick Schmitt, the Chairman of the  
(Name) (Chairman/Treasurer)  
Illinois School Administrator's Political Action Committee  
(Name of the Committee)

Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

(See Attached)



Subscribed and Sworn to Before me  
This 11 Day Of March, 2009

Lois A. Sondgeroth  
NOTARY PUBLIC

[Signature]  
(Signature of Chairman/Treasurer)

Appeal Affidavit Attachment

There was an error in filing the Illinois School Administrator's Political Action Committee Semiannual Report of Campaign Contributions and Expenditures that was due January 20, 2009. When the report was filed on January 6, 2009, an electronic confirmation was received. However, by mistake, the specific report that was filed electronically was an incorrect report. On the date in question, a staff member from IPAC contacted the Board of Elections to verify that the report was received. They did verify that a report was received at the Board of Elections. However, at that time, no one realized that the wrong report had been filed. This was not determined until we received a letter from the State Board of Elections on January 23. When we spoke with the Board of Elections that day, we were told to file the report as soon as possible and once we received the assessment notice, we should appeal the penalty. We immediately filed the correct report and received electronic confirmation. This time, we double checked to make sure the correct form had been filed. As this was our first failure to comply with the provisions of 10 ILCS 5/9-10 of the Election Code, we respectfully request to appeal the assessed civil penalty for the Semiannual Report of Campaign Contributions and Expenditures for the reporting period July 1, 2008 through December 31, 2008.

  
\_\_\_\_\_  
Rick Schmitt, Chairman IPAC

Date 3/11/09

**STATE OF ILLINOIS  
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS**

Illinois State Board of Elections  
**Complainant**

v.

**09 DS 176**

Friends of Kwame Raoul  
**Respondent**

S 8749

**REPORT OF HEARING EXAMINER**  
Appeal of Civil Penalty Assessment For Delinquently Filing the  
2008 December Semi-Annual Report

The Report was received on January 21, 2009, 1 day late, resulting in a civil penalty assessment of \$50. In addition, the Committee had previously been assessed a civil penalty of \$350 (not appealed, paid) for failure to file a Schedule A-1 for the 2006 General Primary Election, and a civil penalty of \$200 (not appealed, paid) for delinquently filing the pre-election report for the 2006 General Election. The total outstanding penalty is \$50.

Carl Jenkins, the Treasurer of the Committee, filed a Waiver of Appearance and submitted on the Appeal Affidavit the following: On the Affidavit, Mr. Jenkins stated that their appeal is based upon a technical difficulty. They changed computers from a PC to a Mac, which in return, changed the settings in the IDIS software. At the end of business on January 20<sup>th</sup>, they proceeded to upload and submit the file as they have become accustomed to, but with no success. Unfortunately, due to faulty settings from the platform switch in computer hardware, they were unable to successfully upload the report. They did attempt to contact other individuals and organizations since it was after hours, but with no success. They sent an e-mail and phoned the IDIS office but it was after hours; they received a call back promptly the next day.

When changing computers, in order to successfully upload a report, the settings must be re-entered. This appears to have been the problem encountered by this Committee. Therefore, in order to be consistent with previous decisions of the Board when a valid electronic filing issue is presented as a defense by the Committee, I recommend that the appeal be granted.



---

Sharon Steward – Hearing Examiner

April 1, 2009

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187  
Springfield, Illinois 62708  
217/782-4141  
Fax: 217/782-5959

James R. Thompson Center  
100 West Randolph, Suite 14-100  
Chicago Illinois 60601  
312/814-6440  
Fax: 312/814-6485



BOARD MEMBERS  
Albert Porter, Chairman  
Bryan Schneider, Vice Chairman  
Patrick Brady  
John Keith  
William McGuffage  
Wanda Rednour  
Jesse Smart  
Robert Walters

EXECUTIVE DIRECTOR  
Daniel W. White  
February 27, 2009

Friends of Kwame Raoul  
5211 S Harper, ste A  
Chicago, IL 60615

S8749

Dear Friends of Kwame Raoul;

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:	Semiannual Report of Campaign Contributions and Expenditures
Report Period:	July 1, 2008 through December 31, 2008
Filing Period:	January 2, 2009 through January 20, 2009

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received by the Board on January 21, 2009, 1 day(s) late. As such, this committee has been assessed a fine of \$50.00.

Enclosed please find Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. Notice of Appeal must be filed within 30 days of the mailing of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.

Since this is a first time violation, the assessed civil penalty will be *stayed*. Any subsequent violation of any provision of Article 9 of the Election Code or of a Board Order shall result in the assessment of an additional penalty as provided in Section 125.425 of the Rules and Regulations governing the State Board of Elections, with that civil penalty and any previously assessed penalty to be paid within 30 days. Therefore, you need not pay this assessed civil penalty unless another violation occurs.

If you have questions regarding the appeal process, please call Sue McArthur at 217/782-1543.

Sincerely,

A handwritten signature in black ink, appearing to read "Rupert T. Borgsmiller".

Rupert T. Borgsmiller  
Director, Division of Campaign Disclosure

RTB:sm  
Enclosure(s): appeal forms

CHICAGO

State of Illinois )  
County of \_\_\_\_\_ )

NOVEMBER 11 PM 3:03

STATE  
BEFORE THE STATE BOARD OF ELECTIONS BOARD OF ELECTIONS  
OF THE STATE OF ILLINOIS

IN THE MATTER OF; )  
ILLINOIS STATE BOARD OF ELECTIONS, )  
Complainant )  
vs. )  
FRIENDS OF KWAME RAOUL )  
Respondent(s). )

No. 09 DS 176

APPEAL AFFIDAVIT

I, CARL JENKINS, the TREASURER of the  
(Name) (Chairman/Treasurer)  
FRIENDS OF KWAME RAOUL  
(Name of the Committee)

Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

Our appeal is based on technical difficulty. We have been accustomed over the past to file electronically with no complications.. We changed the computer that the organization works off of from a PC to a Mac, which in return, changed our settings in the IDIS Software program. At the end of business on the 20th of January, we proceeded to upload and submit the file as we have become accustomed to but to no success.

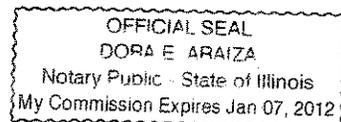
Unfortunately, due to faulty settings from the platform switch in computer hardware we were not able to complete the upload. Technical support brought this to our attention and then walked us through reformatting the login page. We did attempt to call other individuals and organizations to help us work out our technical difficulty since it was after hours but to no success. We did send in an email and phoned the IDIS office but it was after hours, which they responded to promptly the next morning.

This is our first delinquent report and the first time that we have had technical difficulty. We hope that you will take this into consideration and accept our appeal. Thank you for your consideration.

Subscribed and Sworn to Before me  
This 9th Day Of March, 2009

[Signature]  
NOTARY PUBLIC

[Signature]  
(Signature of Chairman/Treasurer)



**STATE OF ILLINOIS  
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS**

Illinois State Board of Elections  
**Complainant**

v.

**09 DS 187**

Friends to Elect Jason Briscoe      S 9096  
**Respondent**

**REPORT OF HEARING EXAMINER**

Appeal of Civil Penalty Assessment For Delinquently Filing the  
2008 December Semi-Annual Report

The Report was received January 26, 2009, 4 days late, resulting in a civil penalty assessment of \$100.

Jason Briscoe, the Chairman of the Committee, filed a Waiver of Appearance and submitted on the Appeal Affidavit the following: On the Affidavit, Mr. Briscoe stated that he filed a timely report, but it was for the wrong reporting period. Upon notice, he refiled the correct report.

Instead of filing the 2008 December Semi-Annual Report, on January 12, 2009, this Committee refiled the pre-election report for the 2008 General Primary Election. As soon as he was advised that the report had not been filed, he uploaded the correct report. His appeal affidavit references reports filed in January of 2008, which has no bearing upon the current matter, other than it indicates that he has made this mistake before, but has been fortunate in that it did not result in a late filing. Therefore, in order to be consistent with previous Board decisions when an electronic filing issue is presented as a defense, I recommend that the appeal be granted. However, this Committee should take care when uploading future filings, because the use of this defense a second time may not be looked upon favorably by the Board.



---

Sharon Steward – Hearing Examiner  
April 2, 2009

State of Illinois )  
County of Will )

STATE BOARD OF ELECTIONS  
09 MAR 25 PM 2:24

BEFORE THE STATE BOARD OF ELECTIONS  
OF THE STATE OF ILLINOIS

IN THE MATTER OF; )  
 )  
ILLINOIS STATE BOARD OF ELECTIONS, )  
 )  
Complainant )  
 )  
Vs. )  
 )  
Friends TO Elect Jason Briscoe )  
Respondent(s). )

Case No. 09 05 187

APPEAL AFFIDAVIT

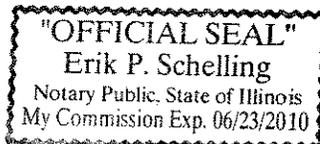
I, Jason Briscoe, the Chairman of the  
(Name) (Chairman/Treasurer)  
Friends TO Elect JASON BRISCOE  
(Name of the Committee)

Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

I have enclosed a copy of the Report Fax from  
the State Board showing that I thought I had filed  
early on January 19th 2009 @ 9:53:50 AM. However there  
was an error on the dates for the filing period. Upon  
notice the committee re filed the same day.

Signed and Sworn to by:  
Erik P Schelling  
before me this 23rd Day of  
March, 2009  
Erik P Schelling  
Notary Public

[Signature]  
(Signature of Chairman/Treasurer)



# ILLINOIS STATE BOARD OF ELECTIONS

## FAX COVER SHEET

**DATE:** Friday, January 18, 2008 4:55:50 PM

**TO:** Friends to Elect Jason Briscoe

**FAX #:** 8157418496

**FROM:** Disclosure Fax Back

**FAX #:** 217-782-5959

**PHONE #:** 217-782-4141

Number of pages, including cover sheet: 03

**COMMENTS:**

DISCLOSE -- Illinois Political Financial Disclosure Filing Acknowledgement

This is to acknowledge the receipt and acceptance of your electronic filing via the DISCLOSE protocol.

Your filing was received and accepted by our system at Fri Jan 18 16:55:50 2008, and was assigned the Filing ID of: IL-88863

Please make a note of this, as it will be necessary to refer to this information in the future.

Thank you for using DISCLOSE.

For your reference, the output of the validation check was as follows:

Illinois PDP File Validator Ver: IL-1.00.17

Developed by NIC Technologies, Inc. 1996-2001

=====

Committee ID: FID3804  
Committee Name: Friends to Elect Jason Briscoe  
Filing Type: D-2  
From/Through: 20070701 - 20071231

Cover/Summary Page Totals for Form: D-2

Line No.	Dollar Total
=====	=====
1A	0.00
1B	0.00
2A	0.00
2B	0.00
3A	0.00
3B	0.00
4A	0.00
4B	0.00
TOT1-4	0.00
5A	0.00
5B	0.00
TOT5	0.00
6A	0.00
6B	0.00
7A	0.00
7B	0.00
8A	0.00
8B	0.00
TOT6-8	0.00
9A	12,170.00
9B	0.00
TOT9	12,170.00
A	10,194.50
B	0.00
C	10,194.50

D	0.00
E	10,194.50
F	0.00

>>>----> PDP data file PASSED validation! <----<<<

STATE OF ILLINOIS  
COUNTY OF SANGAMON

BEFORE THE STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

Illinois State Board of Elections  
**Complainant**

v.

08 MA 017

ActBlue Illinois  
**Respondent**

S 9277

**REPORT OF HEARING EXAMINER**

Appeal of Civil Penalty Assessment for Delinquently Filing the Pre-Election  
Report and Schedule A-1s for the 2008 General Election

The Pre-Election Report was received on October 21, 2008, 1 day late, resulting in a civil penalty assessment of \$200. This Committee received 1 contribution of \$1000 on 10/8/08 and reported it on a Schedule A-1 on 10/21/08, 6 days late, resulting in a civil penalty of \$1000; it received a second contribution of \$1000 on 10/15/08, and reported it on a Schedule A-1 on 10/21/08, 2 days late, resulting in a second civil penalty of \$1000. In addition, this Committee had previously been assessed a civil penalty of \$50 (not appealed, paid) for delinquently filing the 2007 December Semi-Annual Report and \$480 in civil penalties (not appealed, paid) for failing to file 6 amounts on Schedule A-1s for the 2008 General Primary Election. The total unpaid assessment is \$2200.

Matt DeBergalis, the Treasurer of the Committee, filed a Waiver of Appearance, and submitted on the Appeal Affidavit the following: On the Affidavit, Mr. DeBergalis stated that the reports were filed late due solely to a technical error on their part. They created the Schedule A-1 reports and entered a filed-on date, and didn't realize that the reports also needed to be uploaded to the Board's Servers. It was brought to their attention on the 21<sup>st</sup> that the reports were not appearing on the website. They initially failed to upload the reports because ActBlue's compliance staff also files reports in other states, such as Texas and Michigan, using other nearly-identical electronic reporting software built on the same application platform as IDIS, but with very slight differences in operation. When their staff saw that the reports had been "filed" prior to the reporting deadline, they simply failed to notice that IDIS requires the additional step of manually uploading the reports before they are actually considered by the Board to be filed. They also state that all contributions were reported well in advance of the subsequent election, thereby not in any way frustrating the purpose of disclosure, and their track record of filing reports since the error was brought to their attention has been without incident.

In order to be consistent with prior Board decisions when electronic filing issues are presented as a defense, I recommend that the appeal be granted. Based upon the Affidavit and the attachment, with those reports in question circled, there is no reason to believe that ActBlue intentionally failed to upload these reports. However, since ActBlue is now aware of the fact that a report must be uploaded to the Board, the use of this defense a second time may not be looked upon favorably by the Board.



Sharon Steward – Hearing Examiner

March 11, 2009

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

1020 S. Spring Street  
PO Box 4187  
Springfield, Illinois 62708-4187  
217/782-4141  
Fax: 217/782-5959

James R. Thompson Center  
100 W. Randolph Street, Ste 14-100  
Chicago Illinois 60601-3232  
312/814-6440  
Fax: 312/814-6485



BOARD MEMBERS  
Albert Porter, Chairman  
Bryan Schneider, Vice Chairman  
Patrick Brady  
John Keith  
William McGuffage  
Wanda Rednour  
Jesse Smart  
Robert Walters

EXECUTIVE DIRECTOR  
Daniel W. White  
December 16, 2008

ActBlue Illinois  
Benjamin Rahn, Matt DeBergalis  
POB 382110  
Cambridge, MA 02238

S9277

Dear ActBlue Illinois;

As you have been previously notified, this committee failed to file the following documents during the requisite filing period:

Report Type: Pre-Election Report of Campaign Contribution and Expenditures  
Report Period: July 1, 2008 through October 5, 2008  
Filing Period: October 6, 2008 through October 20, 2008

Based upon this committee's failure to comply with the provision of 10 ILCS 5-9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on October 21, 2008, 1 day(s) late. As such, this committee has been assessed a fine of \$200.00.

In addition, this committee has failed to file the following Schedule A-1's, Report of Campaign contributions of more than \$500.00, within 2 business days of receipt as required by the Illinois Campaign Disclosure Act:

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Fine Assessed</u>	<u>Amount of Contribution</u>	<u>Date A-1 Received</u>	<u>Days Late</u>
Christopher Stone	10/8/08	\$1000.00	\$1000.00	10/21/08	6
Carol Bell	10/15/08	\$1000.00	\$1000.00	10/21/08	2

The committee is fined a **total** of \$2000.00 for delinquently filing Schedule A-1 reports as required by the Illinois Campaign Disclosure Act. This total **does not** reflect any previously assessed fines.

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b-5) of the Election Code, the Board may impose fines for violations not to exceed 100% of the total amount of the contributions that were untimely reported, but in no case when a fine is imposed shall it be less than 10% of the total amount of the contributions that were untimely reported.

Since this is the second delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$1000.00, (50% of the total amount reflected above) if you do not choose to file an appeal under the Board's present policy. The total amount due will be imposed with the issuance of a Final Board Order after the 30-day appeal period had expired. This amount must be paid (including any previously assessed fines), within 30 days of the issuance of the Order.

Enclosed please find Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. Notice of Appeal must be filed within 30 days of the mailing of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.

If the above listed violation is not appealed and since this is a subsequent violation the previously stayed fine(s) for delinquent filing is now also required to be paid by the committee within 30 days of the issuance of a Final Board Order:

<u>Reporting Period</u>	<u>Report Type</u>	<u>Previous Fine Amount</u>
7/1/2007 – 12/31/2007	Semi-annual	\$50.00
1/1/2008 – 2/4/2008	Schedule A-1	\$480.00
<b>TOTAL AMOUNT NOW DUE</b>		<b>\$1730.00</b>

If you have any questions regarding the appeal process, please call Sue McArthur at 217/782-1543.

Sincerely,



Rupert T. Borgsmiller  
Director, Division of Campaign Disclosure

RTB:sm

Enclosure(s) appeal documents

State of Illinois )  
County of Sangamon )

STATE BOARD OF ELECTIONS  
09/27/13 11:09:56

BEFORE THE STATE BOARD OF ELECTIONS  
OF THE STATE OF ILLINOIS

IN THE MATTER OF; )  
ILLINOIS STATE BOARD OF ELECTIONS, )  
Complainant )  
Vs. )  
ActBlue Illinois )  
Respondent(s). )

Case No. 08MA017

APPEAL AFFIDAVIT

I, Matt DeBergalis, the Treasurer of the  
(Name) (Chairman/Treasurer)  
ActBlue Illinois  
(Name of the Committee)

Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

Please see attached.

Signed and Sworn to by:  
Matt DeBergalis  
before me this 9<sup>th</sup> Day of  
January, 2008/2009  
[Signature]  
Notary Public

[Signature]  
(Signature of Chairman/Treasurer)

ActBlue Illinois  
Appeal Affidavit Attachment  
Reasons and Defenses

The fines for the Semi-Annual Report and the pre-primary A-1 Report previously assessed pursuant to Final Order 08 AP 061 totaling \$530 are no longer due as your letter stated. These fines were previously paid by ActBlue Illinois by check number 22338 dated December 8, 2008, mailed on December 9, 2008, which cleared ActBlue Illinois's bank account on December 18, 2008. These fines should not be a part of any final order approved by the Board.

With regard to the current fines assessed as a result of the Pre-Election Report and two additional A-1 Reports being filed late, ActBlue Illinois respectfully requests that the Board consider further reducing or eliminating these fines. As is evidenced by the attached printout from ActBlue Illinois's IDIS electronic filing database, these reports were "filed" before the deadline. However, our compliance staff merely failed to upload the reports to the Board's servers before the deadline.

These reports were filed late due solely to a technical error on ActBlue Illinois's part. There was absolutely no intention not to disclose contributions or expenditures. Immediately after it was brought to our attention that the reports weren't appearing on the Board's website, our Staff Counsel, Steven Gold, personally called the Board's office and addressed the matter with Director Borgsmiller. We initially failed to upload the reports to the Board's servers because ActBlue's compliance staff also files reports in other states – such as Texas and Michigan – using other nearly-identical electronic reporting software built on the same application platform as IDIS, but with very slight differences in operation. When our staff saw that the reports had been "filed" prior to the reporting deadline, we simply failed to notice that IDIS requires the additional step of manually uploading the reports before they are actually considered by the Board to be filed.

We believe that a further reduced fine, or no fine at all, is warranted in this case given that: the error was entirely unintentional; no contributions were reported more than a week late (nearly all were fewer than three days late); all contributions were reported well in advance of the subsequent election – thereby not in any way frustrating the purpose of disclosure; and our track record of filing reports (including a number of additional A-1 Reports) since the error was brought to our attention has been without incident.

Thank you for considering this appeal.



Type	Filed on	Date from	Date to	Opening ...	Election	Signed by
SA-N	07/29/2008	07/01/2007	12/31/2007			ActBlue Illinois
SA-N	07/16/2008	01/01/2008	06/30/2008			ActBlue Illinois
SA-AC	08/02/2008	01/01/2008	06/30/2008			ActBlue Illinois
PRE-N	10/14/2008	07/01/2008	10/05/2008		11/04/2008	ActBlue Illinois
SA-N	10/14/2008	10/06/2008	12/31/2008			ActBlue Illinois
A-I-N	02/05/2008				02/05/2008	ActBlue Illinois
A-I-N	10/09/2008					ActBlue Illinois
A-I-N	10/16/2008					ActBlue Illinois
A-I-N	10/18/2008					ActBlue Illinois
A-I-N	10/23/2008					ActBlue Illinois
A-I-N	10/27/2008					ActBlue Illinois
A-I-N	10/28/2008					ActBlue Illinois
A-I-N	10/29/2008					ActBlue Illinois
A-I-N	10/30/2008					ActBlue Illinois
A-I-N	10/31/2008					ActBlue Illinois
A-I-N	11/01/2008					ActBlue Illinois
A-I-N	11/04/2008					ActBlue Illinois

Name	Type	Filer ID
Berison, Jennifer	IND	
Berlin, Leonard	IND	
Berman, Jennifer	IND	
Berman, Scott	IND	
Bernbaum, Harriet	IND	
Bero, Stephen	IND	
Berry, Raymond	IND	
Berry, Raymond	IND	
Besson, Susan	IND	
Best, Susan	IND	
Bhatia, Priya	IND	
Bhatt, Meghana	IND	
Bianchi, William	IND	
Bianco, Joseph	IND	
Bigelow, Victoria	IND	
Bisetti, Ralph	IND	
Birren, Ted	IND	
Bishops-Jenkins, Jennifer	IND	
Biss, Daniel	IND	
Biss, Jonathan	IND	
Black, Robert	IND	
Bladen, Rebecca	IND	
Blatt, Nanci	IND	
Blatt, Nancie	IND	

Line#	Description	Amount	CTD	Check#
146		11.86		
	Auburn Quad	0.40		
	Auburn Quad	15.80		
	Auburn Quad	1.98		
	Auburn Quad	2.97		
	Auburn Quad	18.77		
	Auburn Quad	3.16		
	Auburn Quad	3.95		
	Auburn Quad	4.74		
	Auburn Quad	11.06		
	Auburn Quad	3.95		
	Auburn Quad	11.85		
	Auburn Quad	0.40		
	Auburn Quad	1.98		
	Auburn Quad	3.56		
	Auburn Quad	1.98		
	Auburn Quad	31.61		
	Auburn Quad	61.82		
	Auburn Quad	3.95		
	Auburn Quad	3.95		
	Auburn Quad	1.98		
	Auburn Quad	3.95		

Line#	Date	Individual/Organization	Amount	CTD	Check#
10/14/2007	10/14/2007	Auburn Quad	11.86		
10/14/2007	10/14/2007	Auburn Quad	0.40		
10/14/2007	10/14/2007	Auburn Quad	15.80		
10/21/2007	10/21/2007	Auburn Quad	1.98		
10/21/2007	10/21/2007	Auburn Quad	2.97		
10/24/2007	10/24/2007	Auburn Quad	18.77		
10/28/2007	10/28/2007	Auburn Quad	3.16		
10/28/2007	10/28/2007	Auburn Quad	3.95		
10/28/2007	10/28/2007	Auburn Quad	4.74		
10/28/2007	10/28/2007	Auburn Quad	11.06		
10/28/2007	10/28/2007	Auburn Quad	3.95		
10/28/2007	10/28/2007	Auburn Quad	11.85		
11/04/2007	11/04/2007	Auburn Quad	0.40		
11/04/2007	11/04/2007	Auburn Quad	1.98		
11/04/2007	11/04/2007	Auburn Quad	3.56		
11/04/2007	11/04/2007	Auburn Quad	1.98		
11/04/2007	11/04/2007	Auburn Quad	31.61		
11/12/2007	11/12/2007	Auburn Quad	61.82		
11/12/2007	11/12/2007	Auburn Quad	3.95		
11/12/2007	11/12/2007	Auburn Quad	3.95		
11/12/2007	11/12/2007	Auburn Quad	1.98		
11/12/2007	11/12/2007	Auburn Quad	3.95		

**STATE OF ILLINOIS  
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS**

Illinois State Board of Elections  
**Complainant**

v.

**08 AP 086**

Friends of John Corrigan  
**Respondent**

S 9443

**REPORT OF HEARING EXAMINER**

Appeal of Civil Penalty Assessment For Failure to File Schedule A-1s  
For the 2008 General Primary Election

This Committee received 3 contributions, each for \$1000, one on 1/31/08, the second on 2/2/08, and the third on 2/4/08, but failed to list them on a Schedule A-1. The total assessment is \$3000.

John Corrigan, the Chairman of the Committee, filed a Request for Hearing and an Appeal Affidavit. The Hearing was held March 30, 2009, at 10:00 am in the Springfield office of the State Board of Elections. Mr. John Corrigan appeared in his own behalf.

On the Affidavit, he addressed each individual contribution.

- (1) In regards to the \$1000 contribution from Jason Friedman received on 1/31/08, he states on the Affidavit that this contribution was actually received by the Citizens for Tom Allen. This was a data entry error and an amended report will be filed to remove this contribution. The contribution was accurately reported by the Citizens for Tom Allen. In addition, Mr. Corrigan testified that he was given the check by Jason Friedman to deliver to the Citizens for Tom Allen, which he did, but in the meantime it was inadvertently recorded as having been received by his committee. Friends of John Corrigan did not receive this contribution.
- (2) In regards to the \$1000 contribution from Daniel Mackey on 2/2/08, the Affidavit reads that the check was written on 2/2/08, but the Committee was not in receipt of the check until after the A-1 reporting period expired. The person who recorded the contribution inadvertently entered the date of the check, as documented by the attached copy of the check, rather than the date of receipt. The attached deposit record from Chase Bank reflects that the check was deposited on 2/18/08. In addition, Mr. Corrigan testified that the check, dated 2/2/08, was mailed to the Committee.

- (3) In regards to the \$1000 contribution from Sharyl Rothschild on 2/4/08, the Affidavit reads that the check was written on 2/4/08, but the Committee was not in receipt of the check until after the A-1 reporting period expired. The person who recorded the contribution inadvertently entered the date of the check, as documented by the attached copy of the check, rather than the date of receipt. The deposit record from Chase Bank reflects that the check was deposited on 2/18/08. In addition, Mr. Corrigan testified that the check, dated 2/4/08, was mailed to the Committee.

In regards to the contribution addressed in item (1), I recommend that the appeal be granted, since records indicate that the contribution was reported as having been received on 2/2/08 by the Citizens for Tom Allen. In regards to the contributions addressed in items (2) and (3), I also recommend that the appeal be granted. In addition to the affidavit, Mr. Corrigan testified that the checks were mailed to his Committee rather than hand-delivered; therefore, it is entirely logical that checks dates 2/2/08 and 2/4/08 would not be received until the election date or later. I further recommend that an amended 2008 June Semi-Annual Report be filed within 30 days of the date of the issuance of the Final Board Order.



---

Sharon Steward – Hearing Examiner  
March 30, 2009

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187  
Springfield, Illinois 62708  
217/782-4141  
Fax: 217/782-5959

James R. Thompson Center  
100 West Randolph, Suite 14-100  
Chicago Illinois 60601  
312/814-6440  
Fax: 312/814-6485



BOARD MEMBERS  
Albert Porter, Chairman  
Bryan Schneider, Vice Chairman  
Patrick Brady  
John Keith  
William McGuffage  
Wanda Rednour  
Jesse Smart  
Robert Walters

EXECUTIVE DIRECTOR  
Daniel W. White  
December 16, 2008

Friends of John Corrigan  
John Corrigan  
311 W Superior St, Ste 209  
Chicago, IL 60654

S9443

Dear Friends of John Corrigan;

This committee has failed to file the following Schedule A-1's, Report of Campaign contributions of more than \$500.00, within 2 business days of receipt as required by the Illinois Campaign Disclosure Act:

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Fine Assessed</u>	<u>Amount of Contribution</u>	<u>Date A-1 Received</u>	<u>Days Late</u>
Jason Friedman	1/31/08	\$1000.00	\$1000.00	*not filed	1
Daniel Mackey	2/2/08	\$1000.00	\$1000.00	*not filed	1
Sharyl Rothschild	2/4/08	\$1000.00	\$1000.00	*not filed	1

The committee is fined a **total** of \$3000.00 for delinquently filing Schedule A-1 reports as required by the Illinois Campaign Disclosure Act. This total **does not** reflect any previously assessed fines.

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b-5) of the Election Code, the Board may impose fines for violations not to exceed 100% of the total amount of the contributions that were untimely reported, but in no case when a fine is imposed shall it be less than 10% of the total amount of the contributions that were untimely reported.

Since this is the first delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$300.00, (10% of the total amount reflected above) if you do not choose to file an appeal under the Board's present policy. The total amount due will be imposed with the issuance of a Final Board Order after the 30-day appeal period had expired. This amount must be paid (including any previously assessed fines), within 30 days of the issuance of the Order.

Enclosed please find Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fines if you believe the civil penalties have been assessed in error. ***If you have a legitimate reason for your delinquent filing, it would behoove you to send in the appeal form since the Board has the discretion to take extenuating and other circumstances into account in determining the amount of your penalty.*** Notice of Appeal must be filed within 30 days of the mailing of this assessment for it to be considered.

09 MAR 16 PM 4:14

State of Illinois )  
County of Sangamon )

BEFORE THE STATE BOARD OF ELECTIONS  
OF THE STATE OF ILLINOIS

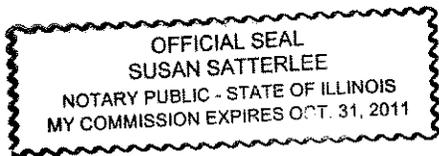
IN THE MATTER OF; )  
ILLINOIS STATE BOARD OF ELECTIONS, )  
Complainant )  
vs. )  
Friends of John Corrigan )  
Respondent(s). )

No. 08APO86

APPEAL AFFIDAVIT

I, John C. Corrigan, the Chairman of the  
(Name) (Chairman/Treasurer)  
Friends of John Corrigan  
(Name of the Committee)

Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:



Subscribed and Sworn to Before me  
This 16<sup>th</sup> Day Of MARCH, 2009

Susan Satterlee  
NOTARY PUBLIC

John C. Corrigan  
(Signature of Chairman/Treasurer)

# John Corrigan

Your values, your ward.

Committeeman  
42nd Ward



March 16, 2009

Mr. Rupert T. Borgsmiller  
Director, Division of Campaign Disclosure  
Illinois State Board of Elections  
100 West Randolph, Suite 14-100  
Chicago, IL 60601

**RE: Friends of John Corrigan Hearing/Case No. 08 AP 086**

Dear Mr. Borgsmiller:

This is in response to your correspondence dated December 16, 2008. In our Semi-Annual Report for the period of 1/1/08 - 6/30/08, the Committee reported the following contributions that are subject to fines with the State Board of Election:

***Jason Friedman made a contribution of \$1000 on 1/31/08.***

This contribution was actually received by **Citizens for Tom Allen**. This was a data entry error and an amendment will be made to the semi-annual report to remove this contribution. Please note that this contribution was recorded with the appropriate committee.

***Daniel Mackey made a contribution of \$1000 on 2/2/08.***

The check was written on 2/2/08, but our committee was not in receipt of the check until after the A-1 reporting period expired. The attached deposit record from Chase Bank reflects that the check was deposited on 2/18/09.

***Sharyl Rothschild made a contribution of \$1000 on 2/4/08.***

The check was written on 2/4/08, but our committee was not in receipt of the check until after the A-1 reporting period expired. The attached deposit record from Chase Bank reflects that the check was deposited on 2/18/09.

**The attached check receipts demonstrate that there were no violations made by Friends of John Corrigan, only clerical errors that will be amended.** As a result, we wish to contest the findings of the Final Order.

If you have any questions please contact me at 312-371-4482.

Sincerely,

John Corrigan, Chairman  
Friends of John Corrigan

20 South Clark Street; Suite 2900  
Chicago, Illinois 60603

312-235-2070 (phone) 312-235-2750 (fax)

john@johncorrigan

151

www.JohnCorrigan.org



**CHASE DEPOSIT** CHECKING SAVINGS   RT NECESSARY

Today's Date: 1-17-08  
 Customer Name: Friends of John Corrigan  
 Account Address: 1133 N. Dearborn St. #3025  
 City, State, Zip: Chicago, IL 60610

DEPOSIT TOTAL \$ 5600.00  
 CHECK TOTAL \$ 5600.00  
 OTHER DEPOSIT TOTAL \$ 0.00  
 LESS CHECK TOTAL \$ 0.00  
**TOTAL \$ 5600.00**

⑆0198719859⑆ ⑆500001020⑆

**CANNON COCHRAN MANAGEMENT SERVICES, INC.** OLD NATIONAL BANK 148353  
 3 EAST WINDY STREET SUITE 500 CHICAGO, ILLINOIS 60602 71-0803 148353

PAY TO THE ORDER OF: Friends of John Corrigan \$1,000.00  
 DATE: 01/04/08

CITIZENS FOR CORRIGAN

⑆148353⑆ ⑆0883000124⑆ ⑆357000836⑆

**SCOTT T. KENNEDY** 11405  
 2347 W. HADDON AVE. CHICAGO, IL 60622-0009

PAY TO THE ORDER OF: Friends of John Corrigan \$50.00  
 DATE: 2/1/08

Lasalle Bank

⑆071000505⑆ ⑆5307929470⑆ ⑆00179⑆

**DANIELLE STILZ** 1070  
 PH 630-450-8130 806 W. WRIGHTWOOD AVE., APT. 3 CHICAGO, IL 60614

PAY TO THE ORDER OF: Friends of John Corrigan \$30.00  
 DATE: 2/1/08

Fifth Third Bank

⑆071923909⑆ ⑆7509432428⑆ ⑆1070⑆

**MICHAEL J. MACKEY** 2998  
 ACCOUNT #2 247 N. WABASH #808 CHICAGO IL 60611

Morison Financial

PAY TO THE ORDER OF: Citizens for John Corrigan \$1000.00  
 DATE: 2/17/08

⑆101218856⑆ ⑆560001304431⑆ ⑆2388⑆

CSX TRANSPORTATION, ETC. 624214

Payee Number: 400377 Date: FEBRUARY 09, 2008 Check Number: 602716

Pay To The Order Of: PROGRAM OF JOHN EDWARDS  
1155 N OGDEN ST APT 202  
CHICAGO, IL 60610-2740

Amount: \$500.00

Signature: [Handwritten Signature]

CSX TRANSPORTATION, ETC. 624214

THE SECURITY FEATURES DIVISION OF CHASE BANK OF AMERICA

FOR MORE INFORMATION ON SECURITY FEATURES VISIT US AT CHASE.COM/SECURITY

CHASE BANK OF AMERICA

SHARYL L. ROTHSCHILD 01-88 6088

1053 APPLE CORN LN. DES PLAINES, IL 60016 Date: 2/4/08 1-6088

Pay to the Order of: Citizens for Congress \$1,000.00

One thousand and no/100 Dollars

LaSalle Bank 450 N 3RD LaSalle Bank, IL Chicago, IL 60601

Signature: [Handwritten Signature]

⑆074000505⑆ 830477849⑆ 6088

RECEIVED

1/17/2008

SHANE L. MACKAY 154

DANIEL J. MACKAY 7057 N OLEANDER AVE CHICAGO, IL 60634-1023 Date: Feb 2, 2008 2-00710

Pay to the Order of: Citizens for Congress \$1,000.00

One thousand and no/100 Dollars

LaSalle Bank 450 N 3RD LaSalle Bank, IL Chicago, IL 60601

Signature: [Handwritten Signature]

⑆074000505⑆ 8804773628⑆ 00154

RECEIVED

1/17/2008

TERRY ATHAS 2149

1118 GLENVIEW RD GLENVIEW IL 60025 Metrow Financial 800-600-1012

DATE: 2/1/08

PAY TO THE ORDER OF: Citizens for Congress \$1,000.00

One thousand and no/100 Dollars

LaSalle Bank 450 N 3RD LaSalle Bank, IL Chicago, IL 60601

Signature: [Handwritten Signature]

⑆074000505⑆ 65600072786697⑆ 2149

RECEIVED

1/17/2008

**STATE OF ILLINOIS  
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS**

Illinois State Board of Elections

**Complainant**

v.

**09 DS 009**

Edwardsville Republican Women

L 2166

**Respondent**

**REPORT OF HEARING EXAMINER**

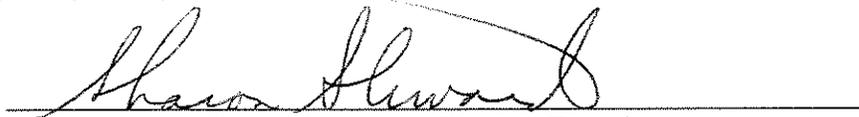
Appeal of Civil Penalty Assessment For Delinquently Filing the  
2008 December Semi-Annual Report

The Report was received on January 28, 2009, 6 days late, resulting in a civil penalty assessment of \$300.

Joyce Pea, the Treasurer of the Committee, filed a Waiver of Appearance and submitted on the Appeal Affidavit the following:

On the Affidavit, Ms. Pea stated that she was vacation in Hawaii in January and mistakenly assumed that she had until January 31<sup>st</sup> to get the report in.

I recommend that the appeal be denied for lack of an adequate defense. As a first violation, the penalty is stayed.



Sharon Steward – Hearing Examiner

April 3, 2009

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187  
Springfield, Illinois 62708  
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Fax: 217/782-5959

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EXECUTIVE DIRECTOR  
Daniel W. White  
February 27, 2009

Edwardsville Republican Women  
Julie Johnson  
7808 Bangert Ln.  
Edwardsville, IL 62035

L2166

Dear Edwardsville Republican Women;

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:	Semiannual Report of Campaign Contributions and Expenditures
Report Period:	July 1, 2008 through December 31, 2008
Filing Period:	January 2, 2009 through January 20, 2009

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received by the Board on January 28, 2009, 6 day(s) late. As such, this committee has been assessed a fine of \$300.00.

Enclosed please find Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. Notice of Appeal must be filed within 30 days of the mailing of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.

Since this is a first time violation, the assessed civil penalty will be *stayed*. Any subsequent violation of any provision of Article 9 of the Election Code or of a Board Order shall result in the assessment of an additional penalty as provided in Section 125.425 of the Rules and Regulations governing the State Board of Elections, with that civil penalty and any previously assessed penalty to be paid within 30 days. Therefore, you need not pay this assessed civil penalty unless another violation occurs.

If you have questions regarding the appeal process, please call Sue McArthur at 217/782-1543.

Sincerely,

A handwritten signature in black ink, appearing to read "Rupert T. Borgsmiller".

Rupert T. Borgsmiller  
Director, Division of Campaign Disclosure

RTB:sm  
Enclosure(s): appeal forms

State of Illinois )  
County of \_\_\_\_\_ )

STATE BOARD OF ELECTIONS

09 MAR 26 PM 3:17

BEFORE THE STATE BOARD OF ELECTIONS  
OF THE STATE OF ILLINOIS

IN THE MATTER OF; )  
ILLINOIS STATE BOARD OF ELECTIONS, )  
Complainant )  
Vs. )  
EDWARDSVILLE REPUBLICAN WOMEN )  
Respondent(s). )

Case No. 09DS009

APPEAL AFFIDAVIT

I, JOYCE PEA, the TREASURER of the  
(Name) (Chairman/Treasurer)  
EDWARDSVILLE REPUBLICAN WOMEN  
(Name of the Committee)

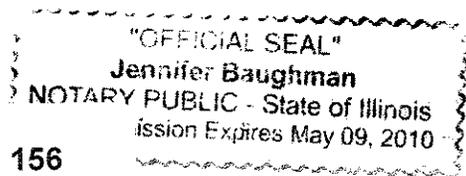
Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

I was vacationing in Hawaii in January. I  
mistakenly assumed that I had until January 31<sup>st</sup>  
to get the report in.

Signed and Sworn to by:

Joyce Pea  
before me this 24 Day of  
March, 2009  
Jennifer Baughman  
Notary Public

Joyce Pea  
(Signature of Chairman/Treasurer)



**STATE OF ILLINOIS  
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS**

Illinois State Board of Elections

**Complainant**

v.

**08 GE 003**

Citizens to Elect Ersel C Schuster

L 2384

**Respondent**

**REPORT OF HEARING EXAMINER**

Appeal of Civil Penalty Assessment

For Delinquently Filing the Pre-Election Report for the 2008 General Election

The Report was received October 22, 2008, 2 days late, resulting in a civil penalty assessment of \$200.

Ersel C Schuster, the Treasurer of the Committee, filed a Waiver of Appearance and submitted on the Appeal Affidavit the following:

On the Affidavit, Ms. Schuster stated that the original documents were actually mailed so they should have been received by the State Board of Elections before the deadline date. In order to determine when the report was mailed, I contacted Ms. Schuster by phone. After she reviewed her records, she determined that the report had been mailed on Saturday morning, the 18<sup>th</sup>.

The report was mailed October 18, 2008, less than 72 hours prior to the filing deadline. Therefore, I recommend that the appeal be denied for lack of an adequate defense. As a first violation the penalty is stayed.



Sharon Steward – Hearing Examiner

March 10, 2009

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187  
Springfield, Illinois 62708  
217/782-4141  
Fax: 217/782-5959

James R. Thompson Center  
100 West Randolph, Suite 14-100  
Chicago Illinois 60601  
312/814-6440  
Fax: 312/814-6485



BOARD MEMBERS  
Albert Porter, Chairman  
Bryan Schneider, Vice Chairman  
Patrick Brady  
John Keith  
William McGuffage  
Wanda Rednour  
Jesse Smart  
Robert Walters

EXECUTIVE DIRECTOR  
Daniel W. White  
December 16, 2008

Citizens to Elect Ersel C Schuster  
Ersel Schuster  
15214 Kiswaukee Valley Rd.  
Woodstock, IL 60098

L2384

Dear Citizens to Elect Ersel C Schuster;

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:	Pre-Election Report of Campaign Contributions
Report Period:	July 1, 2008 through October 5, 2008
Filing Period:	October 6, 2008 through October 20, 2008

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received by the Board on October 22, 2008, 2 day(s) late. As such, this committee has been assessed a fine of \$200.00.

Enclosed please find Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. Notice of Appeal must be filed within 30 days of the mailing of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.

Since this is a first time violation, the assessed civil penalty will be *stayed*. Any subsequent violation of any provision of Article 9 of the Election Code or of a Board Order shall result in the assessment of an additional penalty as provided in Section 125.425 of the Rules and Regulations governing the State Board of Elections, with that civil penalty and any previously assessed penalty to be paid within 30 days. Therefore, you need not pay this assessed civil penalty unless another violation occurs.

If you have questions regarding the appeal process, please call Sue McArthur at 217/782-1543.

Sincerely,

A handwritten signature in black ink, appearing to read "Rupert T. Borgsmiller".

Rupert T. Borgsmiller  
Director, Campaign Disclosure

RTB:sm

Enclosure(s): appeal packet

State of Illinois )  
County of McHenry )

STATE BOARD OF ELECTIONS  
09 JAN -5 AM 11:33

**BEFORE THE STATE BOARD OF ELECTIONS  
OF THE STATE OF ILLINOIS**

IN THE MATTER OF; )  
ILLINOIS STATE BOARD OF ELECTIONS, )  
Complainant )  
Vs. )  
Citizens to Elect Ersel C. Schuster )  
Respondent(s). )

Case No. 08GE003

**APPEAL AFFIDAVIT**

I, Ersel C. Schuster, the Treasurer of the  
(Name) (Chairman/Treasurer)  
Citizens to Elect Ersel C. Schuster  
(Name of the Committee)

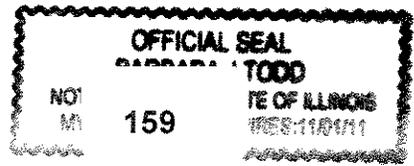
Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

The original documents were actually mailed so they should have been received  
by the State Board of Elections before the deadline date.

Signed and Sworn to by:  
Barbara J. Todd  
Before me this 30th Day of  
December, 2008

Ersel C. Schuster  
(Signature of Chairman/Treasurer)

Notary Public



**STATE OF ILLINOIS  
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS**

Illinois State Board of Elections

**Complainant**

v.

**09 DS 025**

Citizens for Steve Kim

L 8214

**Respondent**

**REPORT OF HEARING EXAMINER**  
Appeal of Civil Penalty Assessment For Delinquently Filing  
The 2008 December Semi-Annual Report

The Report was received on February 9, 2009, 14 days late, resulting in a civil penalty assessment of \$700. In addition, this Committee was assessed a \$100 civil penalty (not appealed, stayed) for delinquently filing the 2006 December Semi-Annual Report. The total assessment is \$800.

Steve Kim, the Chairman of the Committee, filed a Waiver of Appearance and submitted on the Appeal Affidavit the following:

On the Affidavit, Mr. Kim stated that he was out of the country on business and was unable to file the necessary semi-annual report. Due to flight problems and urgent business matters, he was unable to file on time.

I recommend that the appeal be denied for lack of an adequate defense. This committee has been in existence since 1997; therefore, Mr. Kim is aware of his filing requirements. In addition, notification regarding the filing of this report was mailed to the Committee address, which is the same as his personal address, on 12/2/08, and a reminder notification was mailed on 1/12/09. If this recommendation is accepted by the Board, the stay will be lifted from the previously assessed penalty and the total amount of \$800 will be due and owing.

  
\_\_\_\_\_  
Sharon Steward – Hearing Examiner  
March 24, 2009

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187  
Springfield, Illinois 62708  
217/782-4141  
Fax: 217/782-5959

James R. Thompson Center  
100 West Randolph, Suite 14-100  
Chicago Illinois 60601  
312/814-6440  
Fax: 312/814-6485



BOARD MEMBERS  
Albert Porter, Chairman  
Bryan Schneider, Vice Chairman  
Patrick Brady  
John Keith  
William McGuffage  
Wanda Rednour  
Jesse Smart  
Robert Walters

EXECUTIVE DIRECTOR  
Daniel W. White  
February 27, 2009

Citizens for Steve Kim  
Steve Kim  
3351 Old Mill Rd.  
Northbrook, IL 60062

L8214

Dear Citizens for Steve Kim;

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type: Semiannual Report of Campaign Contribution and Expenditures  
Report Period: July 1, 2008 through December 31, 2008  
Filing Period: January 2, 2009 through January 20, 2009

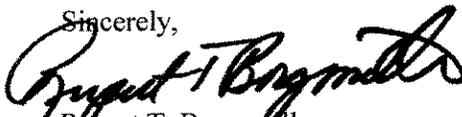
Based upon this committee's failure to comply with the provision of 10 ILCS 5-9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on February 9, 2009, 14 day(s) late. As such, this committee has been assessed a fine of \$700.00.

Enclosed please find the Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. Notice of Appeal must be filed within 30 days of the mailing of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.

If the above listed violation is not appealed and since this is a subsequent violation the previously stayed fine(s) for delinquent filing is now also required to be paid by the committee within 30 days:

Reporting Period	Report Type	Previous Fine Amount
7/1/2006 – 12/31/2006	Semi-annual	\$100.00
<b>TOTAL AMOUNT NOW DUE</b>		<b>\$800.00</b>

If you have any questions regarding the appeal process, please call Sue McArthur at 217/782-1543.

Sincerely,  
  
Rupert T. Borgsmiller  
Director, Division of Campaign Disclosure

RTB:sm  
Enclosure(s) appeal documents

09 MAR 23 AM 11:37

State of Illinois )  
County of COOK )

BEFORE THE STATE BOARD OF ELECTIONS  
OF THE STATE OF ILLINOIS

IN THE MATTER OF; )  
ILLINOIS STATE BOARD OF ELECTIONS, )  
Complainant )  
Vs. )  
Citizens for ~~Steve~~ Steve KIM )  
Respondent(s). )

Case No. 09 DS 025

APPEAL AFFIDAVIT

I, Steve KIM, the Chairman of the  
(Name) (Chairman/Treasurer)  
Citizens for Steve KIM  
(Name of the Committee)

Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

Steve KIM was out of the country  
on business and was unable to file the  
necessary semiannual report. Due to flight problems  
and urgent business matters, I was unable to  
file on time.

Signed and Sworn to by:  
Evelyn Araque  
before me this 19 Day of  
March, 2009

[Signature]  
(Signature of Chairman/Treasurer)

Notary Public 

**STATE OF ILLINOIS  
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS**

Illinois State Board of Elections

**Complainant**

v.

**09 DS 027**

Collinsville-Maryville Republican Central Comm L 8896

**Respondent**

**REPORT OF HEARING EXAMINER**

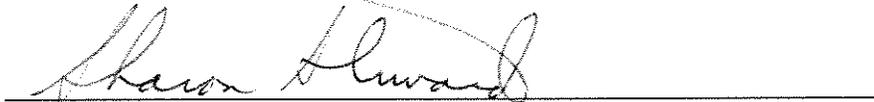
Appeal of Civil Penalty Assessment For Delinquently Filing the  
2008 December Semi-Annual Report

The Report was received January 23, 2009, 3 days late, resulting in a civil penalty assessment of \$150. In addition, this Committee had previously been assessed a \$75 civil penalty (not appealed, stayed) for delinquently filing the 2007 December Semi-Annual Report. The total assessment is \$225.

Mary K. Ehrhardt, the Treasurer of the Committee, filed a Waiver of Appearance and submitted on the Appeal Affidavit the following:

On the Affidavit, Ms. Ehrhardt stated that mail from the U.S. Post Office Box was returned for lack of payment. The Affidavit also mentions prolonged ill health and hospitalization.

I recommend that the appeal be denied for lack of an adequate defense. If this recommendation is accepted by the Board, the stay will be lifted from the previously assessed penalty and the total amount of \$225 will be due and owing.



Sharon Steward – Hearing Examiner

March 30, 2009

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187  
Springfield, Illinois 62708  
217/782-4141  
Fax: 217/782-5959

James R. Thompson Center  
100 West Randolph, Suite 14-100  
Chicago Illinois 60601  
312/814-6440  
Fax: 312/814-6485



BOARD MEMBERS  
Albert Porter, Chairman  
Bryan Schneider, Vice Chairman  
Patrick Brady  
John Keith  
William McGuffage  
Wanda Rednour  
Jesse Smart  
Robert Walters

EXECUTIVE DIRECTOR  
Daniel W. White  
February 27, 2009

Collinsville-Maryville Republican Central Committee  
Brad Greer  
217 Lee Ave  
Collinsville, IL 62234

L8896

Dear Collinsville-Maryville Republican Central Committee;

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:	Semiannual Report of Campaign Contribution and Expenditures
Report Period:	July 1, 2008 through December 31, 2008
Filing Period:	January 2, 2009 through January 20, 2009

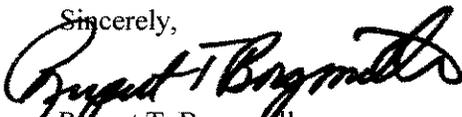
Based upon this committee's failure to comply with the provision of 10 ILCS 5-9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on January 23, 2009, 3 day(s) late. As such, this committee has been assessed a fine of \$150.00.

Enclosed please find the Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. Notice of Appeal must be filed within 30 days of the mailing of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.

If the above listed violation is not appealed and since this is a subsequent violation the previously stayed fine(s) for delinquent filing is now also required to be paid by the committee within 30 days:

Reporting Period	Report Type	Previous Fine Amount
7/1/2007 - 12/31/2007	Semi-annual	\$75.00
<b>TOTAL AMOUNT NOW DUE</b>		<b>\$225.00</b>

If you have any questions regarding the appeal process, please call Sue McArthur at 217/782-1543.

Sincerely,  
  
Rupert T. Borgsmiller  
Director, Division of Campaign Disclosure

RTB:sm  
Enclosure(s) appeal documents

State of Illinois )  
County of MADISON )

STATE BOARD OF ELECTIONS

BEFORE THE STATE BOARD OF ELECTIONS **09 MAR 12 PM 12:11**  
OF THE STATE OF ILLINOIS

IN THE MATTER OF; )  
ILLINOIS STATE BOARD OF ELECTIONS, )  
Complainant )  
Vs. )  
Collinsville Maryville Republican Central Comm )  
Respondent(s). )

Case No. 09 DS 027

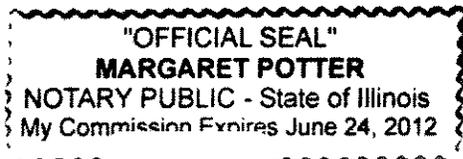
APPEAL AFFIDAVIT

I, MARY K EHRHARDT, the TREASURER of the  
(Name) (Chairman/Treasurer)  
COLLINSVILLE MARYVILLE REPUBLICAN CENTRAL COMMITTEE L 8896  
(Name of the Committee)

Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are: MAIL FROM US POST OFFICE BOX RETURNED FOR LACK OF PAYMENT  
PROLONGED ILL HEALTH + HOSPITALIZATION  
IF MORE INFORMATION IS REQUIRED CALL ME AT 618 344 9040  
OR CELL PHONE 618 444 2175

Signed and Sworn to by:  
MARY EHRHARDT  
before me this 10 Day of  
MAR, 2009  
Margaret Potter  
Notary Public

Mary K Ehrhardt  
(Signature of Chairman/Treasurer)



**STATE OF ILLINOIS  
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS**

Illinois State Board of Elections

**Complainant**

v.

**09 DS 028**

McHenry County Republican Foundation Comm L 8930

**Respondent**

**REPORT OF HEARING EXAMINER**

Appeal of Civil Penalty Assessment For Delinquently Filing the  
2008 December Semi-Annual Report

The Report was received January 22, 2009, 2 days late, resulting in a civil penalty assessment of \$50.

Geri Davis, the Executive Director of the Committee, filed a Waiver of Appearance and submitted on the Appeal Affidavit the following:

On the Affidavit, Ms. Davis stated that the McHenry Postmaster said he has no idea how the report mailed on the same day as the other 7 reports that she completed went to the wrong postal station as indicated on the post mark. She has been filing these reports for 20 years and has never been late.

Section 5/9-10(c) of the Campaign Financing Act reads in part that "...There shall be no fine if the report is mailed and postmarked at least 72 hours prior to the filing deadline..." This report was postmarked January 20, 2009, less than 72 hours prior to the filing deadline. I therefore recommend that the appeal be denied for lack of an adequate defense. As a first violation, the penalty will be stayed.



Sharon Steward – Hearing Examiner  
March 27, 2009

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187  
Springfield, Illinois 62708  
217/782-4141  
Fax: 217/782-5959

James R. Thompson Center  
100 West Randolph, Suite 14-100  
Chicago Illinois 60601  
312/814-6440  
Fax: 312/814-6485



BOARD MEMBERS  
Albert Porter, Chairman  
Bryan Schneider, Vice Chairman  
Patrick Brady  
John Keith  
William McGuffage  
Wanda Rednour  
Jesse Smart  
Robert Walters

EXECUTIVE DIRECTOR  
Daniel W. White  
February 27, 2009

McHenry County Republican Foundation Committee  
POB 723  
McHenry, IL 60051

L8930

Dear McHenry County Republican Foundation Committee;

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:	Semiannual Report of Campaign Contributions and Expenditures
Report Period:	July 1, 2008 through December 31, 2008
Filing Period:	January 2, 2009 through January 20, 2009

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received by the Board on January 22, 2009, 2 day(s) late. As such, this committee has been assessed a fine of \$50.00.

Enclosed please find Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. Notice of Appeal must be filed within 30 days of the mailing of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.

Since this is a first time violation, the assessed civil penalty will be *stayed*. Any subsequent violation of any provision of Article 9 of the Election Code or of a Board Order shall result in the assessment of an additional penalty as provided in Section 125.425 of the Rules and Regulations governing the State Board of Elections, with that civil penalty and any previously assessed penalty to be paid within 30 days. Therefore, you need not pay this assessed civil penalty unless another violation occurs.

If you have questions regarding the appeal process, please call Sue McArthur at 217/782-1543.

Sincerely,

A handwritten signature in black ink, appearing to read "Rupert T. Borgsmiller".

Rupert T. Borgsmiller  
Director, Division of Campaign Disclosure

RTB:sm  
Enclosure(s): appeal forms

State of Illinois )  
County of Mc Henry )

STATE BOARD OF ELECTIONS  
09 MAR 11 PM 12:50

BEFORE THE STATE BOARD OF ELECTIONS  
OF THE STATE OF ILLINOIS

IN THE MATTER OF; )  
ILLINOIS STATE BOARD OF ELECTIONS, )  
Complainant )  
Vs. )  
GERI DAVIS )  
Respondent(s). )

Case No. 09 DS 028

APPEAL AFFIDAVIT

I, GERI DAVIS, the Executive Director of the  
(Name) (Chairman/Treasurer)  
Mc Henry County Republican Foundation Com.  
(Name of the Committee)

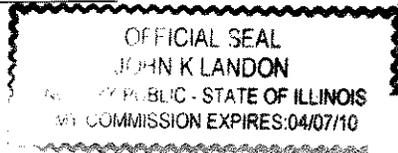
Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

The Mc Henry County Postmaster said he has no idea  
how the report mailed on same day as the other 7 reports  
that I completed went to the wrong postal station as  
indicated on the post master signs office advised me  
off. I have been filing these reports for 20 years & have  
never been late.

Signed and Sworn to by:  
Geri Davis  
before me this 9 Day of  
March, 2009

Geri Davis  
(Signature of Chairman/Treasurer)

Notary Public



**STATE OF ILLINOIS  
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS**

Illinois State Board of Elections

**Complainant**

v.

**09 DS 052**

Friends of Brad Mills      L 12693

**Respondent**

**REPORT OF HEARING EXAMINER**

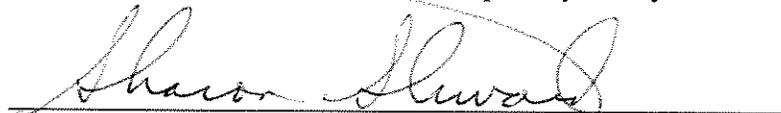
Appeal of Civil Penalty Assessment For Delinquently Filing the  
2008 December Semi-Annual Report

The Report was received January 26, 2009, 4 days late, resulting in a civil penalty assessment of \$100.

Bradley R. Mills, the Chairman of the Committee, filed a Waiver of Appearance and submitted on the Appeal Affidavit the following:

On the Affidavit, Mr. Mills stated that the e-mail address of the treasurer was changed. Notification to all parties was sent. Thought return receipt was in from the Board. Has been on time in the past and campaign funds are at a minimum. Addressed problem promptly with both chairman and treasurer via e-mail and phone.

I recommend that the appeal be denied for lack of an adequate defense. In regards to the e-mail address of the treasurer, this committee did not opt for e-mail notification until January 22, 2009. In addition, this Committee has never filed its reports electronically either prior to or after the paper filing of this report. As a first violation, the penalty is stayed.



Sharon Steward – Hearing Examiner

March 31, 2009

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187  
Springfield, Illinois 62708  
217/782-4141  
Fax: 217/782-5959

James R. Thompson Center  
100 West Randolph, Suite 14-100  
Chicago Illinois 60601  
312/814-6440  
Fax: 312/814-6485



BOARD MEMBERS  
Albert Porter, Chairman  
Bryan Schneider, Vice Chairman  
Patrick Brady  
John Keith  
William McGuffage  
Wanda Rednour  
Jesse Smart  
Robert Walters

EXECUTIVE DIRECTOR  
Daniel W. White  
February 27, 2009

Friends of Brad Mills  
Brad Mills  
2809 Piper Rd  
Springfield, IL 62707

L12693

Dear Friends of Brad Mills;

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:	Semiannual Report of Campaign Contributions and Expenditures
Report Period:	July 1, 2008 through December 31, 2008
Filing Period:	January 2, 2009 through January 20, 2009

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received by the Board on January 26, 2009, 4 day(s) late. As such, this committee has been assessed a fine of \$100.00.

Enclosed please find Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. Notice of Appeal must be filed within 30 days of the mailing of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.

Since this is a first time violation, the assessed civil penalty will be *stayed*. Any subsequent violation of any provision of Article 9 of the Election Code or of a Board Order shall result in the assessment of an additional penalty as provided in Section 125.425 of the Rules and Regulations governing the State Board of Elections, with that civil penalty and any previously assessed penalty to be paid within 30 days. Therefore, you need not pay this assessed civil penalty unless another violation occurs.

If you have questions regarding the appeal process, please call Sue McArthur at 217/782-1543.

Sincerely,

A handwritten signature in black ink, appearing to read "Rupert T. Borgsmiller".

Rupert T. Borgsmiller  
Director, Division of Campaign Disclosure

RTB:sm  
Enclosure(s): appeal forms

State of Illinois )  
County of SANGAMON )

STATE BOARD OF ELECTIONS

09 MAR 24 PM 1:25

BEFORE THE STATE BOARD OF ELECTIONS  
OF THE STATE OF ILLINOIS

IN THE MATTER OF; )  
ILLINOIS STATE BOARD OF ELECTIONS, )  
Complainant )  
Vs. )  
Friends of Brad Mills )  
Respondent(s). )

Case No. 09 DS 052

APPEAL AFFIDAVIT

I, Bradley R Mills, the Chairman of the  
(Name) (Chairman/Treasurer)  
Friends of Brad Mills  
(Name of the Committee)

Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

Email Address of Treasurer was changed, notification to ALL parties was sent; thought return receipt was in from SBOE. Have been on time in the past & Campaign Funds are at minimum. Addressed problem promptly both Chairman & Treas. Email & phone

Signed and Sworn to by:

Bradley R. Mills  
before me this 24<sup>th</sup> Day of  
March, 2009, 2009  
Cheryl Kay Walker  
Notary Public

Bradley R Mills  
(Signature of Chairman/Treasurer)



**STATE OF ILLINOIS  
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS**

Illinois State Board of Elections  
**Complainant**

v.

**09 DS 064**

Citizens for John F Sweeney      L 13647  
**Respondent**

**REPORT OF HEARING EXAMINER**  
Appeal of Civil Penalty Assessment for Delinquently Filing  
The 2008 December Semi-Annual Report

The Report was received on January 23, 2009, 3 days late, resulting in a civil penalty assessment of \$300. In addition, the Committee had previously been assessed a \$150 civil penalty (stayed, not appealed) for delinquently filing the 2008 June Semi-Annual Report. The total assessment is \$450.

John F. Sweeney, the Chairman of the Committee, filed a Waiver of Appearance, and submitted on the Appeal Affidavit the following: On the Affidavit, Mr. Sweeney stated that he was in contact with the Board during the lunch hour on January 20<sup>th</sup>. He was unable to remember his filer ID and password. He was promised a return phone call from an individual with that information, and the call never came. He tried back around 5:00 pm, and there was no pick-up. He says he knows he waited until the last moment to do this, but he was very much sidetracked because his wife was giving birth any day.

Mr. Sweeney states that he forgot his filer identification number and password and called the Board on the 20<sup>th</sup>, but did not receive a call back. He then states that he tried at 5:00 pm, but no one answered. Disclosure staff took calls until 5:30 pm on the 20<sup>th</sup>. In addition, if he did not receive a call back in a reasonable length of time, the prudent thing to do would be to call again. In addition, the report was not filed with the Board until three days later; knowing that the report was going to be late, one would assume that he would be in contact with the Board the morning of the 21<sup>st</sup>, rather than waiting until the 23<sup>rd</sup> to file. I therefore recommend that the appeal be denied for lack of an adequate defense. If this recommendation is accepted by the Board, the stay will be lifted from the previously assessed penalty and the total amount of \$450 will be due and owing.



---

Sharon Steward – Hearing Examiner  
April 7, 2009

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187  
Springfield, Illinois 62708  
217/782-4141  
Fax: 217/782-5959

James R. Thompson Center  
100 West Randolph, Suite 14-100  
Chicago Illinois 60601  
312/814-6440  
Fax: 312/814-6485



BOARD MEMBERS  
Albert Porter, Chairman  
Bryan Schneider, Vice Chairman  
Patrick Brady  
John Keith  
William McGuffage  
Wanda Rednour  
Jesse Smart  
Robert Walters

EXECUTIVE DIRECTOR  
Daniel W. White  
February 27, 2009

Citizens for John F Sweeney  
3811 Burrmont Rd  
Rockford, IL 61107

L13647

Dear Citizens for John F Sweeney;

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:	Semiannual Report of Campaign Contribution and Expenditures
Report Period:	July 1, 2008 through December 31, 2008
Filing Period:	January 2, 2009 through January 20, 2009

Based upon this committee's failure to comply with the provision of 10 ILCS 5-9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on January 23, 2009, 3 day(s) late. As such, this committee has been assessed a fine of \$300.00.

Enclosed please find the Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. Notice of Appeal must be filed within 30 days of the mailing of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.

If the above listed violation is not appealed and since this is a subsequent violation the previously stayed fine(s) for delinquent filing is now also required to be paid by the committee within 30 days:

<u>Reporting Period</u>	<u>Report Type</u>	<u>Previous Fine Amount</u>
1/1/2008 – 6/30/2008	Semi-annual	\$150.00
<b>TOTAL AMOUNT NOW DUE</b>		<b>\$450.00</b>

If you have any questions regarding the appeal process, please call Sue McArthur at 217/782-1543.

Sincerely,

A handwritten signature in black ink, appearing to read "Rupert T. Borgsmiller".

Rupert T. Borgsmiller  
Director, Division of Campaign Disclosure

RTB:sm  
Enclosure(s) appeal documents

State of Illinois )  
County of \_\_\_\_\_ )

STATE BOARD OF ELECTIONS  
09 MAR -9 PM 1:42

BEFORE THE STATE BOARD OF ELECTIONS  
OF THE STATE OF ILLINOIS

IN THE MATTER OF; )  
ILLINOIS STATE BOARD OF ELECTIONS, )  
Complainant )  
Vs. )  
Citizens for John F. Sweeney )  
Respondent(s). )

Case No. 09 DS 064

APPEAL AFFIDAVIT

I, John F. Sweeney, the Chairman of the  
(Name) (Chairman/Treasurer)  
Citizens for John F. Sweeney  
(Name of the Committee)

Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

cl was in contact with the State Board of Elections during the lunch  
hour on Jan. 20<sup>th</sup>. cl was unable to remember my filer ID and  
password. cl was promised a returned phone call from an individual  
with that information, and the call never came. cl tried back

around 5:00pm, and there was no pick-up. cl know cl waited till the  
last moment to do this, but cl was very much sidetracked because my wife was  
giving birth that day. Sorry!

Signed and Sworn to by:

before me this 4 Day of  
March, 2009  
Lisa Miller  
Notary Public

[Signature]  
(Signature of Chairman/Treasurer)



03-04-2009

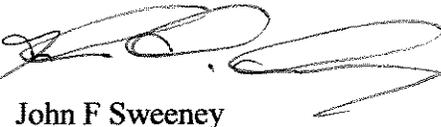
Dear State Board of Elections,

I am writing this letter to you as a follow up to my handwritten defense on the Appeal Affidavit.

I absolutely acknowledge that I waited up until the last minute of the filing date, and in the future I will no longer do that. I did speak with an individual during the day at the State Board of Elections about getting my filer ID and my password. At that time I was told that they were very busy, and that I would receive a call back before everyone left for the day with that information. I was ok with this because I knew that since I was filing electronically I could do it after 5:00pm and still be on time. However, that phone call never came, and I tried calling back anyway with no answer from the State Board of Elections office.

I am not blaming the State Board of Elections for my being late because I did procrastinate, but perhaps that incident does something in my favor. I am pledging to not make such silly mistakes in the future. My wife was at full term in her pregnancy during that time as well, and my mind was all over the place just trying to get things in order (especially just after an intense election season last November). If there is any circumstance or way that would allow me to not be fined for my mistakes, I would greatly appreciate it. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read 'John F. Sweeney', with a stylized, flowing script.

John F Sweeney

**STATE OF ILLINOIS  
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS**

Illinois State Board of Elections  
**Complainant**

v.

**09 DS 074**

Friends of Nero                      L 14460  
**Respondent**

**REPORT OF HEARING EXAMINER**  
Appeal of Civil Penalty Assessment For Delinquent Filing  
the 2008 December Semi-Annual Report

The Report was received on February 11, 2009, 16 days late, resulting in a civil penalty assessment of \$400.

Steve T. Nero, the Chairman of The Committee, filed a Waiver of Appearance and submitted on the Appeal Affidavit the following: On the Affidavit, he states that on 11/20/08, he submitted an amended D-1 to change his mailing address from Downers Grove to Westmont, because this is what he was told to do by the Westmont Post Office. He never received any mail from the Board until his treasurer received a delinquency letter on February 11<sup>th</sup>. He immediately filed the report and filed another amended D-1 correcting the address. He stated that he filed late because he was unaware he needed to file a semi-annual report and assumed a reminder would have come in the mail like it always has. Since it didn't, he thought he would have to just do a pre-election report. Now that the mail issue is corrected, this won't happen again. He asks that the violation be removed from the Committee.

On December 2, 2008, a notification was sent to the Committee address on file, and on January 12, 2009, a reminder was sent. I therefore recommend that the appeal be denied for lack of an adequate defense, as notification was mailed to the Committee. As a first violation, the penalty is stayed.



---

Sharon Steward – Hearing Examiner  
April 7, 2009

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187  
Springfield, Illinois 62708  
217/782-4141  
Fax: 217/782-5959

James R. Thompson Center  
100 West Randolph, Suite 14-100  
Chicago Illinois 60601  
312/814-6440  
Fax: 312/814-6485



BOARD MEMBERS  
Albert Porter, Chairman  
Bryan Schneider, Vice Chairman  
Patrick Brady  
John Keith  
William McGuffage  
Wanda Rednour  
Jesse Smart  
Robert Walters

EXECUTIVE DIRECTOR  
Daniel W. White  
February 27, 2009

Friends of Nero  
Steven Nero  
28 W 61st St  
Westmont, IL 60516

L14460

Dear Friends of Nero;

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:	Semiannual Report of Campaign Contributions and Expenditures
Report Period:	July 1, 2008 through December 31, 2008
Filing Period:	January 2, 2009 through January 20, 2009

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received by the Board on February 11, 2009, 16 day(s) late. As such, this committee has been assessed a fine of \$400.00.

Enclosed please find Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. Notice of Appeal must be filed within 30 days of the mailing of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.

Since this is a first time violation, the assessed civil penalty will be *stayed*. Any subsequent violation of any provision of Article 9 of the Election Code or of a Board Order shall result in the assessment of an additional penalty as provided in Section 125.425 of the Rules and Regulations governing the State Board of Elections, with that civil penalty and any previously assessed penalty to be paid within 30 days. Therefore, you need not pay this assessed civil penalty unless another violation occurs.

If you have questions regarding the appeal process, please call Sue McArthur at 217/782-1543.

Sincerely,

A handwritten signature in black ink, appearing to read "Rupert T. Borgsmiller".

Rupert T. Borgsmiller  
Director, Division of Campaign Disclosure

RTB:sm  
Enclosure(s): appeal forms

State of Illinois )  
County of DuPage )

STATE BOARD OF ELECTIONS

09 MAR -9 PM 1:37

BEFORE THE STATE BOARD OF ELECTIONS  
OF THE STATE OF ILLINOIS

IN THE MATTER OF; )  
ILLINOIS STATE BOARD OF ELECTIONS, )  
Complainant )  
Vs. )  
Friends of Nero )  
Respondent(s). )

Case No. 09 DS 074

APPEAL AFFIDAVIT

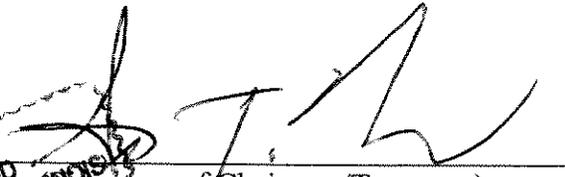
I, Steve T. Nero, the Chairman of the  
(Name) (Chairman/Treasurer)  
Friends of Nero  
(Name of the Committee)

Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

First, on Behalf of Friends of Nero, I apologize for  
the mishap. I would like to explain why the reports were  
not filed on time. On 11/20/2008, I submitted an  
O-1 form to change my mailing address from ~~Westmont~~  
Downers Grove to Westmont. I did this →

Signed and Sworn to by:

STEVE T. NERO  
before me this 6th Day of  
March 2009

  
\_\_\_\_\_  
(Signature of Chairman/Treasurer)  
OFFICIAL SEAL  
SAMINA D. VARIEND  
NOTARY PUBLIC, STATE OF ILLINOIS  
My Commission Exp. 7-23-2011

Notary Public

because I was told by the Westmont Post Office I could receive mail at this address. ~~That~~ That ended up being false. I didn't receive any mail from the election commission, supporters or friends. I was unaware of this until my treasurer (Frank Rogers) received a letter from the election commission saying Friends of Nero failed to file reports. That day after (2/11/09) I filed all appropriate materials. Immediately following that I filed a new D-1 correcting my address, so mail would be delivered. I then found out from a supervisor at the Post Office that my town is Westmont, but my mailing address is Downers Grove. I filed late because I was unaware I needed to submit a semi-annual at this time. I assumed a reminder would have come in the mail like it always has. Since it didn't, I thought I would have to just do a pre-election report. There is no reason but that as to why I didn't submit my reports on time. Now that the mail issue is corrected, this won't happen again. Please erase this violation towards my committee because of the reason listed above. I look forward to your reply.

Best,



Chairman

STATE OF ILLINOIS  
COUNTY OF SANGAMON

BEFORE THE STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

Illinois State Board of Elections

**Complainant**

v.

09 DS 079

Friends of Gerald Frazier

L 14519

**Respondent**

**REPORT OF HEARING EXAMINER**

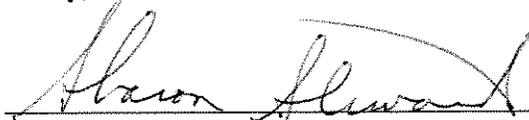
Appeal of Civil Penalty Assessment For Delinquently Filing the  
2008 December Semi-Annual Report

The Semi-Annual Report and the Final Report were received January 26, 2009, 4 days late, resulting in a civil penalty assessment of \$200. In addition, this Committee had previously been assessed a civil penalty of \$425 for delinquently filing the 2008 June Semi-Annual Report. The total assessment is \$625.

Gerald Frazier, the Chairman of the Committee, filed a Waiver of Appearance and submitted on the Appeal Affidavit the following:

On the Affidavit, Mr. Frazier stated that the penalty is grossly punitive for small committees like his. Their treasurer had to abruptly abandon their duty to attend to personal family issues. The Committee existed for approximately one year and has been inactive for over eight months.

I recommend that the appeal be denied for lack of an adequate defense. If this recommendation is accepted, the stay will be lifted and the total assessed penalty is \$625. However, since the Committee has filed a Final Report, I further recommend that should the Committee remain dissolved for a period of two years following the date of the Final Order imposing the penalty, the fine be abated.



---

Sharon Steward – Hearing Examiner

April 1, 2009

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187  
Springfield, Illinois 62708  
217/782-4141  
Fax: 217/782-5959

James R. Thompson Center  
100 West Randolph, Suite 14-100  
Chicago Illinois 60601  
312/814-6440  
Fax: 312/814-6485



BOARD MEMBERS  
Albert Porter, Chairman  
Bryan Schneider, Vice Chairman  
Patrick Brady  
John Keith  
William McGuffage  
Wanda Rednour  
Jesse Smart  
Robert Walters

EXECUTIVE DIRECTOR  
Daniel W. White  
February 27, 2009

Friends of Gerald Frazier  
Wendy Campbell  
8842 S Bennett  
Chicago, IL 60617

L14519

Dear Friends of Gerald Frazier;

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type: Semiannual Report of Campaign Contribution and Expenditures  
Report Period: July 1, 2008 through December 31, 2008  
Filing Period: January 2, 2009 through January 20, 2009

Based upon this committee's failure to comply with the provision of 10 ILCS 5-9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on January 26, 2009, 4 day(s) late. As such, this committee has been assessed a fine of \$200.00.

Enclosed please find the Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. Notice of Appeal must be filed within 30 days of the mailing of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.

If the above listed violation is not appealed and since this is a subsequent violation the previously stayed fine(s) for delinquent filing is now also required to be paid by the committee within 30 days:

<u>Reporting Period</u>	<u>Report Type</u>	<u>Previous Fine Amount</u>
1/1/2008 – 6/30/2008	Semi-annual	\$425.00
<b>TOTAL AMOUNT NOW DUE</b>		<b>\$625.00</b>

If you have any questions regarding the appeal process, please call Sue McArthur at 217/782-1543.

Sincerely,

Rupert T. Borgsmiller  
Director, Division of Campaign Disclosure

RTB:sm  
Enclosure(s) appeal documents

09 MAR 27 AM 11:41

State of Illinois )  
County of \_\_\_\_\_ )

BEFORE THE STATE BOARD OF ELECTIONS  
OF THE STATE OF ILLINOIS

IN THE MATTER OF; )  
ILLINOIS STATE BOARD OF ELECTIONS, )  
Complainant )  
vs. )  
Friends of Gerald Frazier )  
Respondent(s). )

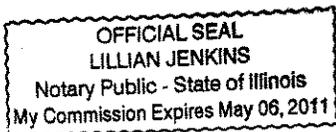
No. 09 DS 079

APPEAL AFFIDAVIT

I, Gerald Frazier, the Chairman of the  
(Name) (Chairman/Treasurer)  
Friends of Gerald Frazier  
(Name of the Committee)

Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

1. The penalty is grossly punitive for small committees like Friends of Gerald Frazier. Our committee never raised any significant funds and the civil penalty of \$625.00 is more than have of the monies that the committee raised and spent.
2. Our treasurer had to abruptly abandon their duty to attend to personal family issues.
3. Friends of Gerald Frazier committee existed for approximetely one year and has been inactive for over eight months.
4. Large penalties to small committees discourage communities from participating in the election process.



Subscribed and Sworn to Before me  
This 24 Day Of March, 2009

Lillian Jenkins  
NOTARY PUBLIC

[Signature]  
(Signature of Chairman/Treasurer)

**STATE OF ILLINOIS  
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS**

Illinois State Board of Elections

**Complainant**

v.

**09 DS 099**

ReNew it! Now

L 14803

**Respondent**

**REPORT OF HEARING EXAMINER**

Appeal of Civil Penalty Assessment For Delinquently Filing the  
2008 December Semi-Annual Report

The Report was received January 21, 2009, 1 day late resulting in a civil penalty assessment of \$25. In addition, the Committee had previously been assessed a civil penalty of \$500 (not appealed, stayed) for delinquently filing the pre-election report for the 2008 General Election. The total assessment is \$525.

Anthony Deany, the Treasurer of the Committee, filed a Waiver of Appearance and submitted on the Appeal Affidavit the following:

On the Affidavit, Mr. Deany stated that he tried to submit the pre-election report on time, but the original submission was lost in the mail; the copy sent to Springfield was delayed due to his illness. He was treated for complications of a pre-existing medical condition. The Semi-Annual report was late less than 1 day because he was led to believe by the guards at the elevator that the Board was closed and no one was available to take the filing until the next morning. The Committee is in the process of dissolving. He asks that the assessments be withdrawn.

In regards to the penalty assessed for the delinquently filed semi-annual report, I recommend that the appeal be denied for lack of an adequate defense. In regards to the pre-election report, the period for appealing that penalty had expired and a final order had been issued on February 18, 2009; therefore, the appeal in regards to the pre-election report, cannot be addressed. If this recommendation is accepted by the Board, the stay will be lifted from the previously assessed penalty, and the total amount of \$525 will be due and owing.



---

Sharon Steward – Hearing Examiner

April 3, 2009

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187  
Springfield, Illinois 62708  
217/782-4141  
Fax: 217/782-5959

James R. Thompson Center  
100 West Randolph, Suite 14-100  
Chicago Illinois 60601  
312/814-6440  
Fax: 312/814-6485



BOARD MEMBERS  
Albert Porter, Chairman  
Bryan Schneider, Vice Chairman  
Patrick Brady  
John Keith  
William McGuffage  
Wanda Rednour  
Jesse Smart  
Robert Walters

EXECUTIVE DIRECTOR  
Daniel W. White  
February 27, 2009

ReNew it! Now  
Anthony Deaty  
POB 5699  
Villa Park, IL 60181

L14803

Dear ReNew it! Now;

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type: Semiannual Report of Campaign Contribution and Expenditures  
Report Period: July 1, 2008 through December 31, 2008  
Filing Period: January 2, 2009 through January 20, 2009

Based upon this committee's failure to comply with the provision of 10 ILCS 5-9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on January 21, 2009, 1 day(s) late. As such, this committee has been assessed a fine of \$25.00.

Enclosed please find the Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. Notice of Appeal must be filed within 30 days of the mailing of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.

If the above listed violation is not appealed and since this is a subsequent violation the previously stayed fine(s) for delinquent filing is now also required to be paid by the committee within 30 days:

Reporting Period	Report Type	Previous Fine Amount
7/1/2008 - 10/5/2008	Pre-election	\$500.00
<b>TOTAL AMOUNT NOW DUE</b>		<b>\$525.00</b>

If you have any questions regarding the appeal process, please call Sue McArthur at 217/782-1543.

Sincerely,

Rupert T. Borgsmiller  
Director, Division of Campaign Disclosure

RTB:sm  
Enclosure(s) appeal documents

State of Illinois )  
County of DuPage )

CHICAGO

NOV 23 11 3: 19

BEFORE THE STATE BOARD OF ELECTIONS  
OF THE STATE OF ILLINOIS

IN THE MATTER OF; )  
ILLINOIS STATE BOARD OF ELECTIONS, )  
Complainant )  
Vs. )  
Renew It Now )  
Respondent(s). )

Case No. 09 DS 099

APPEAL AFFIDAVIT

I, ANTHONY DEANY, the TREASURER of the  
(Name) (Chairman/Treasurer)  
Renew IT Now!  
(Name of the Committee)

Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

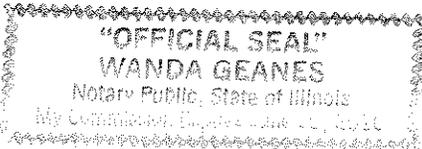
I tried to submit ~~the~~ Pre ELECTION report and on time  
but original submission was lost in us mail; copy sent  
to Springfield was delayed due to my illness - treated for  
complications of a pre-existing medical condition.

Terri-Anne report was late less than 1 day because I  
was lead to believe by guards near election that  
State Board of Elections were closed -

Signed and Sworn to by:  
ANTHONY G. DEANY  
before me this 26 Day of  
03, 2009  
Wanda Geanes  
Notary Public

Anthony G Deany  
(Signature of Chairman/Treasurer)

and that no one was available to take  
files until next morning.



The Nelson St Now Committee is in the process of dissolving. Full documentation will be sent to the State Board of Elections after our Committee signs the necessary documents.

Therefore, on behalf of Nelson St Now - we ask that these Assessments be withdrawn. I have attached a copy of my personal medical file to substantiate I was dealing with a medical condition.

**Loyola University  
Health System**

Anthony G Deany (MR# 1296613)



**LOYOLA  
MEDICINE**

*We also treat the human spirit.\**

01/28/09  
10/20/08 Fri 3:20

**Visit and Patient Information**

<b>Patient Demographics</b>	<b>Address</b> 320 N HARVARD AVE #C VILLA PARK, IL 60181	<b>Phone</b> 630-832-7102 (Home) 312-655-7000 (Work)
-----------------------------	--	--

<b>Coverage Information</b>	<b>Payor</b> BLUE CROSS	<b>Group No.</b> H81915	<b>Plan</b> LUMC BC/BS OF IL HMO	<b>Plan No.</b> 30234	<b>Patient Insurance ID</b> XOH845000780
-----------------------------	----------------------------	----------------------------	-------------------------------------	--------------------------	---

<b>Contact Information</b>	<b>Emergency Contact</b> DEANY, KEVIN	<b>Relationship</b> SISTER/BROTHER	<b>Home Phone</b> 630-515-0230	<b>Work Phone</b> 312-223-9536
----------------------------	--	---------------------------------------	-----------------------------------	-----------------------------------

<b>Visit Information</b>	<b>Date &amp; Time</b> 10/20/2008 7:00 PM	<b>Provider</b> Timothy Vavra, M.D., MD	<b>Department</b> Obtpc Internal Med
--------------------------	--	---	---

**Allergies**

**Allergies as of 10/20/2008** (No Known Allergies)  
Date Reviewed: 10/20/2008

**Current Medications**

**Encounter Medications (as of 10/20/2008)**

<b>Outpatient Medications</b>	<b>Medication</b>	<b>Quantity</b>	<b>Refills</b>	<b>Start</b>	<b>End</b>
	PEG 3350-KCL-NACB-NACL-NASULF (COLYTE) 240 GM PO SOLR Sig: use as directed Route: Oral	1	0	10/20/2008	
	PSEUDOEPHEDRINE-GUAIFENESIN (ENTEX PSE) 120-400 MG PO CP12 (Discontinued) Sig: 1 CAPSULE TWICE DAILY AS NEEDED Route: Oral	14	0	4/18/2008	10/20/2008

**Immunizations and Injections**

**Problem List**

**Visit Summary**

**Referring Provider** Timothy M Vavra

**Reason for Visit** Physical flare up of celiac disease, persistent bronchitis

**Diagnoses** Irritable Bowel Syndrome [564.1]  
Cough [786.2]  
Special Screening for Malignant Neoplasms, Colon [V76.51]

**History & Physicals**

**Progress Notes**

**Progress Notes** Timothy Vavra, M.D., DO Mon Oct 20, 2008 7:05 PM Signed  
SUBJECTIVE: 49y male complaining of persistent cough for 1 month(s).  
The patient describes o sob or fevers  
Had cold  
Stress and IBS-

Lot of IBS-  
 The patient denies a history of fevers  
 Stools const to diarrhea  
 Wt gain.  
 Smoking history: No.  
 Relevant past medical history: Positive for

**Past Medical History**

Diagnosis	Date
• CELIAC DISEASE	

**OBJECTIVE:** The patient appears healthy, alert, no distress.  
**EARS:** External ears normal. Canals clear. TM's normal.  
**NOSE/SINUS:** Nares normal. Septum midline. Mucosa normal. No drainage or sinus tenderness.  
**THROAT:** normal  
**NECK:** Neck supple. No adenopathy. Thyroid symmetric, normal size.  
**CHEST:** Clear to auscultation  
**CV:** RRR no m  
 Abd- soft no hsm

**ASSESSMENT:** See Visit Diagnosis in EpicCare.

**PLAN:** See orders.  
 In addition, I have suggested that the patient

**Encounter Diagnoses**

Code	Name	Primary?	Qualifier
• 564.1	Irritable Bowel Syndrome Likely all causing these Will deal with stress at work		
• 786.2	Cough Otc mucinex dm		
• V76.51	Special Screening for Malignant Neoplasms, Colon Is due		
<i>Plan:</i>	<i>COLONOSCOPY CA SCREEN, COLYTE 240 GM PO SOLR</i>		

**Nursing Notes**

**Visit Notes** CICELY JONES Mon Oct 20, 2008 6:51 PM  
 Has been dealing with bronchitis since Sept. Dry haggng cough and difficulty sleeping. Has tried OTC meds, humidifier, and water orally. Also concerned that he may be having flare up of celiac disease as his bowels have been more irregular, feeling more absent minded, lack of concentration, fatigue, "droopy" eyesight. Pt states he is diligent with gluten-free diet. Concerned stress may be triggering. Would like to discuss other ways he can help reduce flare-ups.

**Vitals**

**Current Vitals**

User	Date & Time	BP	Pulse	Temp (Src)	Resp	Ht	Wt
Cicely Jones	10/20/2008 6:51 PM	130/90	N/A	N/A (N/A)	N/A	N/A	109.77 kg (242 lb)

**All Flowsheet Data**

**Orders**

Order Summary	Future Orders	Expected By	Expires
	COLONOSCOPY CA SCREEN [A200030] Order #: 52166781		10/20/09
	<b>Medications</b> PEG 3350-KCL-NACB-NACL-NASULF (COI		
		• O SOLR Order #: 52166782	

**Lab Results**

**Results**

\*\* None \*\*

**Radiology Results**

**Results**

\*\* None \*\*

**Other Results**

**Results**

\*\* None \*\*

**Level of Service**

**Level Of Service** Level of Service

ESTAB. PT, OP, LEVEL 3, MOD (P-99213) [99213]

After Visit Summary Report

**Instructions and Follow-Up**

**Documents Filed to Patient**

Power of Attorney	Not on file
Advance Directives	Not on file
Code Status	Not on file
myLoyola Status	Inactive

**Documents Filed to Encounter**

None

**Encounter Scans**

- 10/20/2008 There are no scans attached to this encounter.

**Order-Level**

**Scans** - There are no order-level scans attached to this encounter.

10/20/2008

**Patient-Level**

**Scans** Scan on 4/18/08 by Donzal, Donna : service area default

Scan on 4/18/08 by Donzal, Donna

Scan on 4/13/06 by Admin, Loyola : Conversion

**Encounter Status** Closed by Timothy Vavra, M.D., DO on 10/20/08 at 7:05 PM

STATE OF ILLINOIS  
COUNTY OF SANGAMON

BEFORE THE STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

Illinois State Board of Elections

**Complainant**

v.

**09 DS 101**

Committee to Elect Jim Soeldner

L 14820

**Respondent**

**REPORT OF HEARING EXAMINER**

Appeal of Civil Penalty Assessment

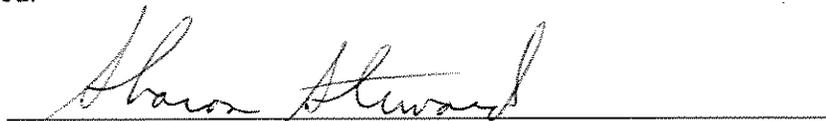
For Delinquently Filing the 2008 December Semi Annual Report

The report was received on January 22, 2009, 2 days late, resulting in a civil penalty assessment of \$100.

Jim Soeldner, the Chairman of the Committee, filed a Waiver of Appearance and submitted on the Appeal Affidavit the following:

On the Affidavit, Mr. Soeldner stated that he delivered the report to the Springfield IL Post Office on Sunday, January 18<sup>th</sup> at 3:30 pm. It was dropped in an outside mailbox, as the main office was closed. The candidate, after ascertaining that a faxed copy would not be accepted, made the decision to make the 140 mile round trip to hand-deliver the report. He found no mail slot at the Springfield office of the Board, and went to the nearest Springfield Post Office. The following day, Monday, January 19, was the Martin Luther King birthday holiday and there was no mail delivery. The letter of assessment states that the report in question was 2 days late, received January 22<sup>nd</sup>. Thus the U.S. Postal Service took 3 days to deliver the report just a few blocks. Mr. Soeldner makes this appeal in order to keep his record unblemished.

Section 5/9-10(c) of the Campaign Financing Act states that there will be no fine if the report is mailed and postmarked at least 72 hours prior to the filing deadline. Although, the envelope contained no postmark, Mr. Soeldner stated in this affidavit, that the report was mailed on Sunday, January, 18, 2009, less than 72 hours prior to the filing deadline. Therefore, I recommend that the appeal be denied for lack of an adequate defense. As a first violation, the penalty is stayed.



Sharon Steward – Hearing Examiner

March 30, 2009

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187  
Springfield, Illinois 62708  
217/782-4141  
Fax: 217/782-5959

James R. Thompson Center  
100 West Randolph, Suite 14-100  
Chicago Illinois 60601  
312/814-6440  
Fax: 312/814-6485



BOARD MEMBERS  
Albert Porter, Chairman  
Bryan Schneider, Vice Chairman  
Patrick Brady  
John Keith  
William McGuffage  
Wanda Rednour  
Jesse Smart  
Robert Walters

EXECUTIVE DIRECTOR

Daniel W. White

February 27, 2009

Committee to Elect Jim Soeldner  
Thomas Evans  
11762 N 3300 E Rd  
Arrowsmith, IL 61722

L14820

Dear Committee to Elect Jim Soeldner;

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:	Semiannual Report of Campaign Contributions and Expenditures
Report Period:	July 1, 2008 through December 31, 2008
Filing Period:	January 2, 2009 through January 20, 2009

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received by the Board on January 22, 2009, 2 day(s) late. As such, this committee has been assessed a fine of \$100.00.

Enclosed please find Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. Notice of Appeal must be filed within 30 days of the mailing of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.

Since this is a first time violation, the assessed civil penalty will be *stayed*. Any subsequent violation of any provision of Article 9 of the Election Code or of a Board Order shall result in the assessment of an additional penalty as provided in Section 125.425 of the Rules and Regulations governing the State Board of Elections, with that civil penalty and any previously assessed penalty to be paid within 30 days. Therefore, you need not pay this assessed civil penalty unless another violation occurs.

If you have questions regarding the appeal process, please call Sue McArthur at 217/782-1543.

Sincerely,

A handwritten signature in black ink, appearing to read "Rupert T. Borgsmiller".

Rupert T. Borgsmiller  
Director, Division of Campaign Disclosure

RTB:sm  
Enclosure(s): appeal forms

09 MAR 13 PM 1:42

State of Illinois )  
County of \_\_\_\_\_ )

BEFORE THE STATE BOARD OF ELECTIONS  
OF THE STATE OF ILLINOIS

IN THE MATTER OF; )  
ILLINOIS STATE BOARD OF ELECTIONS, )  
Complainant )  
Vs. )  
Committee to Elect Jim Soeldner )  
Respondent(s). )

Case No. 09 DS 101

APPEAL AFFIDAVIT

I, Jim Soeldner, the chairman of the  
(Name) (Chairman/Treasurer)  
Committee to Elect Jim Soeldner  
(Name of the Committee)

Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

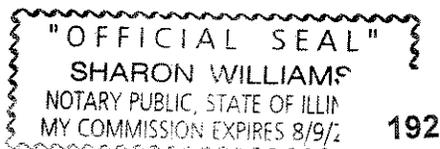
See attached

Signed and Sworn to by:

before me this 11<sup>th</sup> Day of  
MARCH, 2009

[Signature]  
(Signature of Chairman/Treasurer)

[Signature]  
Notary Public



March 7, 2009

Regarding: Semi-annual Report of Campaign Contributions and Expenditures  
for the period 08/01/08 through 12/31/08

The report in question was delivered to the Springfield, Illinois Post Office on Sunday, January 18 at 3:30 p.m. It was dropped in an outside mailbox, as the main office was closed. The candidate, after ascertaining that a faxed copy would not be accepted, made the decision to make the 140 mile round trip to hand deliver the report. He found no mail slot at the Illinois Board of Election office at 1020 S. Spring Street and went to the nearest Springfield Post Office. The following day, Monday, January 19, was the Martin Luther King birthday holiday and there was no mail delivery.

The letter of assessment states that the report in question was 2 days late, received January 22<sup>nd</sup>. Thus the U.S. Postal Service took 3 days to deliver the report just a few blocks.

The candidate appreciates the fact that the penalty has been stayed. He also admits his failure to read and understand the requirements when dealing with report deadlines. However, he is making this appeal in order to keep his record unblemished.

Thank you for your consideration.

James A. Soeldner

**STATE OF ILLINOIS  
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS**

Illinois State Board of Elections  
**Complainant**

vs.

**09 DS 103**

Warren County Committee for Public Safety      L14840  
**Respondent**

**REPORT OF HEARING EXAMINER**  
Appeal of Civil Penalty Assessment for Delinquently Filing the  
2008 December Semi-Annual Report

The Report was received on January 21, 2009, 1 day late, resulting in a civil penalty assessment of \$50.

Tina M. Conard, the Chairman of the Committee, filed a Waiver of Appearance and submitted on the Appeal Affidavit the following: On the Affidavit, Ms. Conard stated that the Committee is new to the process. As chairman, she stated that she poorly relayed the filing requirements to the treasurer and the treasurer unwillingly and unknowingly was one day late in filing.

I recommend that the appeal be denied for lack of an adequate defense. As a first violation, the penalty is stayed.



---

Sharon Steward – Hearing Examiner  
April 3, 2009

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187  
Springfield, Illinois 62708  
217/782-4141  
Fax: 217/782-5959

James R. Thompson Center  
100 West Randolph, Suite 14-100  
Chicago Illinois 60601  
312/814-6440  
Fax: 312/814-6485



BOARD MEMBERS  
Albert Porter, Chairman  
Bryan Schneider, Vice Chairman  
Patrick Brady  
John Keith  
William McGuffage  
Wanda Rednour  
Jesse Smart  
Robert Walters

EXECUTIVE DIRECTOR  
Daniel W. White  
February 27, 2009

Warren County Committee for Public Safety L14840  
Wood Stortzum  
305 W Penn  
Roseville, IL 61473

Dear Warren County Committee for Public Safety;

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:	Semiannual Report of Campaign Contributions and Expenditures
Report Period:	July 1, 2008 through December 31, 2008
Filing Period:	January 2, 2009 through January 20, 2009

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received by the Board on January 21, 2009, 1 day(s) late. As such, this committee has been assessed a fine of \$50.00.

Enclosed please find Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. Notice of Appeal must be filed within 30 days of the mailing of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.

Since this is a first time violation, the assessed civil penalty will be *stayed*. Any subsequent violation of any provision of Article 9 of the Election Code or of a Board Order shall result in the assessment of an additional penalty as provided in Section 125.425 of the Rules and Regulations governing the State Board of Elections, with that civil penalty and any previously assessed penalty to be paid within 30 days. Therefore, you need not pay this assessed civil penalty unless another violation occurs.

If you have questions regarding the appeal process, please call Sue McArthur at 217/782-1543.

Sincerely,

A handwritten signature in black ink, appearing to read "Rupert T. Borgsmiller".

Rupert T. Borgsmiller  
Director, Division of Campaign Disclosure

RTB:sm  
Enclosure(s): appeal forms

State of Illinois )  
County of Warren )

STATE BOARD OF ELECTIONS  
09 MAR 26 PM 3:17

BEFORE THE STATE BOARD OF ELECTIONS  
OF THE STATE OF ILLINOIS

IN THE MATTER OF; )  
ILLINOIS STATE BOARD OF ELECTIONS, )  
Complainant )

Vs. )  
Warren County Citizens for Public Safety )  
Respondent(s). )

Case No. 09 DS103

APPEAL AFFIDAVIT

I, Tina M. Conard, the Chairman of the  
(Name) (Chairman/Treasurer)  
Warren County Citizens for Public Safety  
(Name of the Committee)

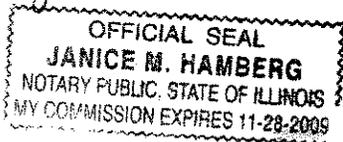
Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

This committee is new to the process. As chairman, I poorly relayed the filing requirements to the treasurer and the treasurer unwillingly & unknowingly was 1 day late in filing.

Signed and Sworn to by:  
Tina M. Conard  
before me this 24th Day of  
March, 2009

Janice M. Hamberg  
Notary Public

Tina M. Conard  
(Signature of Chairman/Treasurer)



**STATE OF ILLINOIS  
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS**

Illinois State Board of Elections  
**Complainant**

v.

**08 GE 022**

Hardin County Republican Central Cmte  
**Respondent**

S 90

**REPORT OF HEARING EXAMINER**

Appeal of Civil Penalty Assessment For Delinquently Filing  
the pre-election report for the 2008 General Election

The Report was received October 22, 2008, 2 days late, resulting in a civil penalty assessment of \$200. In addition, the Committee had previously been assessed a \$450 civil penalty (not appealed, stayed) for delinquently filing the 2008 June Semi-Annual Report. The total assessment is \$650.

Bonnie, Hastie, the Treasurer of the Committee, filed a Waiver of Appearance and submitted on an Appeal Affidavit the following: On the Affidavit, Ms. Hastie stated that she was appointed secretary in August 2008. She was told to e-mail the reports to Rosaura Rodriguez. She e-mailed the report and then mailed the report on October 20, 2008. She does not have any knowledge of previous reports being late since she was only just appointed. She attached a copy of the e-mail.

Reports may be either filed electronically or mailed to the Board. It is unclear what was attached to the e-mail which was sent to Rosaura Rodriguez or why a filing would ever be sent to her. The report received by the Board was postmarked October 20, 2008, the filing deadline. I therefore recommend that the appeal be denied for lack of an adequate defense. If this recommendation is accepted by the Board, the stay will be lifted from the previously assessed penalty, and the total amount of \$650 will be due and owing.

  
Sharon Steward – Hearing Examiner

April 7, 2009

State of Illinois )  
County of Hardin )

FILED IN THE CLERK'S OFFICE  
09 JAN 21 PM 2:00

BEFORE THE STATE BOARD OF ELECTIONS  
OF THE STATE OF ILLINOIS

IN THE MATTER OF; )  
ILLINOIS STATE BOARD OF ELECTIONS, )  
Complainant )  
Vs. )  
Hardin Co. Republican Central Comm. )  
Respondent(s). )

Case No. 08GE022

APPEAL AFFIDAVIT

I, Bonnie Hastie, the Treasurer of the  
(Name) (Chairman/Treasurer)  
Hardin County Republican Central Committee  
(Name of the Committee)

Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

I was appointed secretary on August, 2008. I was told to E-mail the reports to Rosaura Rodriguez. I E-mailed the report and then mailed the report on OCT. 20, 2008. I do not have any knowledge of previous reports being late since I only was appointed in August, 2008. I am sending

Signed and Sworn to by: a copy of the E-mail.

Bonnie Hastie  
before me this 13 Day of  
January, 2008  
Bonnie M. Hastie  
Notary Public

Bonnie M. Hastie  
(Signature of Chairman/Treasurer)



**Bonnie Hastie**

---

**From:** "Rodriguez, Rosaura" <RRodriguez@elections.il.gov>  
**To:** "Bonnie Hastie" <bhastie@hastiemining.com>  
**Sent:** Monday, October 20, 2008 10:07 AM  
**Attach:** ATT00022.txt  
**Subject:** Read: d1.pdf

Your message

To: Rodriguez, Rosaura  
Cc: Rodriguez, Rosaura  
Subject: d1.pdf  
Sent: Mon, 20 Oct 2008 10:13:13 -0500

was read on Mon, 20 Oct 2008 10:07:51 -0500

ATT00018.txt

Final-Recipient: RFC822; RRodriguez@elections.il.gov

Disposition: automatic-action/MDN-sent-automatically; displayed

X-MSEch-Correlation-Key: KQR1mIaw1kOCRpkja+h9FA==

Original-Message-ID: <2AFC5D94A7A84AE7996C098404727DFF@HASTIEMINE.HASTIEMINING.COM>

Hardin County Republican Central Cmte

Document | Document Cont. | Audit | Clarification

Committee ID

State ID 90

Local ID 88

Office

Springfield

Chicago

Report Type  Amendment

Date/Time Received 10/22/2008 12:43:56 PM Pages 1

Provider

Reporting Period

Begin Date 7/1/2008 Election Year 2008 Type GE

End Date 10/5/2008

Comment Postmarked 10/20/08

OK Cancel Apply

Status	ExtRefer	AuditDist	HowFiled
A	Central	13	Paper
A	Central	07	Paper

Amend	Archived	Where	Page
Yes		Springfield	5
	Yes	Springfield	2
		Springfield	1
Yes		Springfield	1
		Springfield	2
		Springfield	3
		Springfield	3
	Yes	Springfield	2
	Yes	Springfield	2
		Springfield	5

Sorted by: Date/Time Received

**STATE OF ILLINOIS  
COUNTY OF COOK**

**BEFORE THE STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS**

Illinois State Board of Elections  
**Complainant**

v.

Case No. **08 GE 023**

Democratic Central Committee of Stephenson Co. S272  
**Respondent**

**REPORT OF HEARING EXAMINER**

Appeal of Civil Penalty Assessment for the Failure to File the  
November 2008 Pre-Election Election Report in a Timely Manner

According to the Illinois State Board of Elections Disclosure Division, it received a Pre-Election Report for the 2008 November General Election, from the Democratic Central Committee of Stephenson County, on November 17<sup>th</sup>, 2008, eleven (11) days late. As such, the political committee has been assessed a fine of \$2,200.00. In addition, the political committee was previously assessed a penalty of \$500.00 for the delinquent filing of its November 2006 Pre-Election Report. The total assessment is \$2,700.00. Since this is a subsequent violation it will be required to be paid by the political committee within thirty (30) days of the issuance of the Final Order of the Board.

Mr. Tom Jackson, Chairman, filed a Request for Hearing and Appeal Affidavit, on January 13<sup>th</sup>, 2009, indicating in part: "William Frazer was elected as a first time precinct committeemen for Oneco Township in Stephenson February 2008. Mr. Frazer agreed to serve as Central Committee Treasurer until we were able to appoint a precinct committeeman to the permanent Treasurer position. Mr. Frazer didn't feel that while working second shift he would be able to attend regular scheduled meetings and fulfill the duties of treasure. Mr. Frazer filed a semi-annual report in July and was unaware of any pre-election report required by the central committee. When notified by the State Board of Elections Mr. Frazer brought it to my attention and immediately filed the report".

Attached to the Appeal Affidavit is correspondence originating from Mr. William Frazer, Former Treasurer, DCCSC, to Mr. Rupert Borgsmiller, Director/Disclosure Division, indicating in part: "I called your office in May of 2008 and spoke with someone regarding what reports had to be filed. I was told at that time that the only reports that I had to file were the semi-annual report, and year-end report. I was not aware of any pre-election report until I received notice of it".

Hearing in this matter was originally scheduled for Tuesday, February 3<sup>rd</sup>, 2009, to be conducted at the Chicago Board office, 100 W. Randolph, 14-100, at 10:30 a.m. Such matter was conducted via conference call on Wednesday, February 4<sup>th</sup>, 2009, 12-noon; Monday, March 2<sup>nd</sup>, 10:00 a.m.; Monday, March, 9<sup>th</sup>, 2009, 9:00 a.m., and Tuesday, March 17<sup>th</sup>, 2009, 9:00 a.m..

Mr. Tom Jackson, Chairman, and Mr. Dennis Kelleher, Treasurer, spoke on behalf of the political committee. Mr. Jackson confirmed statements contained in the Appeal Affidavit, and indicated that a \$400.00 contribution to the Citizens for Mulcahey, dated September 22<sup>nd</sup>, 2008, triggered the requirement to file a Pre-Election Report. Mr. Jackson faxed the Hearing Examiner a marked "VOID" check, dated 5-23-08, payable to Citizens for Mulcahey, in the amount of \$400.00. Contained on this fax transmission, Mr. Jackson indicates that such check "was written, but never cashed, we re-issued another check on 9-22-08". Mr. Jackson stated such check was disclosed on the political committees 2008 June Semi-Annual Report, which the Hearing Examiner confirmed. Upon request of the Hearing Examiner, Mr. Jackson forwarded a copy of a publication issued by the political committee "Yes We Can", during October, 2008, as reported in the expenditure portion of the political committee's 2008 December Semi-Annual Report, at a disclosed cost of \$514.00.

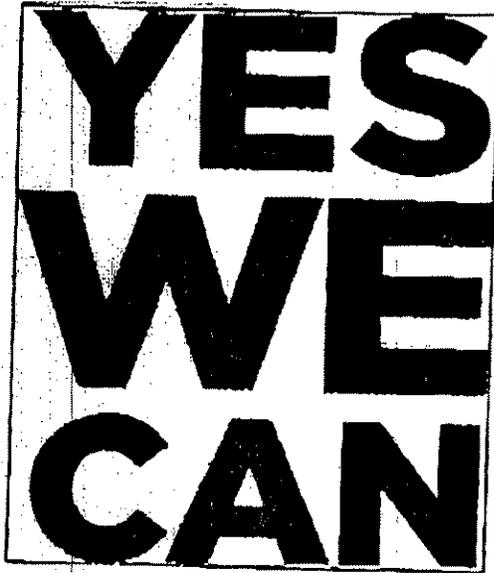
Based upon a review of the documents/statements submitted in this matter, the Hearing Examiner deems the production/distribution of the "Yes We Can" publication, to be an expenditure exceeding \$500.00 in connection with the November 2008 General Election, therefore, a Pre-Election Report was required to be filed no later than October 20<sup>th</sup>, 2008. Therefore it is the recommendation of the Hearing Examiner that the appeal in this matter be denied, and the total assessed fine of \$2700.00 be due and owing.



---

Tony Morgando Jr - Hearing Examiner  
March 19<sup>th</sup>, 2009

*JUNY MORGANDO 312-814-6485  
4 pages*



**“This is the most important election we will ever vote in!”**

As you all know, this election is vitally important to the future of our state, our country, and the rest of the world. We believe it is also the most critical time for you to make a difference in your life and the lives of your family, friends and community.

With fewer than 30 days left until the election, we are asking that you do all that you can to support the candidates and organizations that stand for change. Our candidates and party have always been the supporters of education, of health care, of the American worker, and the American family.

Put that extra effort in these last 30 days and do something to bring about the ‘change that we can believe in.’ Call the headquarters, and we will find a job that you can do to make a difference! Dig a little deeper into your pockets and give some money to support your candidates for change.

**Hit the Web and find out more about your candidates!**

Go to:

**Barak Obama:** BarakObama.com  
Eric Donaldson, Cheri Cullum, local coordinators

**Robert Abboud,** Candidate for US Congress in 16<sup>th</sup> District: RobertAbboud.com  
Eric Howanietz: 815/543-4269, local coordinator

**Marty Mulcahey,** Candidate for State Senate in 45<sup>th</sup> District: MartyMulcahey.com  
Dean Argins 847/024-0572, local coordinator

**Walter M Johnson,** Candidate for State Representative in 89<sup>th</sup> District  
maxsad1@sbcglobal.net

**Jeremy Monigold,** Candidate for County Board District I: JeremyMonigold.com

You can also get more information at our office.  
815/908-1117 or 218-3678.

**Rules for Posting Candidates’ Signs**

Signs for your favorite candidates must be placed on your private property. They cannot be displayed in the public right-of-way or other publicly-owned space. For those of you living in Freeport and other villages, that means they must be posted behind the sidewalks. If you are posting a sign in the country, a rule of thumb is to post it no closer to the road than the side of the ditch closest to your property.

If you see signs which you believe are in violation of these rules, you may call the County Clerk's Office at 235-8289, or contact your Township Supervisor.

## Stephenson County Democratic Party 2008 Election Headquarters

1060 Diverside Drive (by Drivers Services Facility)  
Freeport, IL 61032  
815.908.1117 (through November 6) or 815.276.3340

### Election Year Update — Standing up for Change

#### How you can make a difference... Get Involved

There's no one who knows your community better than you do, so help us build support for our candidates and Barack Obama's movement for change by beginning in your own neighborhood. We have a lot of ways in which you can become involved and volunteer for our candidates and the party, but the simplest thing you can do is talk to friends, neighbors and others you meet about the issues facing the country and our communities. Not sure about issues or where candidates stand on them? Call or come on into the office or go to the candidate's web sites listed in this newsletter.

And, if you are able to do more...

**Phone calls** — it's easier than you think, and they are one of our most effective tools to identify and motivate supporters, educate voters and get people to the polls. We have phone banks set up at the office for calling registered voters Monday through Saturday for **Marty Mulcahey, Robert Abboud and Barack Obama**. There is a script to follow for each candidate — and we also provide snacks and drinks. Come try it once! Call Sheryl Pitts Wolff at 815.218.3678 or the headquarters at 908-1117.

**Be part of an Obama Canvassing Team** in Platteville, WI. **Saturday, October 18, 8:30 am to 5 pm** and during our 'Get out the vote' (GOTV) efforts during the final days before the election. We're helping to turn Wisconsin 'BLUE' by knocking on doors and making phone calls. This is your opportunity to go door-to-door in Platteville to help Senator Obama take the state. Every voter that we can win over in Wisconsin and help get to the polls will make a big difference. Meet at the headquarters at 8:30 to carpool to Platteville. Call Cherie Cullum at 713-7500 or the headquarters at 908-1117.

**Walk with Marty Mulcahey**, your candidate for state Senate, to get vote out early.

Join him in Sterling-Rockfalls **Saturday, October 11, 11 am—4pm**, when we will be sending supporters to mobilize the ethnic and minority communities to vote early in this election. Stay for an ethnic fest afterward with music and great food. We'll be carpooling from the headquarters and leaving at 9:30.

**Walk with Marty Mulcahey** and other community leaders in Freeport **Saturday, October 18, 11 am — 4 pm**, when Marty will lead supporters door-to-door in Freeport to encourage early voting. We'll meet at the headquarters and end our day with food, music and camaraderie. For more information call Dean Argiris at 847-924-0572 or the headquarters at 815/908-1117

**Townhall Meeting with Bob Abboud**, your candidate for US Congress. **Saturday, October 18, 1 pm** at the Freeport Public Library. Here is your opportunity to meet your candidate and discuss community issues. Call Eric Howanietz at 815/543-4269 or the headquarters

**GOTV—Get out the Vote** — November 1st—3rd. We'll be contacting registered voters to encourage their vote on election day. Call the headquarters.

**Election Day Activities** — 5 am to 7 pm on Tuesday, November 4. Sign up to be a pollwatcher at selected precincts for part of the day. Drive voters to the polls. **Knock on doors** or call to get our supporters to the polls. Be available for tasks as needed at the headquarters. This is your opportunity to be part of an historic day and to experience it firsthand. Call the headquarters.

**YES  
WE  
CAN**

## About the Headquarters

The headquarters is staffed with volunteers and is open

Monday—Thursday, 4—8 pm.

Friday 2—6 pm.

and Saturday 10 am—2 pm.

We're located at 1050 N Riverside, next to the drivers facility on Route 26 north of Freeport. Stop in or call 908-1117 or call 218-3678.

We have...

**Yard signs** for Obama, Senator Dick Durbin, Robert Abhoud, and Marty Mulcahey

**Buttons** for Obama and Robert Abhoud

**Tee-Shirts** for Obama

**Literature** on all of our candidates

## Upcoming Events at the Headquarters

Join us for the following events sponsored by Stephenson County Democrats at our headquarters at 1050 Riverside Drive - next to the Drivers Services Facility just off Route 26 north of Freeport:

**2nd Presidential Debate Party**, Tuesday, October 7, 7 - 10 pm. Debate starts at 8 pm and lasts for 90 minutes. Bring your favorite snack to share and we'll provide refreshments. As always, donations are welcome. A great opportunity to share the evening with friends and fellow Democrats.

**'Dem' Bears and 'Dem' Brats Tailgate Party** Sunday, October 12 11 am - 3 pm. We'll fill your plate with grilled brats, baked beans and chips and add refreshments for a donation of \$10. Door prizes will also be given out. Come and cheer on the Bears with friends — and support our efforts to elect the Democratic slate this November.

**Final Presidential Debate Party** Wednesday, October 15, 7 - 10 pm. If you missed the party on the 7<sup>th</sup>, come join us from 7 - 10 pm to watch the final debate of the election. Again, bring your favorite snacks and we'll have the drinks.

**Election Night Party** November 4 From 7 pm (when the polls close) for as long as it takes! Be there to watch the election results roll in!

## What's the Hubbub about Early Voting?

Early Voting in Illinois is a great opportunity to vote on your time — when it's convenient for you and the weather is good.

It's also an opportunity to help your candidates. By voting early, you free up your election day to help get our supporters to the polls — whether here in Stephenson County for our Illinois candidates or in Wisconsin for Barack Obama.

Please vote early and then sign up with Sheryl Wolff at the Headquarters to spend Election Day helping ensure that we get all of our supporters to the polls.

## Registering and Voting it's not too late — nor too early!

Two forms of identification are required to register to vote, one a photo ID, and one or both showing your current address.

**October 7:** Last day to register to vote — do it in person at the County Clerk's Office

If you missed the last day to register, it is still possible to vote. The 'Grace Period' begins October 8 and ends October 21. Here is how:

Go to the County Clerk's Office

Bring your two forms of Identification

You must vote in person at the time you register

**October 14** is the first day for Early Voting (October 14 - 30)

Vote in person during office hours at the County Clerk's office

You do not need to state a reason to vote early

**September 25—November 4** is the time period for Absentee Voting

You can vote in person or by mail (request a ballot from the County Clerk's office)

You must state a reason, eg., being out of the county on election day

Stephenson County Clerk and Recorder  
15 N Galena Avenue Freeport 815.235.8289  
Office hours: M - F, 8:30 to 4:30

If you need a ride to the courthouse to register, to vote early or to vote absentee, call us at the headquarters (908-1117) and we'll get you there.

### About the Stephenson County Democratic Party

We are working all the time — not just during elections. During non-election years, we work to raise awareness of issues and concerns on behalf of the families and workers in our communities. We recruit and support potential quality candidates for future elections, and we raise money to support our work during elections.

Your voice and your support can shape our future. We welcome your participation in our

regular monthly meetings held at 6:30 pm, every 3rd Thursday of the month, at the public library in Freeport.

- Chairman: Tom Jackson, Lena
- 1st Vice Chairman: Chuck Robinson, Freeport
- 2nd Vice Chairman: Ken Bohnsack, Freeport
- Secretary: Shelly Griswold, Freeport
- Treasurer: Willy Frazer, Orangeville

Call Tom at 815-275-3340 or stop by our office for more information.

### Stephenson County 'DEMS'

proudly host

### 'Dem' Bears and 'Dem' Brats Tailgate Party

Sunday, October 12 11 am to 3 pm

### Chicago Bears vs Atlanta Falcons

Door Prizes — need not be present to win

Join us at

Stephenson County Democratic Headquarters

Come to the Party — just return the filled-out ticket stubs and your check in the enclosed envelope.

**YES, I Want to be part of this historic election!**

Name \_\_\_\_\_

Address \_\_\_\_\_

Phone Number \_\_\_\_\_ e-mail \_\_\_\_\_

**I can (circle as many as applicable):**

Assemble yard signs

Canvass door-to-door

Computer work

Phone calling

Provide food

Work on Election Day

Drive voters to the polls

Write Letters to the editor

Help with set up and clean up

Distribute Literature

I can't help right now, but I would like to make a donation (enclose and return in envelope)

Make Checks Payable to Stephenson County Democrats.

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

1020 South Spring Street  
Springfield, Illinois 62704  
217/782-4141  
Fax: 217/782-5959

James R. Thompson Center  
100 West Randolph, Suite 14-100  
Chicago Illinois 60601  
312/814-6440  
Fax: 312/814-6485



BOARD MEMBERS  
Albert Porter, Chairman  
Bryan Schneider, Vice Chairman  
Patrick Brady  
John Keith  
William McGuffage  
Wanda Rednour  
Jesse Smart  
Robert Walters

EXECUTIVE DIRECTOR  
Daniel W. White  
December 16, 2008

Democratic Central Cmte of Stephenson County  
Tom Jackson  
8542 N Lake Rd #2  
Lena, IL 61048

S272

Dear Democratic Central Cmte of Stephenson County:

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type: Pre-Election Report of Campaign Contribution and Expenditures  
Report Period: July 1, 2008 through October 5, 2008  
Filing Period: October 6, 2008 through October 20, 2008

Based upon this committee's failure to comply with the provision of 10 ILCS 5-9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on November 17, 2008, 11 day(s) late. As such, this committee has been assessed a fine of \$2200.00.

Enclosed please find the Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. Notice of Appeal must be filed within 30 days of the mailing of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.

If the above listed violation is not appealed and since this is a subsequent violation the previously stayed fine(s) for delinquent filing is now also required to be paid by the committee within 30 days of the issuance of a Final Board Order:

Reporting Period	Report Type	Previous Fine Amount
7/1/2006 - 10/8/2006	Pre-election	\$500.00
<b>TOTAL AMOUNT NOW DUE</b>		<b>\$2700.00</b>

If you have any questions regarding the appeal process, please call Sue McArthur at 217/782-1543.

Sincerely,  
  
Rupert T. Borgsmiller  
Director, Division of Campaign Disclosure

RTB:sm  
Enclosure(s) appeal documents

State of Illinois )  
County of Stephenson )

STATE BOARD OF ELECTIONS  
09 JAN 13 PM 1:31

BEFORE THE STATE BOARD OF ELECTIONS  
OF THE STATE OF ILLINOIS

IN THE MATTER OF; )  
ILLINOIS STATE BOARD OF ELECTIONS, )  
Complainant )  
Vs. Democratic Central )  
Committee of Stephenson Co )  
Respondent(s). )

Case No. 08GE023

APPEAL AFFIDAVIT

I, Tom Jackson, the Chairman of the  
(Name) (Chairman/Treasurer)

Democratic Central Committee of Stephenson Co  
(Name of the Committee)

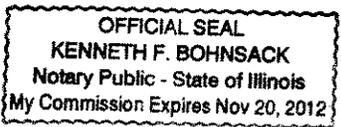
Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

Please see attached documents  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signed and Sworn to by:

Tom Jackson  
before me this 9<sup>th</sup> Day of  
January, 2008  
Kenneth Bohnsack  
Notary Public

Tom Jackson  
(Signature of Chairman/Treasurer)



12/30/08

To Whom It May Concern,

Please allow me to explain the reasons for file the pre-election report in a timely manner.

William Frazer was elected as a first time precinct committee for Oneco Township in Stephenson February 2008. Mr. Frazer agreed to serve as Central Committee Treasurer until we were able to appoint a precinct committee person to the permanent Treasurer position. Mr. Frazer didn't feel that while working second shift he would be able to attend regular scheduled meetings and fulfill the duties of Treasurer.

Mr. Frazer filed a semi-annual report in July and was unaware of any pre-election report required by the Central Committee. When notified by State Board of Election Mr. Frazer brought it to my attention and immediately filed the report.

At the December Democratic Central Committee meeting Mr. Frazer's resignation was accepted and Dennis Kelleher was nominated and appointed as Treasurer.

I can assure the court that Mr. Kelleher is very much aware of his responsibilities and will follow through with his commitment to the Democratic Central Committee of Stephenson County.

Sincerely,



Tom Jackson Chairman DCCSC

Dear Mr. Borgsmiller,

I agreed to serve as temporary Central Committee Treasurer until a full time Treasurer could be found. At that time I was unclear as to what reports needed to be filed. I called your office in May of 2008 and spoke with someone regarding what reports had to be filed. I was told at that time that the only reports that I had to file were the semi-annual report and the year-end report. I was not aware of any pre-election report until I received notice of it.

Sincerely,

A handwritten signature in black ink, appearing to read "William Frazer". The signature is written in a cursive style with a long horizontal flourish at the end.

William Frazer  
Former Treasurer DCCSC

**STATE OF ILLINOIS  
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS**

Illinois State Board of Elections  
**Complainant**

v.

**08 GE 031**

Ogle County Democratic Central Comm      S 948  
**Respondent**

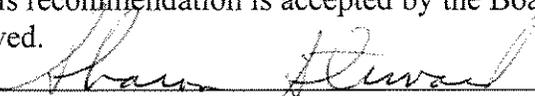
**REPORT OF HEARING EXAMINER**  
Appeal of Civil Penalty Assessment For Delinquently Filing the  
Pre-Election Report for the 2008 General Election

The Report was received by the Board on November 3, 2008, 10 days late, resulting in a civil penalty assessment of \$2000.

Muriel Messer, the Chairwoman of the Committee, and Avril Folk, the Treasurer of the Committee, filed a Waiver of Appearance and submitted on the Appeal Affidavit the following:

On the Affidavit, the officers referenced an attached letter. In the letter, Ms. Folk stated that the error in filing the pre-election report was due to unfamiliarity with IDIS and computer knowledge. She had worked to finish the report and thought that she had filed it one day late, on October 21, 2008. Ms. Messer had helped her file the 2008 June Semi-Annual Report. Ms. Messer had contacted her and told her she thought the pre-election report had not been filed. Ms. Folk thought she had filed it, but in retrospect her error was in forgetting that she had to be online to file the report. After receiving the delinquency notice from the Board, she immediately corrected her error and filed the report on November 3, 2008. She has since worked with Board staff to understand the complexities of the system. In conclusion, she asks that the penalty be only a one-day penalty based on the October 21<sup>st</sup> date, rather than a ten-day penalty based on the November 3<sup>rd</sup> date.

Ms. Folk does not dispute the fact that the report was late; her contention is that she believed that she had filed it on October 21<sup>st</sup>, one day late. I therefore recommend that the appeal in regards to late filing be denied. She did not dispute the fact that it was filed delinquently; she simply asked that we consider her electronic filing defense in determining how late the report was filed. She mistakenly failed to make sure that she was on the internet before she attempted to file. Therefore, I recommend that the appeal be denied, but that the assessment be reduced to what would have been assessed for a single day late, or \$200. This recommendation is based upon previous Board decisions when an electronic filing defense is used by the Committee. If this recommendation is accepted by the Board, as a first violation, the penalty of \$200 would be stayed.

  
\_\_\_\_\_  
Sharon Steward – Hearing Examiner

March 11, 2009

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187  
Springfield, Illinois 62708  
217/782-4141  
Fax: 217/782-5959

James R. Thompson Center  
100 West Randolph, Suite 14-100  
Chicago Illinois 60601  
312/814-6440  
Fax: 312/814-6485



BOARD MEMBERS  
Albert Porter, Chairman  
Bryan Schneider, Vice Chairman  
Patrick Brady  
John Keith  
William McGuffage  
Wanda Rednour  
Jesse Smart  
Robert Walters

EXECUTIVE DIRECTOR  
Daniel W. White  
December 16, 2008

Ogle County Democratic Central Cmte  
Muriel Messer  
4268 S II Route 26  
Polo, IL 61064

S948

Dear Ogle County Democratic Central Cmte;

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:	Pre-Election Report of Campaign Contributions
Report Period:	July 1, 2008 through October 5, 2008
Filing Period:	October 6, 2008 through October 20, 2008

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received by the Board on November 3, 2008, 10 day(s) late. As such, this committee has been assessed a fine of \$2000.00.

Enclosed please find Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. Notice of Appeal must be filed within 30 days of the mailing of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.

Since this is a first time violation, the assessed civil penalty will be *stayed*. Any subsequent violation of any provision of Article 9 of the Election Code or of a Board Order shall result in the assessment of an additional penalty as provided in Section 125.425 of the Rules and Regulations governing the State Board of Elections, with that civil penalty and any previously assessed penalty to be paid within 30 days. Therefore, you need not pay this assessed civil penalty unless another violation occurs.

If you have questions regarding the appeal process, please call Sue McArthur at 217/782-1543.

Sincerely,

A handwritten signature in black ink, appearing to read "Rupert T. Borgsmiller".

Rupert T. Borgsmiller  
Director, Campaign Disclosure

RTB:sm

Enclosure(s): appeal packet

09 JAN -7 AM 11:56

State of Illinois )  
County of Ogle )

BEFORE THE STATE BOARD OF ELECTIONS  
OF THE STATE OF ILLINOIS

IN THE MATTER OF; )  
ILLINOIS STATE BOARD OF ELECTIONS, )  
Complainant )  
Vs. )  
Ogle County Democratic )  
Central Committee Respondent(s). )

Case No. 08GE 031

APPEAL AFFIDAVIT

I, Muriel Messer Avril Folk, the Muriel Messer Avril Folk of the  
(Name) (Chairman/Treasurer)  
Ogle County Democratic Central Committee  
(Name of the Committee)

Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

See attached:

Signed and Sworn to by:  
Muriel Messer and Avril Folk  
before me this 2nd Day of  
January, 2008 2009  
Kathleen O'Connell  
Notary Public

Muriel Messer, chairman  
(Signature of Chairman/Treasurer)  
Avril Folk, treasurer



January 2, 2009

Defense of civil penalty assessed to the Ogle County Democratic Cmte:

The error in filing the Pre-election report was due to unfamiliarity with IDIS and computer knowledge. I worked to finish the report and thought that I had filed it one day late on October 21, 2008. This was not the first report I had filed. Our committee chairman and former treasurer, Muriel Messer, helped me file the Semi-annual report filed on July 17, 2008. Muriel contacted me and said she didn't think the Pre-election Report had been filed. I was sure that I had filed it. I was not at home at the time and did not have access to a computer. In retrospect my error was forgetting that I had to be online to file the report. After receiving a letter from the State Board of Elections, Muriel informed me that it indeed had not been filed. I then corrected the mistake and filed it on Nov. 3, 2008. The tardiness of the Pre-Election Report was due to difficulties I had learning to use the IDIS program. I have been in contact many times to the State Board of Elections talking to Kim working to learn the complexities of the computer system required for filing. In conclusion we would like a one day penalty based on the October 21 date rather than a ten day penalty based on the Nov. 3 date.



STATE OF ILLINOIS  
COUNTY OF SANGAMON

BEFORE THE STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

Illinois State Board of Elections  
**Complainant**

v.

08 GE 036

Illinois Cable PAC (Comcast Cable)      S 3482  
**Respondent**

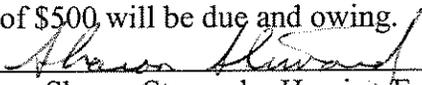
**REPORT OF HEARING EXAMINER**  
Appeal of Civil Penalty Assessment For Delinquent Filing  
The Pre-Election Report for the 2008 General Election

The Report was received on October 24, 2008, 4 days late, resulting in a civil penalty assessment of \$500. In addition, this Committee was assessed \$3050 in civil penalties (appeal denied, paid) for failing to file Schedule A-1s for the 2000 General Primary Election; a \$500 civil penalty (not appealed, paid) for delinquent filing the pre-election report for the 2006 General Primary Election; \$650 in civil penalties (appeal denied, paid) for failing to file the Schedule A-1s for the 2006 General Primary Election; and \$1250 (not appealed, paid) for failing to file a Schedule A-1. The total outstanding assessment is \$500.

Joe Handley, the President of the Association, filed a Waiver of Appearance, and submitted on the Appeal Affidavit the following:

On the Affidavit, Mr. Handley referenced an attachment. On the attachment, Mr. Handley stated that the Association is moving its operations and leadership from Des Plaines to Springfield. The transition has caused some communication errors and this matter is directly related to that. He was forwarded the correspondence that was sent from the Board to the address of record, the Des Plaines office. He got the notification on the evening of Thursday, October 23, 2008, and he contacted the Des Plaines office on the morning of Friday, October 24, 2008, to see if the proper documents were filed. As soon as he realized the report was delinquent, he contacted Board staff who assisted his wife with the filing that same day. He is now directly responsible for any SBE filing requirements. He acknowledges the Committee's delinquency and only asks for some fiscal leniency due to the aforementioned circumstances.

I recommend that the appeal be denied for lack of an adequate defense. Mr. Handley does not dispute the fact that the report was late and acknowledges that the delinquency resulted from problems within the committee resulting from the Association's move from Des Plaines to Springfield. The committee address has now been changed to reflect Mr. Handley's home address so that he can ensure timely filings from this point forward. If this recommendation is accepted, the civil penalty of \$500 will be due and owing.

  
\_\_\_\_\_  
Sharon Steward – Hearing Examiner

March 26, 2009

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

1020 South Spring Street  
Springfield, Illinois 62704  
217/782-4141  
Fax: 217/782-5959

James R. Thompson Center  
100 West Randolph, Suite 14-100  
Chicago Illinois 60601  
312/814-6440  
Fax: 312/814-6485



BOARD MEMBERS  
Albert Porter, Chairman  
Bryan Schneider, Vice Chairman  
Patrick Brady  
John Keith  
William McGuffage  
Wanda Rednour  
Jesse Smart  
Robert Walters

EXECUTIVE DIRECTOR  
Daniel W. White  
December 16, 2008

Illinois Cable PAC (Comcast Cable)  
Joan Etten  
2400 E Devon Ave, Ste 317  
Des Plaines, IL 60018

S3482

Dear Illinois Cable PAC (Comcast Cable):

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:	Pre-Election Report of Campaign Contribution and Expenditures
Report Period:	July 1, 2008 through October 5, 2008
Filing Period:	October 6, 2008 through October 20, 2008

Based upon this committee's failure to comply with the provision of 10 ILCS 5-9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on October 24, 2008, 4 day(s) late. As such, this committee has been assessed a fine of \$500.00.

Enclosed please find the Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. Notice of Appeal must be filed within 30 days of the mailing of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.

If the above listed violation is not appealed and since this is a subsequent violation it is required to be paid by the committee within 30 days of the issuance of a Final Board Order:

If you have any questions regarding the appeal process, please call Sue McArthur at 217/782-1543.

Sincerely,

A handwritten signature in black ink, appearing to read "Rupert T. Borgsmiller".

Rupert T. Borgsmiller  
Director, Division of Campaign Disclosure

RTB:sm  
Enclosure(s) appeal documents

State of Illinois )  
County of Surge )

08 DEC 22 PM 2:46

BEFORE THE STATE BOARD OF ELECTIONS  
OF THE STATE OF ILLINOIS

IN THE MATTER OF; )  
ILLINOIS STATE BOARD OF ELECTIONS, )  
Complainant )  
Vs. )  
CT+C )  
Respondent(s). )

Case No. 08GE036

APPEAL AFFIDAVIT

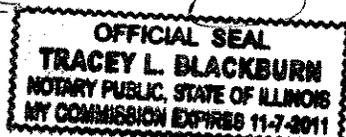
I, Joe Handley, the President of CT+C of the  
(Name) (Chairman/Treasurer)  
Illinois Cable PAC  
(Name of the Committee)

Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

See attached!

Signed and Sworn to by:  
Joseph B. Handley  
before me this 22 Day of  
December, 2008  
Tracey L. Blackburn  
Notary Public

Joseph B. Handley  
(Signature of Chairman/Treasurer)



The Illinois Cable PAC is directly related to the operations of the Illinois Cable Television and Communication Association. The Association is moving its operations and leadership from Des Plaines, Illinois to Springfield. The transition has caused some communication errors and this matter is directly related to that fact.

09 SEP 15 PM 12:27

My name is Joe Handley and I am the newly appointed President of the Association. I was forwarded correspondence from your office that was sent in a timely fashion to our Des Plaines office. My notification came on the evening of Thursday, October 23, 2008 and I contacted our Des Plaines office on the morning of Friday, October 24, 2008 to see if the proper documents were filed.

On October 23, 2008, I was traveling to Chicago on business and upon knowledge of the delinquency, immediately began the filing process by contacting your office. Mr. John Levin was more than helpful and assisted my wife in electronically filing the proper paperwork on that same day.

I am now directly responsible for any SBE filing requirements and have already made arrangements to meet with your staff to file the next required statement.

I acknowledge our delinquency and only ask for some fiscal leniency due to the aforementioned circumstances.

**STATE OF ILLINOIS  
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS**

Illinois State Board of Elections

**Complainant**

v.

**09 DS 144**

Cook County Democratic Women                      S 3909

**Respondent**

**REPORT OF HEARING EXAMINER**

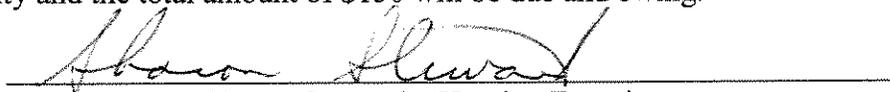
Appeal of Civil Penalty Assessment For Delinquently Filing the  
2008 December Semi-Annual Report

The Report was received January 22, 2009, 2 days late, resulting in a civil penalty assessment of \$100. In addition, this Committee had previously been assessed a civil penalty of \$50 (stayed, not appealed) for delinquently filing the 2008 June Semi-Annual Report. The total assessment is \$150.

Rikki Jones, the Chairman and Treasurer of the Committee, filed a Waiver of Appearance and submitted on the Appeal Affidavit the following:

On the Affidavit, Ms. Jones stated that the Cook County Democratic Women is an organization that only collects money for specific projects. They did not collect any more money during this period so there was no change. She did not know that they had to file. Also she is confused as to what they do when they don't participate in an election.

Board records indicate that Ms. Jones only recently became an officer of this Committee. She admits that she is unclear on filing requirements, but that does not constitute a valid defense for a delinquent filing. Board staff is available during business hours to assist her with the Committee's filing requirements. I recommend that the appeal be denied for lack of an adequate defense. If this recommendation is accepted by the Board, the stay will be lifted from the previous penalty and the total amount of \$150 will be due and owing.



Sharon Steward – Hearing Examiner

March 31, 2009

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187  
Springfield, Illinois 62708  
217/782-4141  
Fax: 217/782-5959

James R. Thompson Center  
100 West Randolph, Suite 14-100  
Chicago Illinois 60601  
312/814-6440  
Fax: 312/814-6485



BOARD MEMBERS  
Albert Porter, Chairman  
Bryan Schneider, Vice Chairman  
Patrick Brady  
John Keith  
William McGuffage  
Wanda Rednour  
Jesse Smart  
Robert Walters

EXECUTIVE DIRECTOR  
Daniel W. White  
February 27, 2009

Cook County Democratic Women  
Rikki Jones  
3584 Edward Dr  
Crete, IL 60417

S3909

Dear Cook County Democratic Women;

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type: Semiannual Report of Campaign Contribution and Expenditures  
Report Period: July 1, 2008 through December 31, 2008  
Filing Period: January 2, 2009 through January 20, 2009

Based upon this committee's failure to comply with the provision of 10 ILCS 5-9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on January 22, 2009, 2 day(s) late. As such, this committee has been assessed a fine of \$100.00.

Enclosed please find the Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. Notice of Appeal must be filed within 30 days of the mailing of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.

If the above listed violation is not appealed and since this is a subsequent violation the previously stayed fine(s) for delinquent filing is now also required to be paid by the committee within 30 days:

<u>Reporting Period</u>	<u>Report Type</u>	<u>Previous Fine Amount</u>
1/1/2008 – 6/30/2008	Semi-annual	\$50.00
<b>TOTAL AMOUNT NOW DUE</b>		<b>\$150.00</b>

If you have any questions regarding the appeal process, please call Sue McArthur at 217/782-1543.

Sincerely,

A handwritten signature in black ink, appearing to read "Rupert T. Borgsmiller".

Rupert T. Borgsmiller  
Director, Division of Campaign Disclosure

RTB:sm  
Enclosure(s) appeal documents

State of Illinois )  
County of Cook )

030 1680

17 11:07

BEFORE THE STATE BOARD OF ELECTIONS  
OF THE STATE OF ILLINOIS

STATE BOARD OF ELECTIONS

IN THE MATTER OF; )  
ILLINOIS STATE BOARD OF ELECTIONS, )  
Complainant )  
Vs. )  
Cook County Dem Women )  
Respondent(s). )

Case No. \_\_\_\_\_

APPEAL AFFIDAVIT

I, Rikki Jones, the Chair / Treasurer of the  
(Name) (Chairman/Treasurer)  
Cook County Dem Women  
(Name of the Committee)

Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

Cook County Democratic Women  
is an organization that only  
collects money for specific projects.  
We did not collect any more money  
during this period ~~for~~ so there  
was no change. I did not know  
that we had to file. Also I am confused

Signed and Sworn to by:  
Rikki D Jones  
before me this 26<sup>th</sup> Day of  
March, 2008 ~~2009~~

Rikki D Jones  
(Signature of Chairman/Treasurer)

OFFICIAL SEAL  
LYNN SIEGEL  
Notary Public - State of Illinois  
(My Commission Expires Mar 10, 2011)

Lynn Siegel  
Notary Public

as to what we do when we don't  
participate in election. I actually  
did not know w/ 222 to do. I was told  
that I file and ~~wrote~~ write did not participate

STATE OF ILLINOIS  
COUNTY OF SANGAMON

BEFORE THE STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

Illinois State Board of Elections

**Complainant**

v.

**09 DS 160**

IL Conservation Voters

S 7450

**Respondent**

**REPORT OF HEARING EXAMINER**

Appeal of Civil Penalty Assessment For Delinquently Filing the  
2008 December Semi-Annual Report

The Final Report filed in lieu of the Semi-Annual Report, was received on January 22, 2009, 2 days late, resulting in a civil penalty assessment of \$100. In addition, the Committee was previously assessed a \$150 civil penalty (not appealed, stayed) for delinquently filing the 2008 June Semi-Annual Report. The total assessment is \$250.

Renee' A. McNitt, the Treasurer of the Committee, filed a Waiver of Appearance and submitted on the Appeal Affidavit the following:

On the Affidavit, Ms. McNitt stated that the first attempt to mail their final report failed because it was Martin Luther King Day (Jan 19<sup>th</sup>) and the Post Office was closed. The Final Report was successfully mailed on January 20<sup>th</sup>. They had no activity to report. They did not participate in any elections. She hopes that the Board will take these facts into consideration and rescind the fines.

Section 5/9-10(c) of the Campaign Financing Act states that there will be no fine if the report is mailed and postmarked at least 72 hours prior to the filing deadline. The report was postmarked on January 20, 2009, the filing deadline. Therefore, I recommend that the appeal be denied for lack of an adequate defense. If this recommendation is accepted by the Board, the stay will be lifted from the previously assessed penalty, and the total civil penalty is \$250. However, since this Committee filed a Final Report, I further recommend that should the Committee remain dissolved for a period of 2 years following the date of the final Order imposing the penalty, the fine be abated.



Sharon Steward – Hearing Examiner

March 30, 2009

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187  
Springfield, Illinois 62708  
217/782-4141  
Fax: 217/782-5959

James R. Thompson Center  
100 West Randolph, Suite 14-100  
Chicago Illinois 60601  
312/814-6440  
Fax: 312/814-6485



BOARD MEMBERS  
Albert Porter, Chairman  
Bryan Schneider, Vice Chairman  
Patrick Brady  
John Keith  
William McGuffage  
Wanda Rednour  
Jesse Smart  
Robert Walters

EXECUTIVE DIRECTOR  
Daniel W. White  
February 27, 2009

IL Conservation Voters  
Eugene Brown  
9606 Fox Shores Dr  
Algonquin, IL 60102

S7450

Dear IL Conservation Voters;

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type: Semiannual Report of Campaign Contribution and Expenditures  
Report Period: July 1, 2008 through December 31, 2008  
Filing Period: January 2, 2009 through January 20, 2009

Based upon this committee's failure to comply with the provision of 10 ILCS 5-9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on January 22, 2009, 2 day(s) late. As such, this committee has been assessed a fine of \$100.00.

Enclosed please find the Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. Notice of Appeal must be filed within 30 days of the mailing of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.

If the above listed violation is not appealed and since this is a subsequent violation the previously stayed fine(s) for delinquent filing is now also required to be paid by the committee within 30 days:

<u>Reporting Period</u>	<u>Report Type</u>	<u>Previous Fine Amount</u>
1/1/2008 – 6/30/2008	Semi-annual	\$150.00
<b>TOTAL AMOUNT NOW DUE</b>		<b>\$250.00</b>

If you have any questions regarding the appeal process, please call Sue McArthur at 217/782-1543.

Sincerely,

A handwritten signature in black ink, appearing to read "Rupert T. Borgsmiller".

Rupert T. Borgsmiller  
Director, Division of Campaign Disclosure

RTB:sm  
Enclosure(s) appeal documents

State of Illinois )  
County of Winnebago )

STATE BOARD OF ELECTIONS

09 MAR 11 PM 12:50

BEFORE THE STATE BOARD OF ELECTIONS  
OF THE STATE OF ILLINOIS

IN THE MATTER OF; )  
ILLINOIS STATE BOARD OF ELECTIONS, )  
Complainant )  
Vs. )  
Illinois Conservation Voters )  
Respondent(s). )

Case No. 09 DS 160

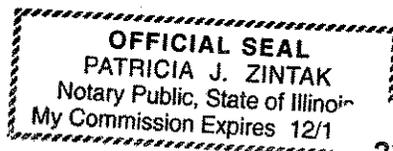
APPEAL AFFIDAVIT

I, Renee A. McNitt, the Treasurer of the  
(Name) (Chairman/Treasurer)  
Illinois Conservation Voters  
(Name of the Committee)

Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are: The first attempt to mail our final report failed because it was Martin Luther King Day (Jan 19th) and the Post office was closed. The final report was successfully mailed on January 20th. We had no activity to report. We did not participate in any elections. I hope your committee members will take these facts into consideration and rescind our fines. Respectfully,

Signed and Sworn to by:  
Patricia J. Zintak  
before me this 9 Day of  
March, 2008  
Patricia J. Zintak  
Notary Public

Renee A. McNitt, Treasurer  
(Signature of Chairman/Treasurer)



**STATE OF ILLINOIS  
COUNTY OF COOK**

**BEFORE THE STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS**

Illinois State Board of Elections  
**Complainant**

v.

Case No. **08 AP 048**

Friends of Annazette R. Collins  
**Respondent**

S7707

**REPORT OF HEARING EXAMINER**

Appeal of Civil Penalty Assessment for Failure to File Schedule A-1's  
In conjunction with the 2008 General Primary Election

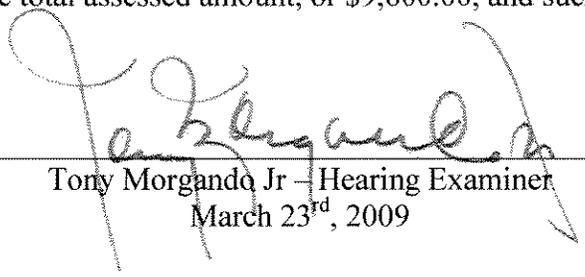
According to the political committee's June 2008 Semi Annual Report, it received contributions during the Schedule A-1 filing period, January 1<sup>st</sup>, 2008 through and including February 4<sup>th</sup>, 2008, which failed to be reported within two (2) business days of receipt as required by statute. A total of ten (10) contributions were deemed late. The political committee was assessed a civil penalty in the amount of \$19,200.00. Since this is a subsequent violation, it will be required to be paid by the political committee within thirty (30) days of the issuance of a Final Board Order.

Mr. Ed H. Smith, Chairman, filed a Request for Hearing and Appeal Affidavit, on October 31<sup>st</sup>, 2008, indicating: "The violation was committed unintentionally".

Hearing in this matter was originally set for Thursday, December 4<sup>th</sup>, 2008, to be conducted at the Chicago Board office, 100 W. Randolph, 14-100, at 1:00 p.m. The hearing was continued to Monday, February 9<sup>th</sup>, at 9:00 a.m., and subsequently held on Friday, March 20<sup>th</sup>, at 10:00 a.m.

Mr. Michael Kasper, counsel, appeared on behalf of the political committee. Counsel for the Respondent implied data entry personnel incurred difficulties cloning entered contributions to required Schedule A-1 forms. Mr. Kasper stated such procedural errors caused the political committee to miss the filing of necessary Schedule A-1 forms. Mr. Kasper indicated data entry personnel have sought instruction to assure errors are eliminated in future filings.

Based upon a review of the documents/statements submitted in this matter, the Hearing Examiner finds there are no reasonable grounds for the failure of the political committee to file required Schedule A-1's. Therefore, it is the recommendation of the Hearing Examiner that the appeal in this matter be denied. Since this is a second violation of the Schedule A-1 filing requirements, it is recommended that the civil penalty be reduced 50% of the total assessed amount, or \$9,600.00, and such fine be due and owing.

  
\_\_\_\_\_  
Tony Morgando Jr - Hearing Examiner  
March 23<sup>rd</sup>, 2009

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187  
Springfield, Illinois 62708  
217/782-4141  
Fax: 217/782-5959

James R. Thompson Center  
100 West Randolph, Suite 14-100  
Chicago Illinois 60601  
312/814-6440  
Fax: 312/814-6485



BOARD MEMBERS  
Albert Porter, Chairman  
Bryan Schneider, Vice Chairman  
Patrick Brady  
John Keith  
William McGuffage  
Wanda Rednour  
Jesse Smart  
Robert Walters

EXECUTIVE DIRECTOR  
Daniel W. White  
October 2, 2008

Friends of Annazette Collins  
Ed H Smith  
3215 W Warren Blvd  
Chicago, IL 60624

S7707

Dear Friends of Annazette Collins;

This committee has failed to file the following Schedule A-1's, Report of Campaign contributions of more than \$500.00, within 2 business days of receipt as required by the Illinois Campaign Disclosure Act:

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Fine Assessed</u>	<u>Amount of Contribution</u>	<u>Date A-1 Received</u>	<u>Days Late</u>
AT&T IL Employee PAC	1/17/08	\$2000.00	\$2000.00	*not filed	10
Chicago Teachers Union PAC	1/5/08	\$1000.00	\$1000.00	*not filed	12
ComEd PAC	1/23/08	\$4500.00	\$4500.00	*not filed	7
Committee for Ed Smith	1/31/08	\$700.00	\$700.00	*not filed	1
Friends of Clayborne	2/4/08	\$1000.00	\$1000.00	*not filed	1
IL Federation of Teachers	1/17/08	\$5000.00	\$5000.00	*not filed	10
IL Merchants PAC	1/5/08		\$250.00**		
IL Merchants PAC	1/9/08	\$500.00	\$500.00	*not filed	16
IL Trial Lawyers PAC	1/8/07	\$2000.00	\$2000.00	*not filed	17
IUOE Local 150	1/14/08	\$1000.00	\$1000.00	*not filed	13
IUOE Local 150	2/4/08	\$1500.00	\$1500.00	*not filed	1

The committee is fined a **total** of \$19200.00 for delinquently filing Schedule A-1 reports as required by the Illinois Campaign Disclosure Act. This total **does not** reflect any previously assessed fines.

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b-5) of the Election Code, the Board may impose fines for violations not to exceed 100% of the total amount of the contributions that were untimely reported, but in no case when a fine is imposed shall it be less than 10% of the total amount of the contributions that were untimely reported.

Since this is the second delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$9600.00, (50% of the total amount reflected above) if you do not choose to file an appeal under the Board's present policy. The total amount due will be imposed with the issuance of a Final Board Order after the 30-day appeal period had expired. This amount must be paid (including any previously assessed fines), within 30 days of the issuance of the Order.

Enclosed please find Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fines if you believe the civil penalties have been assessed in error. ***If you have a legitimate reason for your delinquent filing, it would behoove you to send in the appeal form since the Board has the discretion to take extenuating and other circumstances into account in determining the amount of your penalty.*** Notice of Appeal must be filed within 30 days of the mailing of this assessment for it to be considered.

If you have any questions regarding the appeal procedure, please call Sue McArthur at 217/782-1543.

Sincerely,



Rupert T. Borgstiller

Director, Division of Campaign Disclosure

RTB:sm

\* This contribution was reported on the June 2008 Semi-Annual Report but should have been reported on a Schedule A-1 Report of Campaign Contributions of more than \$500.00, within 2 business days of receipt.

\*\* This contribution did not, by itself, necessitate filing of a Schedule A-1. No fine was assessed for this contribution – it is listed for informational purposes only. A subsequent contribution, when aggregated with this contribution, exceeded the "more than \$500.00" threshold and was used as the basis for the fine assessment.

State of Illinois )  
County of Cook )

CHICAGO

OCT 31 PM 1:35

BEFORE THE STATE BOARD OF ELECTIONS  
OF THE STATE OF ILLINOIS

STATE  
BOARD OF ELECTIONS

IN THE MATTER OF; )  
ILLINOIS STATE BOARD OF ELECTIONS, )  
Complainant )  
vs. )  
Friends of Annazette R. Collins )  
Respondent(s). )

No. 08-AP048

APPEAL AFFIDAVIT

I, Ed H. Smith, the Chairman of the  
(Name) (Chairman/Treasurer)  
Friends of Annazette R. Collins  
(Name of the Committee)

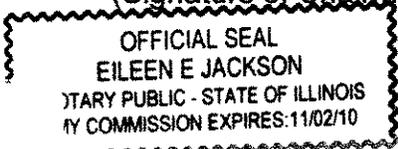
Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are: The violation was committed unintentionally.

Subscribed and Sworn to Before me  
This 31 Day Of October, 2008

Eileen E Jackson  
NOTARY PUBLIC

Ed H Smith

(Signature of Chairman/Treasurer)



**STATE OF ILLINOIS  
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS**

Illinois State Board of Elections

**Complainant**

v.

**09 DS 179**

Citizens for Gary Grasso

S 8802

**Respondent**

**REPORT OF HEARING EXAMINER**

Appeal of Civil Penalty Assessment

For Delinquently Filing the 2008 December Semi-Annual Report

The Report was received January 26, 2009, 4 days late, resulting in a civil penalty assessment of \$200.

Gary Grasso, the Chairman/Treasurer of the Committee, filed a Waiver of Appearance and submitted on the Appeal Affidavit the following:

On the Affidavit, Mr. Grasso stated that the Board normally sends a letter advising the Committee of all necessary reporting and filing due dates. He did not receive the letter for this report. On January 26, 2009, almost two weeks before the Board issued its non-compliance letter dated February 6, 2009, the Committee filed the semi-annual report, and issued correspondence to the Board confirming the address change for the Committee. He asks that the Board remove the penalty from the Committee's record as it made a good faith effort to comply with the Board's filing deadlines.

Notification was mailed to the committee address on file with the Board on December 2, 2008, with a reminder letter being mailed on January 12, 2009. The Board received notice of the Committee's address change on January 26, 2009, and the committee address has been updated per Mr. Grasso's instructions. The Board mailed the notification and the reminder letter to the address on file with the Board at that time, according to the Act and Board policy. I therefore, recommend that the appeal be denied for lack of an adequate defense. As a first violation, the penalty is stayed.



Sharon Steward – Hearing Examiner

April 6, 2009

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187  
Springfield, Illinois 62708  
217/782-4141  
Fax: 217/782-5959

James R. Thompson Center  
100 West Randolph, Suite 14-100  
Chicago Illinois 60601  
312/814-6440  
Fax: 312/814-6485



BOARD MEMBERS  
Albert Porter, Chairman  
Bryan Schneider, Vice Chairman  
Patrick Brady  
John Keith  
William McGuffage  
Wanda Rednour  
Jesse Smart  
Robert Walters

EXECUTIVE DIRECTOR  
Daniel W. White  
February 27, 2009

Citizens for Gary Grasso  
Gary Grasso  
760 Village Center Dr, ste 200  
Burr Ridge, IL 60527

S8802

Dear Citizens for Gary Grasso;

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:	Semiannual Report of Campaign Contributions and Expenditures
Report Period:	July 1, 2008 through December 31, 2008
Filing Period:	January 2, 2009 through January 20, 2009

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received by the Board on January 26, 2009, 4 day(s) late. As such, this committee has been assessed a fine of \$200.00.

Enclosed please find Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. Notice of Appeal must be filed within 30 days of the mailing of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.

Since this is a first time violation, the assessed civil penalty will be *stayed*. Any subsequent violation of any provision of Article 9 of the Election Code or of a Board Order shall result in the assessment of an additional penalty as provided in Section 125.425 of the Rules and Regulations governing the State Board of Elections, with that civil penalty and any previously assessed penalty to be paid within 30 days. Therefore, you need not pay this assessed civil penalty unless another violation occurs.

If you have questions regarding the appeal process, please call Sue McArthur at 217/782-1543.

Sincerely,

A handwritten signature in black ink, appearing to read "Rupert T. Borgsmiller".

Rupert T. Borgsmiller  
Director, Division of Campaign Disclosure

RTB:sm  
Enclosure(s): appeal forms

09 MAR 30 AM 9:42

State of Illinois )  
 )  
County of Cook )

BEFORE THE STATE BOARD OF ELECTIONS  
OF THE STATE OF ILLINOIS

IN THE MATTER OF )  
 )  
ILLINOIS STATE BOARD OF ELECTIONS, )  
 )  
Complainant, )  
 )  
vs. )  
 )  
CITIZENS FOR GARY GRASSO, )  
 )  
Respondent. )

Case No. *09 DS 179*

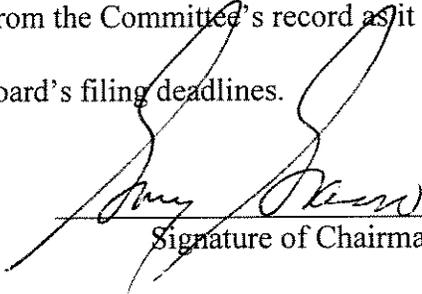
**APPEAL AFFIDAVIT**

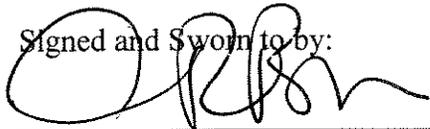
I, Gary Grasso, the Chairman of the Citizens for Gary Grasso Committee (“Committee”), first being duly sworn deposes and states that he represents that the said Committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

It has been the normal and customary practice of the State Board of Elections to send the Committee a letter advising it of all necessary reporting and filing due dates. I did not receive such letter for the Semiannual Report of Campaign Contributions and Expenditures (“semiannual report”), which had a filing period of January 2, 2009 through January 20, 2009. On January 26, 2009, almost two weeks before the Board issued its non-compliance letter dated February 6, 2009, the Committee filed the requisite semiannual report with the Board and, more

importantly, issued correspondence to the Board confirming the address change for the Committee.

Although the Committee's civil penalty has been stayed, I respectfully request this Board remove said penalty from the Committee's record as it made a good faith effort to comply with the Board's filing deadlines.

  
\_\_\_\_\_  
Signature of Chairman/Treasurer

Signed and Sworn to by:  


Before me this 27<sup>th</sup> Day of  
March, 2009.

Notary Public



STATE OF ILLINOIS  
COUNTY OF SANGAMON

BEFORE THE STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

Illinois State Board of Elections

**Complainant**

v.

09 DS 186

Citizens to Elect Jill C Marisie

S 9071

**Respondent**

**REPORT OF HEARING EXAMINER**

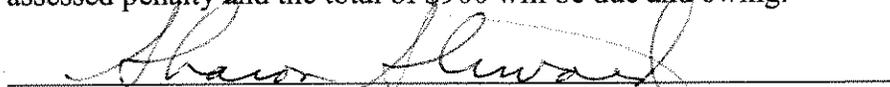
Appeal of Civil Penalty Assessment For Delinquently Filing the  
2008 December Semi-Annual Report

The Report was received February 11, 2009, 16 days late, resulting in a civil penalty assessment of \$750. In addition, this Committee had previously been assessed a \$150 civil penalty (stayed, not appealed) for delinquently filing the 2006 December Semi-Annual Report. The total assessment is \$900.

Stephen H. Haworth, the Treasurer of the Committee, filed a Waiver of Appearance and submitted on the Appeal Affidavit the following:

On the Affidavit, Mr. Haworth stated that this Committee is no longer operating. The balance of funds was donated to charity. He did not believe the Committee had an ongoing filing requirement.

A committee has an ongoing filing requirement until it has determined it will no longer receive or expend funds, has disposed of any residual funds, and has filed a Final Report showing a zero balance. Therefore, I recommend that the appeal be denied for lack of an adequate defense. If this recommendation is accepted by the Board, the stay will be lifted from the previously assessed penalty and the total of \$900 will be due and owing.



Sharon Steward – Hearing Examiner

March 31, 2009

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187  
Springfield, Illinois 62708  
217/782-4141  
Fax: 217/782-5959

James R. Thompson Center  
100 West Randolph, Suite 14-100  
Chicago Illinois 60601  
312/814-6440  
Fax: 312/814-6485



BOARD MEMBERS  
Albert Porter, Chairman  
Bryan Schneider, Vice Chairman  
Patrick Brady  
John Keith  
William McGuffage  
Wanda Rednour  
Jesse Smart  
Robert Walters

EXECUTIVE DIRECTOR  
Daniel W. White  
February 27, 2009

Citizens to Elect Jill Marisie  
Stephen Haworth  
24 Firth Rd  
Inverness, IL 60067

S9071

Dear Citizens to Elect Jill Marisie;

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type: Semiannual Report of Campaign Contribution and Expenditures  
Report Period: July 1, 2008 through December 31, 2008  
Filing Period: January 2, 2009 through January 20, 2009

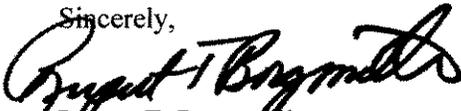
Based upon this committee's failure to comply with the provision of 10 ILCS 5-9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on February 11, 2009, 16 day(s) late. As such, this committee has been assessed a fine of \$750.00.

Enclosed please find the Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. Notice of Appeal must be filed within 30 days of the mailing of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.

If the above listed violation is not appealed and since this is a subsequent violation the previously stayed fine(s) for delinquent filing is now also required to be paid by the committee within 30 days:

Reporting Period	Report Type	Previous Fine Amount
7/1/2006 – 12/31/2006	Semi-annual	\$150.00
<b>TOTAL AMOUNT NOW DUE</b>		<b>\$900.00</b>

If you have any questions regarding the appeal process, please call Sue McArthur at 217/782-1543.

Sincerely,  
  
Rupert T. Borgsmiller  
Director, Division of Campaign Disclosure

RTB:sm  
Enclosure(s) appeal documents

State of Illinois )  
County of \_\_\_\_\_ )

STATE BOARD OF ELECTIONS  
09 MAR 20 AM 11:34

BEFORE THE STATE BOARD OF ELECTIONS  
OF THE STATE OF ILLINOIS

IN THE MATTER OF; )  
ILLINOIS STATE BOARD OF ELECTIONS, )  
Complainant )  
Vs. )  
CITIZENS TO ELECT JILL MARISIE )  
Respondent(s). )

Case No. 09 DS 186

APPEAL AFFIDAVIT

I, STEPHEN H HAWORTH, the TREASURER of the  
(Name) (Chairman/Treasurer)  
CITIZENS TO ELECT JILL MARISIE  
(Name of the Committee)

Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

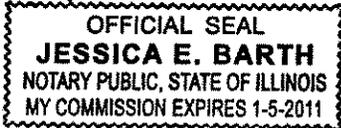
THIS COMMITTEE IS NO LONGER OPERATING. THE  
BALANCE OF FUNDS WERE DONATED TO CHARITY.  
I DID NOT BELIEVE THE COMMITTEE HAD  
AN ONGOING FILING REQUIREMENT.

Signed and Sworn to by:

before me this 18 Day of  
March 2009

Jessica E Barth  
Notary Public

[Signature]  
(Signature of Chairman/Treasurer)



**STATE OF ILLINOIS  
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS**

Illinois State Board of Elections

**Complainant**

v.

**09 DS 199**

Quality Education 203.org

S 9401

**Respondent**

**REPORT OF HEARING EXAMINER**

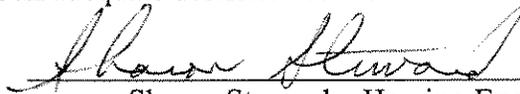
Appeal of Civil Penalty Assessment For Delinquently Filing the  
2008 December Semi-Annual Report

The Report was received on February 2, 2009, 9 days late, resulting in a civil penalty assessment of \$225.

John C. Brubaker, the Treasurer of the Committee, filed a Waiver of Appearance and submitted on the Appeal Affidavit the following:

On the Affidavit, Mr. Brubaker stated that he was using the 'Guide to Campaign Disclosure' that he received in early 2007, before the change in filing deadlines for semi-annual reports. He now understands that the 'Guide' has been changed, but does not find a revision control date or other notice attributed to the document that would help users identify that the 'Guide' has been modified. He mailed the report January 29, 2009, and it was received by the Board on February 2, 2009, as shown in the attachment from the Postal Service. He states that he did not receive notice. He realizes that notice was sent, but that they have a fairly high percentage of mail deliveries either delayed or lost. He states that the Committee wants to be in complete compliance, and they made a good faith effort to conform to the Campaign Disclosure rules. They thought they were doing the right thing and did not intentionally miss the due date. They ask that this would be excused under the extraordinary circumstance of apparent sporadic mail delivery between Naperville and Springfield. They also ask that further report notifications be sent by e-mail.

It is clear there was no intent to file the report late. However, laws seldom remain static over time, and it is the responsibility of the Committee to know and understand the law. The change in the filing deadline for the semi-annual report was effective in July of 2007, 1 ½ years ago; this is the 4<sup>th</sup> semi-annual report to be filed under the new deadline. In addition, the notification and the reminder notice were sent to the address provided by the Committee; the Board cannot be responsible for the postal service. E-mail notification of report filings is available and may be the best option for this committee. However, I recommend that the appeal be denied for lack of an adequate defense. As a first violation, the penalty is stayed.



Sharon Steward – Hearing Examiner

April 1, 2009

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187  
Springfield, Illinois 62708  
217/782-4141  
Fax: 217/782-5959

James R. Thompson Center  
100 West Randolph, Suite 14-100  
Chicago Illinois 60601  
312/814-6440  
Fax: 312/814-6485



BOARD MEMBERS  
Albert Porter, Chairman  
Bryan Schneider, Vice Chairman  
Patrick Brady  
John Keith  
William McGuffage  
Wanda Rednour  
Jesse Smart  
Robert Walters

EXECUTIVE DIRECTOR  
Daniel W. White  
February 27, 2009

Quality Education 203.org  
Peter Shulman  
1433 Terrance Dr  
Naperville, IL 60565

S9401

Dear Quality Education 203.org;

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:	Semiannual Report of Campaign Contributions and Expenditures
Report Period:	July 1, 2008 through December 31, 2008
Filing Period:	January 2, 2009 through January 20, 2009

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received by the Board on February 2, 2009, 9 day(s) late. As such, this committee has been assessed a fine of \$225.00.

Enclosed please find Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. Notice of Appeal must be filed within 30 days of the mailing of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.

Since this is a first time violation, the assessed civil penalty will be *stayed*. Any subsequent violation of any provision of Article 9 of the Election Code or of a Board Order shall result in the assessment of an additional penalty as provided in Section 125.425 of the Rules and Regulations governing the State Board of Elections, with that civil penalty and any previously assessed penalty to be paid within 30 days. Therefore, you need not pay this assessed civil penalty unless another violation occurs.

If you have questions regarding the appeal process, please call Sue McArthur at 217/782-1543.

Sincerely,

A handwritten signature in black ink, appearing to read "Rupert T. Borgsmiller".

Rupert T. Borgsmiller  
Director, Division of Campaign Disclosure

RTB:sm  
Enclosure(s): appeal forms

09 MAR 25 PM 2: 21

State of Illinois )  
County of DUPAGE )

BEFORE THE STATE BOARD OF ELECTIONS  
OF THE STATE OF ILLINOIS

IN THE MATTER OF; )  
ILLINOIS STATE BOARD OF ELECTIONS, )  
Complainant )  
Vs. )  
QUALITY EDUCATION 203.ORG )  
Respondent(s). )

Case No. 09 DS 199

APPEAL AFFIDAVIT

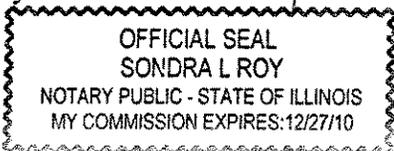
I, JOHN C. BRUBAKER, the TREASURER of the  
(Name) (Chairman/Treasurer)  
QUALITY EDUCATION 203.ORG  
(Name of the Committee)

Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

CONTAINED IN THE ATTACHED SHEET "APPEAL AFFIDAVIT  
CONTINUED: ILLINOIS STATE BOARD OF ELECTIONS VS.  
QUALITY EDUCATION.ORG, MARCH 24, 2009".  
ALSO ATTACHED: USPS TRACK & CONFIRM PRINTOUT.  
CALL J. BRUBAKER, 815.439.6149, FOR ADDITIONAL INFORMATION.

Signed and Sworn to by:  
John C. Brubaker  
before me this 24th Day of  
March, 2009  
Sondra L Roy  
Notary Public

John C. Brubaker  
(Signature of Chairman/Treasurer)



I received a letter from Rupert Borgsmiller, State Board of Elections, requesting our Form D-2 for the Pre-election Report of Campaign Contributions for the reporting period January 1, 2009 through January 25, 2009. While completing this report I noticed that our Semi-Annual Report covering the period July 1, 2008 to December 31, 2008 was past the special (bolded) January 20, 2009 deadline. When our committee formed in 2007, (when I obtained the documentation, A Guide to Campaign Disclosure, on which I have relied) the date of our reporting would not have been an issue as the due date was listed as the end of January. The Guide stated on page 15: "This report must be filed no later than January 31st". I now understand that the Guide has been changed, but do not find a revision control date or other notice attributed to the document that would help users identify that the Guide has been modified.

I did complete this Semi-Annual Report covering the period July 1, 2008 to December 31, 2008, and mailed it the morning of January 29, 2009 by US Postal Service next day delivery service. According to the US Postal Service, my Report was delivered to the required address: PO BOX 4187, Springfield IL at 11:48 AM on January 30, 2009. This address is identified as the "Arrival at Pick-up Point" on the enclosed copy of USPS Track & Confirm printout. By the Board's website and mailed account, our Report was not received until February 2, 2009 at 11:34 AM.

The primary reason the report was not delivered by the January 20, 2009 deadline is that I did not receive a notice of request, which has always in the past been sent by the Board prior to Report due dates. I learned in a phone conversation with a representative of the Board in Springfield (Sue, February 10, 2009) that this letter was mailed on January 12, 2009. Nonetheless, I never received it. I have since recorded dates of delivery on related mail, and found that a fairly high percentage of deliveries are delayed, if not lost. For instance, the envelope carrying the Board's advertisement of the February 7, 2009 Campaign Disclosure Seminar shows that it was mailed on January 23, but I did not receive it until February 11. Similarly, I mailed the recent Pre-election Report (period January 26 through March 8) by certified mail on March 9, but upon checking the Board website I found that it did not arrive until March 16. These examples represent unexpected first class delivery times of 19 and 7 days respectively, as well as deliveries made both to and from the Board.

QualityEducation203.org wants to be in complete compliance, and we made a good faith effort to conform to the Campaign Disclosure Rules. We thought we were doing the right thing as explained above and did not intentionally miss the due date. We would be grateful if our exception would be excused under the extraordinary circumstance of apparent sporadic mail delivery between Naperville and Springfield. In light of the US Postal Service delivery problems that we have experienced, we also request that future notices for reports be emailed to our committee. If possible, these should be forwarded to both myself (John Brubaker, Treasurer) at john-brubaker@sbcglobal.net, and to our Chairman, Peter Shulman, at pmslu@sbcglobal.net.



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[Track & Confirm](#)

[FAQs](#)

## Track & Confirm

### Search Results

Label/Receipt Number: EH51 2503 508U S

Detailed Results:

- **Delivered, February 02, 2009, 8:02 am, SPRINGFIELD, IL 62703**
- **Arrival at Pick-Up-Point, January 30, 2009, 11:48 am, SPRINGFIELD, IL 62708**
- **Arrival at Unit, January 30, 2009, 10:50 am, SPRINGFIELD, IL 62703**
- **Forwarded, January 30, 2009, 10:49 am, SPRINGFIELD, IL**
- **Processed, January 30, 2009, 12:03 am, BEDFORD PARK, IL 60499**
- **Processed, January 29, 2009, 12:50 pm, FOX VALLEY, IL 60599**
- **Acceptance, January 29, 2009, 8:10 am, NAPERVILLE, IL 60540**

[Track & Confirm](#)

Enter Label/Receipt Number.

[Go >](#)

[Back](#)

[Return to USPS.com Home >](#)

### Notification Options

#### Track & Confirm by email

Get current event information or updates for your item sent to you or others by email.

[Go >](#)

#### Proof of Delivery

Verify who signed for your item by email, fax, or mail.

[Go >](#)

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No FEAR Act EEO Data

FOIA



STATE OF ILLINOIS  
COUNTY OF SANGAMON

BEFORE THE STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

Illinois State Board of Elections

**Complainant**

v.

08 AP 015

Friends of Rich Kelly      S 9712

**Respondent**

**REPORT OF HEARING EXAMINER**

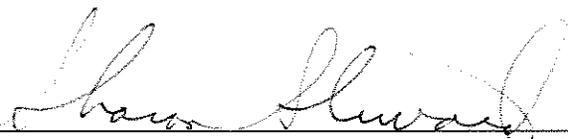
Appeal of Civil Penalty Assessment For Failure to File a Schedule A-1  
For the 2008 General Election

This Committee received one in-kind contribution valued at \$1416.99 on 10/7/08, and listed it on a Schedule A-1 filed on 10/16/08, 4 days late, resulting in a civil penalty of \$1416.99.

Rich Kelly, the Candidate, filed a Waiver of Appearance and submitted on the Appeal Affidavit the following:

On the Affidavit, Mr. Kelly stated that this in-kind contribution of \$1416.99 was reported on the next business day after he received it. He is aware of the 2 day reporting rule and is diligent in reporting contributions immediately. He does not know how this contribution showed up late.

In order to obtain additional documentation from Mr. Kelly in support of his Affidavit, I contacted him by telephone. He reviewed his records in an attempt to find the faxed notification of that in-kind contribution that he received from Personal PAC, but was unable to locate it. Therefore, since unfortunately, Mr. Kelly was unable to provide documentation to support his defense, I recommend that the appeal be denied. However, since there is nothing to indicate that this violation was anything other than inadvertent and unintentional, I also recommend that the penalty be reduced to 10% of the original assessment, or \$142. As a first violation, the penalty is stayed.

  
\_\_\_\_\_  
Sharon Steward – Hearing Examiner  
March 31, 2009

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187  
Springfield, Illinois 62708  
217/782-4141  
Fax: 217/782-5959

James R. Thompson Center  
100 West Randolph, Suite 14-100  
Chicago Illinois 60601  
312/814-6440  
Fax: 312/814-6485



BOARD MEMBERS  
Albert Porter, Chairman  
Bryan Schneider, Vice Chairman  
Patrick Brady  
John Keith  
William McGuffage  
Wanda Rednour  
Jesse Smart  
Robert Walters

EXECUTIVE DIRECTOR  
Daniel W. White  
December 16, 2008

Friends of Rich Kelly  
17508 Orland Woods Ln  
Orland Park, IL 60467

S9712

Dear Friends of Rich Kelly;

This committee has failed to file the following Schedule A-1's, Report of Campaign contributions of more than \$500.00, within 2 business days of receipt as required by the Illinois Campaign Disclosure Act:

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Fine Assessed</u>	<u>Amount of Contribution</u>	<u>Date A-1 Received</u>	<u>Days Late</u>
Personal PAC	10/7/08	\$1416.99	\$1416.99	10/16/08	4

The committee is fined a **total** of \$1416.99 for delinquently filing Schedule A-1 reports as required by the Illinois Campaign Disclosure Act. This total **does not** reflect any previously assessed fines.

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b-5) of the Election Code, the Board may impose fines for violations not to exceed 100% of the total amount of the contributions that were untimely reported, but in no case when a fine is imposed shall it be less than 10% of the total amount of the contributions that were untimely reported.

Since this is the first delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$142.00, (10% of the total amount reflected above) if you do not choose to file an appeal under the Board's present policy. The total amount due will be imposed with the issuance of a Final Board Order after the 30-day appeal period had expired. If your committee has no other civil penalty assessments and only one delinquent Schedule A-1 amount is listed above, the penalty will be **stayed** as a first violation and would only become due and owing upon any subsequent delinquent filings by the committee.

Enclosed please find Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fines if you believe the civil penalties have been assessed in error. ***If you have a legitimate reason for your delinquent filing, it would behoove you to send in the appeal form since the Board has the discretion to take extenuating and other circumstances into account in determining the amount of your penalty.*** Notice of Appeal must be filed within 30 days of the mailing of this assessment for it to be considered.

If you have any questions regarding the appeal procedure, please call Sue McArthur at 217/782-1543.

Sincerely,

A handwritten signature in black ink, appearing to read "Rupert T. Borgsmiller". The signature is fluid and cursive, with the first name "Rupert" being the most prominent.

Rupert T. Borgsmiller

Director, Division of Campaign Disclosure

RTB:sm

cc: Officer(s), Candidate(s)

State of Illinois )  
County of COOK )

STATE BOARD OF ELECTIONS  
09 JAN -7 PM 12:00

BEFORE THE STATE BOARD OF ELECTIONS  
OF THE STATE OF ILLINOIS

IN THE MATTER OF; )  
ILLINOIS STATE BOARD OF ELECTIONS, )  
Complainant )  
Vs. )  
FRIENDS OF RICH KELLY )  
Respondent(s). )

Case No. 08 AG 015

APPEAL AFFIDAVIT

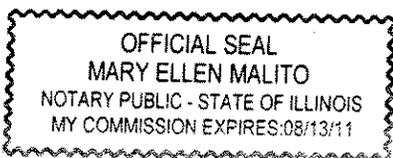
I, RICH KELLY, the CANDIDATE of the  
(Name) (Chairman/Treasurer)  
FRIENDS OF RICH KELLY  
(Name of the Committee)

Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

THIS IN-KIND CONTRIBUTION OF \$1,416.99 WAS REPORTED  
ON THE NEXT BUSINESS DAY AFTER I RECEIVED IT.  
I AM AWARE OF THE 2 DAY REPORTING RULE AND AM  
DILLIGENT IN REPORTING CONTRIBUTIONS IMMEDIATELY.  
I DO NOT KNOW HOW THIS CONTRIBUTION SHOWED UP LATE.

Signed and Sworn to by:  
Rich E Kelly  
before me this 5th Day of  
January, ~~2008~~ 2009  
Mary Ellen Malito  
Notary Public

Rich Kelly  
(Signature of Chairman/Treasurer)  
CANDIDATE  
(708) 479-5458



**STATE OF ILLINOIS  
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS**

Illinois State Board of Elections  
**Complainant**

v.

**09 MA 005**

Citizens for Michael Holliday  
**Respondent**

S 9838

**REPORT OF HEARING EXAMINER**

Appeal of Civil Penalty Assessment for Delinquently Filing  
The D-1 Statement of Organization and the 2008 December Semi-Annual Report

The D-1 Statement of Organization was received by the Board on December 5, 2008, 6 days late, resulting in a civil penalty assessment of \$150 and the 2008 December Semi-Annual Report was received by the Board on February 17, 2008, 18 days late, resulting in a civil penalty assessment of \$450. The total assessment is \$600.

Michael Holliday, the Chairman of the Committee, filed a Request for Hearing and an Appeal Affidavit. The hearing was held on March 3, 2009, at the Springfield office of the Board of Elections, with Michael Holliday appearing on his own behalf. Mr. Holliday testified that he actually exceeded the \$3000 filing threshold on December 12, 2008, rather than the November 11, 2008, date he reported on the D-1. Upon request, Mr. Holliday submitted a copy of his November and December bank statements as well as a cover letter. This documentation supported his defense that his committee did not cross the filing threshold until December 12, 2008. He stated that as a new committee, it was an oversight on their part for not filing on time. He has personally taken over the filing procedures.

Based upon Mr. Holliday's testimony, the bank statements he submitted, and the filing of the amended D-1, I recommend that the appeal be granted in regards to the filing of the D-1 Statement of Organization. The threshold was not crossed until December 12, 2008; the D-1 had been filed on December 5, 2008; therefore, it was timely filed. In regards to the 2008 December Semi-Annual Report, I recommend that the appeal be denied for lack of an adequate defense. If this recommendation is accepted, the \$450 civil penalty for delinquently filing the 2008 December Semi-Annual Report will be stayed as a first violation.



---

Sharon Steward – Hearing Examiner  
March 12, 2009

State of Illinois )  
County of MADISON )

BEFORE THE STATE BOARD OF ELECTIONS  
OF THE STATE OF ILLINOIS

IN THE MATTER OF; )  
ILLINOIS STATE BOARD OF ELECTIONS, )  
Complainant )  
Vs. )  
CITIZENS FOR MICHAEL HOLLIDAY )  
Respondent(s). )

Case No. 09 MA 005

APPEAL AFFIDAVIT

I, MICHAEL HOLLIDAY, the CHAIRMAN of the  
(Name) (Chairman/Treasurer)  
CITIZENS FOR MICHAEL HOLLIDAY  
(Name of the Committee)

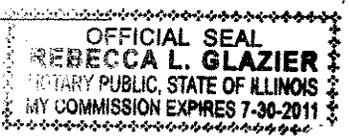
Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

WE ARE A NEW COMMITTEE AND IT WAS A  
OVERSIGHT ON OUR PART NOT FILING ON TIME.

Signed and Sworn to by:  
Rebecca Glazier  
before me this 3<sup>rd</sup> Day of  
March, 2009

[Signature]  
(Signature of Chairman/Treasurer)

Notary Public



STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187  
Springfield, Illinois 62708  
217/782-4141  
Fax: 217/782-5959

James R. Thompson Center  
100 West Randolph, Suite 14-100  
Chicago Illinois 60601  
312/814-6440  
Fax: 312/814-6485



BOARD MEMBERS  
Albert Porter, Chairman  
Bryan Schneider, Vice Chairman  
Patrick Brady  
John Keith  
William McGuffage  
Wanda Rednour  
Jesse Smart  
Robert Walters

EXECUTIVE DIRECTOR  
Daniel W. White  
February 27, 2009

Citizens for Michael Holliday  
Joe Brice  
2445 N Henry St  
Alton, IL 62002

S9838

Dear Citizens for Michael Holliday;

This letter is to inform you that this committee failed to file its' D-1 Statement of Organization during the requisite 10-day filing period.

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-3 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received by the Board on December 5, 2008, 6 day(s) late. As such, this committee has been assessed a fine of \$150.00.

In addition, this committee failed to file the following documents during the requisite filing period:

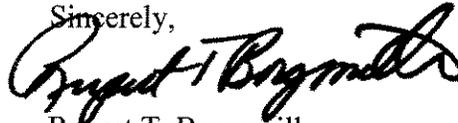
Report Type:	Semiannual Report of Campaign Contribution and Expenditures
Report Period:	July 1, 2008 through December 31, 2008
Filing Period:	January 2, 2009 through January 20, 2009

Based upon this committee's failure to comply with the provision of 10 ILCS 5-9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on February 17, 2009, 18 day(s) late. As such, this committee has been assessed a fine of \$450.00.

Enclosed please find Section 10 ILCS 5/9-3 of the Election Code and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. Notice of Appeal must be filed within 30 days of the mailing of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.

If you have questions regarding the appeal process, please call Sue McArthur at 217/782-1543.

Sincerely,



Rupert T. Borgsmiller

Director, Division of Campaign Disclosure

RTB:sm

Enclosure(s): appeal packet

STATE BOARD OF ELECTIONS

Michael "Doc" Holliday Sr.  
Citizen's for Mike Holliday  
301 EST Broadway  
Alton, IL 62002

09 MAR -9 PM 3:30

IL State Board of Elections  
Attn: MS. Sharon Steward,

Dear Ms. Steward,

This letter is a follow up to my visit with you. As I checked my account statements, my committee started out with the remains from my previous account which was \$661.90. As a new committee we had raised \$2,901.70 as of 12\31\2008. If you count the amount in our starting balance then we passed the threshold of \$3,000.00 on 12\12\2008.

There was a over site in the proper response to filing at the correct time, and I apologize for that. I will personally handle this procedure from now on. We are a small group planning on making some positive changes in our community. Being led by "GOD" I try to do everything decent and in order.

I appreciate your help in trying to facilitate a fair outcome.

Sincerely,

Handwritten signature of Michael "Doc" Holliday Sr. in cursive script.

To report errors or make inquiries about loans marked with an \* write to:

# STATEMENT OF ACCOUNT

To report or make inquiries about electronic fund transfers "EFT", write to address on left or call:

OLIN COMMUNITY CU  
731 E. BETHALTO DR.  
BETHALTO IL 62010

SELECT

800-345-4216

58005005-00877

STATE BOARD OF ELECTIONS

Each loan marked \* is an open-end loan. The balance used to compute the finance charge on open-end loans is the unpaid principal balance at the time of the transaction. On the date an advance is taken, the amount of the advance is added to the unpaid principal balance. On the date a payment is made, the finance charge and any late charges due are deducted from the payment amount and the remainder, if any, is subtracted from the unpaid principal balance. The Annual Percentage Rate (APR) is shown in the loan summary below. The phrase "(MAY VARY)" means that this loan has a variable Annual Percentage Rate.

The Annual Percentage Rate (APR) is shown in the loan summary below. The phrase "(MAY VARY)" means that this loan has a variable Annual Percentage Rate.

MIKE H HOLLIDAY SR DBA 62002  
CITIZENS FOR MIKE HOLL  
2201 EDWARDS ST  
ALTON IL 62002-3907

STATEMENT PERIOD	09/18/07
FROM	12-01-08
TO	12-31-08
MEMBER NUMBER	

9 PM 3:30

DATE	TYPE OF ACCOUNT / TYPE OF TRANSACTION	LOAN PAYMENT AMOUNT	FINANCE CHARGE	FEE OR LATE CHARGES	CHANGE TO BALANCE	BALANCE
MO   DAY   Y						
12 01 8	BASIC SHARE 01			PREVIOUS BALANCE		652
12 31 8	DIVIDEND EARNED 12-01-08 THRU 12-31-08				001	653
12 31 8	1.82 ANNUAL PERCENTAGE YIELD EARNED 12-01-08 THRU 12-31-08			NEW SHARE BALANCE		653
12 01 8	BASIC SHARE DRAFT 75			PREVIOUS BALANCE		115208
12 08 8	SHARE DRAFT DEP FROM CHECKS RECEIVED, CASH RECEIVED, DRAFTS CLEARED				72100	187308
12 09 8	SHARE DRAFT DEP FROM CHECKS RECEIVED, CASH RECEIVED, DRAFTS CLEARED				90000	277308
12 12 8	SHARE DRAFT DEP FROM CHECKS RECEIVED, CASH RECEIVED				57000	334308
12 12 8	SHR DRAFT 230 TRACE		1015956		53525-	280783
12 18 8	SHARE DRAFT DEP FROM CHECKS RECEIVED				9000	289783
12 31 8	DIVIDEND EARNED 12-01-08 THRU 12-31-08				052	289835
12 31 8	.25 ANNUAL PERCENTAGE YIELD EARNED 12-01-08 THRU 12-31-08			NEW SHARE BALANCE		289835
	* * * * * DRAFT NUMBER SEQUENCE SUMMARY * * * * *					
	230 535.25					
	* BREAK IN DRAFT NUMBER SEQUENCE					
***** 2008 YEAR-TO-DATE FINANCIAL SUMMARY *****						
	DIV/INT PAID	DIV/INT WITHHOLDING	MORTGAGE POINTS	MORTGAGE LATE CHG	MORTGAGE FINANCE CHG	OTHER NON-MTG FINANCE CHG
	1.36	0.00	0.00	0.00	0.00	0.00

This statement is a permanent record of your account. Income tax information appears at the end of the statement

To report errors or make inquiries about loans marked with an \* write to:

# STATEMENT OF ACCOUNT

To report or make inquiries about electronic fund transfers "EFT", write to address on left or call:

OLIN COMMUNITY CU  
731 E. BETHALTO DR.  
BETHALTO IL 62010

SELECT

800-345-4216  
58005005-00681

Each loan marked \* is an open-end loan. The balance used to compute the finance charge on open-end loans is the unpaid principal balance at the time of the transaction. On the date an advance is taken, the amount of the advance is added to the unpaid principal balance. On the date a payment is made, the finance charge and any late charges due are deducted from the payment amount and the remainder, if any, is subtracted from the unpaid principal balance. The Annual Percentage Rate (APR) is shown in the loan summary below. The phrase "(MAY VARY)" means that this loan has a variable Annual Percentage Rate.

The Annual Percentage Rate (APR) is shown in the loan summary below. The phrase "(MAY VARY)" means that this loan has a variable Annual Percentage Rate.

STATEMENT PERIOD	
FROM	TO
11-01-08	11-30-08
MEMBER NUMBER	

MIKE H HOLLIDAY SR DBA 62002  
CITIZENS FOR MIKE HOLL  
2201 EDWARDS ST  
ALTON IL 62002-3907

DATE	TYPE OF ACCOUNT / TYPE OF TRANSACTION	LOAN PAYMENT AMOUNT	FINANCE CHARGE	FEE OR LATE CHARGES	CHANGE TO BALANCE	BALANCE
MO   DAY   Y						
11 01 8	BASIC SHARE 01			PREVIOUS BALANCE		651
11 30 8	DIVIDEND EARNED 11-01-08 THRU 11-30-08				001	652
11 30 8	1.89 ANNUAL PERCENTAGE YIELD EARNED 11-01-08 THRU 11-30-08			NEW SHARE BALANCE		652
11 01 8	BASIC SHARE DRAFT 75			PREVIOUS BALANCE		66190
11 10 8	EFT OFFICE DEPOT ;111008; PURCHASE SERIAL#228 ALTOIL				3747-	62443
11 13 8	SHARE DRAFT DEP FROM CHECKS RECEIVED				10000	72443
11 15 8	SHARE DRAFT DEP FROM CHECKS RECEIVED				17500	89943
11 15 8	W/DRAWL-TRANSFER TO CASH DISBURSED				5000-	84943
11 17 8	SHR DRAFT 226 TRACE		1064570		4253-	80690
11 20 8	SHARE DRAFT DEP FROM CHECKS RECEIVED				34500	115190
11 30 8	DIVIDEND EARNED 11-01-08 THRU 11-30-08				018	115208
11 30 8	.25 ANNUAL PERCENTAGE YIELD EARNED 11-01-08 THRU 11-30-08			NEW SHARE BALANCE		115208
226	* * * * DRAFT NUMBER SEQUENCE SUMMARY * * * *		42.53 228*	37.47		
*	BREAK IN DRAFT NUMBER SEQUENCE					
----- ***** 2008 YEAR-TO-DATE FINANCIAL SUMMARY ***** -----						
DIV/INT PAID	DIV/INT WITHHOLDING	MORTGAGE POINTS	MORTGAGE LATE CHG	MORTGAGE FINANCE CHG	OTHER NON-MTG FINANCE CHG	
0.83	0.00	0.00	0.00	0.00	0.00	

This statement is a permanent record of your account. Income tax information appears at the end of the statement

2



FORM  
D-1

STATEMENT OF ORGANIZATION

FOR OFFICE USE ONLY  
STATE BOARD OF ELECTIONS

MAR 16 AM 11:59

PLEASE TYPE OR PRINT IN BLACK INK

Full name and complete mailing address of Political Committee:

CITIZENS FOR MIKE HOLLIDAY  
2201 EDWARDS ST  
ALTON, IL 62002

THIS FORM MAY BE TRANSMITTED BY FAX. THE ORIGINAL MUST BE FORWARDED ON THE DAY OF FAX TRANSMITTAL.

E-MAIL ADDRESS: docholliday08@sbcglobal.net

POLITICAL COMMITTEE IDENTIFICATION NO.

CHECK HERE IF ADDRESS CHANGE

59838-10

SEE PAMPHLET "A GUIDE TO CAMPAIGN DISCLOSURE" FOR GUIDANCE.

1. DATE COMMITTEE CREATED: 12-11-08 2. AMOUNT OF FUNDS AVAILABLE FOR CAMPAIGN EXPENDITURES AS OF THE DATE THE COMMITTEE WAS CREATED: \$ 2773.08

3.  NEW COMMITTEE  AMENDMENT (MUST BE FILED WITHIN 10 DAYS OF ANY CHANGES.)

4. POLITICAL COMMITTEE'S AREA OF ACTIVITY, SCOPE AND PARTY AFFILIATION:  
A -  STATE POLITICAL COMMITTEE  STATE & LOCAL POLITICAL COMMITTEE  
 LOCAL POLITICAL COMMITTEE  
B - IF THIS IS A LOCAL OR A STATE AND LOCAL POLITICAL COMMITTEE, PLEASE LIST THE COUNTY OR COUNTIES IN WHICH IT WILL OPERATE: MADISON  
C - THIS COMMITTEE WILL PRIMARILY:  SUPPORT OR  OPPOSE CANDIDATES FOR LOCAL OR STATE OFFICE.  
D - THIS COMMITTEE WILL:  SUPPORT OR  OPPOSE QUESTIONS OF PUBLIC POLICY.  
E - POLITICAL PARTY AFFILIATION:  
F - COUNTY OF RESIDENCY OF CANDIDATE: MADISON

5. PURPOSE (S) OF THE POLITICAL COMMITTEE: ELECT MIKE HOLLIDAY MAYOR OF ALTON IL

6. CANDIDATE (S) THE COMMITTEE IS SUPPORTING OR OPPOSING. (IF AMENDING, LIST ALL AS OF TODAY'S DATE.)

NAME AND ADDRESS	SUPPORT	OPPOSE	OFFICE	PARTY AFFILIATION
Michael Holliday SR	X		MAYOR OF ALTON	NON PARTISAN

\* IF MORE SPACE IS FOR INFORMATION IS REQUIRED, PLEASE ATTACH ADDITIONAL SHEETS.

**STATE BOARD OF ELECTIONS**  
**1020 South Spring Street**  
**Springfield, Illinois 62704**  
**217/782-4141**

**Rupert T. Borgsmiller**

**Director, Campaign Disclosure**

To: Members of the Board, Daniel W. White, Executive Director, Steve Sandvoss, General Counsel

Re: Civil Penalty Assessments Necessitating a Final Board Order

Date: 4/9/2009

Listed below are committees that have been assessed a civil penalty for delinquently filing the D1 Statement of Organization, the December 2008 Semi-annual report, the June 2008 Semi-annual report, the November 2008 Pre-election report, and "multi - assessments". These violations were not appealed & should be issued a Final Board Order.

<b>D-1 Statement of Organization</b>			
<b>Cmte Name</b>	<b>Cmte No</b>	<b>Amt of Fine</b>	<b>Previous Violations</b>
Kendall County Democratic Women (b)	S9840	\$275.00	none
<b>June 2008 Semi-annual Report</b>			
<b>Cmte Name</b>	<b>Cmte No</b>	<b>Amt of Fine</b>	<b>Previous Violations</b>
Citizens for Mike Psak**	S8892	\$3325.00	None
Friends of Murray Gilford**	S9413	\$2325.00	None
<b>November 2008 Pre-election Report</b>			
<b>Cmte Name</b>	<b>Cmte No</b>	<b>Amt of Fine</b>	<b>Previous Violations</b>
Richland 2014	L12187	\$1100.00	none
<b>Multi-Assessments</b>			
<b>Cmte Name</b>	<b>Cmte No</b>	<b>Amt of Fine</b>	<b>Previous Violations</b>
Friends of David Askew**	L13481	\$10000.00	2 semi, 1 pre
Maine Township Rep Womans PAC**	S8933	\$6275.00	3 semi
<b>December 2008 Semi-annual Report</b>			
<b>Cmte Name</b>	<b>Cmte No</b>	<b>Amt of Fine</b>	<b>Previous Violations</b>
United Home Owners/Good Gov't Party	L729	\$50.00	None
Friends of Stephen Daday	L1060	\$200.00	None
Cmte to Re-elect Sally Coffelt	L1335	\$50.00	None
Cuba Township Republican Club	L1336	\$200.00	2 semi
Dundee Township Republican Org	L1722	\$50.00	None
Friends of Bruce Strom	L1854	\$50.00	None
Williamson Co Republican Womens Club	L1975	\$50.00	1 semi
Moultrie Co Democrat Central Cmte	L2062	\$25.00	None
Citz for Joe Moore	L2617	\$100.00	1 semi, A-1's (pd)
Cmte to Re-elect Mike Costello	L3158	\$750.00	None
Friends of Pete MacKay	L4037	\$75.00	None
Citz for Sig	L5131	\$200.00	None
Citz are Responsible for Education	L5618	\$800.00	1 semi

December 2008 Semi-annual Report			
Cmte Name	Cmte No	Amt of Fine	Previous Violations
Cmte to Elect Pat Dutcher **	L6370	\$150.00	1 semi
Decatur PAC for Education	L6909	\$1300.00	None
Unit 5 Education Assoc IPACE	L7163	\$200.00	1 pre
Friends for Barb, Ed & Terry **	L7341	\$175.00	None
Westside PAC	L7391	\$75.00	None
Citz for Sherwin	L7426	\$150.00	None
Northlake Independence Party	L7427	\$100.00	None
Friends & Neighbors of Jim Gitz	L7730	\$75.00	None
Friends of John Ostenburg	L7947	\$25.00	None
Citz for Bradley Jones	L8849	\$50.00	None
Will Co Young Republicans	L9188	\$100.00	None
Friends of Milton Sees	L9559	\$50.00	None
Citz to Elect Steve Reiss	L9588	\$300.00	2 semi
Citz for Plummer **	L10007	\$250.00	None
Northlake Independents Party	L10247	100.00	None
Friends of Vician	L10652	\$150.00	None
Citz for Brien Sheahan	L10738	\$200.00	1 semi
Supporters for Dorene Hoosman **	L10752	\$1050.00	1 semi
We the People for Daly	L10754	\$350.00	None
Citz for Dean Argis	L11003	\$50.00	None
Cmte to Elect Howard Brookins Jr	L11198	\$100.00	None
Cameron for County Board	L11201	\$150.00	None
Citz to Elect Norman Bolden Alderman	L11237	\$600.00	1 semi
Friends of Claire Prindable	L11342	\$25.00	None
WTHS Citz Cmte Inc	L11401	\$150.00	None
Friends for Joe Bartolomucci **	L11418	\$525.00	None
Cmte to Elect Brent Gould	L11679	\$25.00	None
Citz for Smolinski **	L11792	\$50.00	None
Yes for Quincy Cmte	L12023	\$50.00	None
21 Chicago	L12029	\$100.00	None
Dan Pierce Cmte **	L12157	\$125.00	None
Citz for Nicholas Milissis	L12401	\$50.00	none
Votedebby.com	L12941	\$50.00	None
Citz for Joe Sosnowski	L12974	\$600.00	None
Phillips for Mayor	L12986	\$225.00	2 semi (pd)
Friends of Matt Flamm **	L12988	\$425.00	None
Friends of Michele Rosenfeld	L13002	\$350.00	None
Elect Richard Dunn	L13201	\$100.00	None
Friends of ECC	L13221	\$200.00	none
Vermilion Co Young Republicans	L13289	\$75.00	None
Citz for Mary Margaret Maule **	L13484	\$300.00	1 semi
Friends of Cuahutemoc Morfin	L13495	\$125.00	None
Friends of Del Valle	L13711	\$400.00	1 pre, 1 semi
Tebben for Mayor **	L13803	\$100.00	1 pre
Friends for Mike Kurgan	L14170	\$50.00	None
Citz for Nancy **	L14253	\$50.00	None
Friends of Dave Wentz Campaign Cmte	L14288	\$50.00	None

**December 2008 Semi-annual Report**

<b>Cmte Name</b>	<b>Cmte No</b>	<b>Amt of Fine</b>	<b>Previous Violations</b>
Citz for Philip Nicolosi	L14318	\$1200.00	None
Cmte to Elect Marty Leffler	L14341	\$75.00	None
Cmte to Re-elect Lorraine Moreland **	L14407	\$100.00	None
Friends of Dr Fischella for Coroner **	L14449	\$25.00	None
32 <sup>nd</sup> Ward Republican Org	L14486	\$400.00	1 semi
Citz for Responsible Garden Prairie Gov't **	L14492	\$1050.00	2 semi
Renew our Schools	L14517	\$75.00	None
Citz for Malone	L14561	\$350.00	None
Cmte to Elect Randy Lambdin	L14587	\$150.00	None
Friends for Ron Ellis	L14589	\$100.00	None
Citz for Larry Leafblad	L14598	\$400.00	None
Randolph County Young Dems	L14609	\$50.00	None
Dr Charles Flowers & Friends	L14634	\$200.00	1 semi
Citz for Welch	L14671	\$100.00	None
Citz to Elect Michael Rortvedt for Coroner **	L14683	\$100.00	None
Friends of Sharon May	L14684	\$75.00	None
Kimberly Hooper for Circuit Clerk **	L14685	\$275.00	None
Citz for Avery Ware	L14686	\$75.00	None
Friends of Dennis Rich **	L14734	\$100.00	None
New Libraries Now **	L14749	\$850.00	1 pre, A-1
Cmte to Elect J Imani Drew	L 14753	\$25.00	None
St Clair Township Continued Progress Party	L14759	\$600.00	None
Tim Fornes for States Attny **	L14767	\$50.00	None
Norrige & Harwood Heights Comm Homeowners	L14768	\$450.00	None
Citz to Elect Dale Stough **	L14772	\$350.00	None
Cmte for Thornton	L14781	\$375.00	None
Citz to Elect Michael Donnenwirth **	L14818	\$25.00	None
Betty Kinser for County Board **	L14821	\$700.00	None
Alsip Integrity Party	L14841	\$25.00	None
Friends of Mark Fumagalli **	L14847	\$75.00	1 pre
Cmte to Re-elect Jeffrey Farris **	L14868	\$25.00	None
Every Resident Counts	L14870	\$100.00	None
Jesse Dabson	L14871	\$375.00	None
Friends of Carol Ammons & Lloyd Carter **	L14872	\$125.00	None
Friends of Kris Wasowicz	L14885	\$200.00	None
Friends of Will Kyles	L14896	\$150.00	None
Citz for Sam Jaber	L14910	\$100.00	None
Citz for Lofchie	L14921	\$25.00	None
Friends of Adrian Dortch **	L14928	\$225.00	None
Romeoville United	L14945	\$225.00	None
Change 4 Bensenville	L14951	\$225.00	None
Friends of Dennis Pauley	L14989	\$175.00	None
Woodford Co Republican Central Cmte	S183	\$50.00	none
Fulton Co Democratic Central Cmte	S215	\$450.00	None
DuPage Co Democratic Central Cmte	S609	\$50.00	None
Ford Co Democrats Central Cmte	S694	\$50.00	None
Grundy Co Democratic Central Cmte	S700	\$150.00	None
Menard Co Republican Central Cmte	S836	\$50.00	None
Clark Co Democratic Central Cmte	S926	\$100.00	None
Alexander Co Democratic Central Cmte	S961	\$100.00	None
Balanoff Political Fund	S1206	\$75.00	None

December 2008 Semi-annual Report			
Cmte Name	Cmte No	Amt of Fine	Previous Violations
Cmte to Elect Qualified Judges	S1535	\$425.00	None
NOW/Equality/Pac	S2107	\$850.00	None
North Suburban Teachers Union Cope	S2175	\$50.00	None
Illinois Printpac	S2540	\$50.00	None
Citz for Stroger **	S3141	\$25.00	None
Central IL Democratic Women Inc	S3607	\$100.00	1 semi
Nurses United for Pac	S3691	\$50.00	None
Cmte on Home Ownership	S4801	\$150.00	None
United Conservative Fund	S5034	\$75.00	None
Citz for Mayor Porch	S5788	\$150.00	None
Acorn PAC	S6184	\$1200.00	2 semi
Womens Voices Womens Votes	S6242	\$250.00	None
Coulson Campaign Cmte	S6474	\$50.00	None
Mark Shelden Campaign Fund	S6954	\$375.00	None
Concerned Voters for Protter	S7066	\$600.00	3 semi
Il Roofing Contractors PAC	S7373	\$150.00	None
Cmte for a Better Berwyn	S7493	\$25.00	None
Citz for Davis	S7606	\$600.00	1 semi
Friends of Mary Beth Tighe	S7616	\$50.00	1 semi, 1 pre (pd)
Friends of Mary Jane O'Shea Manella **	S7685	\$50.00	None
Advocates for a Better Community	S7686	\$50.00	None
Tooling & Manufacturing Assn Pac	S7718	\$150.00	None
47 <sup>th</sup> Ward Political Cmte	S7725	\$25.00	None
Judge Drazewiski Campaign Cmte	S7925	\$25.00	None
Citz for April Troope	S8056	\$1200.00	2 semi
Il New Party Political Cmte	S8209	\$450.00	2 semi
Il Court Reporters Assn Pac	S8257	\$25.00	None
Teamsters Joint Council 65	S8405	\$100.00	None
Polish American Pac of Il	S8546	\$325.00	None
Friends of N Keith Chambers	S8556	\$150.00	1 semi
St Clair Twp Dem Precinct Committeemen's Club	S8766	\$100.00	None
Citz for Hofeld	S8773	\$250.00	1 semi
Friends of Dennis Brennan	S8834	\$75.00	None
Friends for David McAloon	S8914	\$50.00	None
Citz for Francisco Rodriguez	S8950	\$150.00	None
Warren Twp Democrats	S8976	\$100.00	None
Cmte to Elect Bonita Coleman John	S8983	\$100.00	None
Cmte to Elect James Patrick Murphy	S9127	\$100.00	None
Citz for Gambill	S9174	\$25.00	None
Republican Assembly of Lake Co	S9179	\$100.00	None
MB Financial Inc State Pac	S9181	\$50.00	None
Citz to Re-elect John Pope	S9215	\$300.00	1 semi
15 <sup>th</sup> Congressional Dist Rep Cmte	S9252	\$25.00	None
Mexicanos for Political Progress	S9331	\$1050.00	1 semi
Change Cicero 2009	S9390	\$75.00	None
Cmte to elect Judge Mulroy **	S9418	\$150.00	None
Friends to elect Paul Chadha	S9420	\$400.00	None
Cmte to Elect Judge Marilyn Johnson	S9425	\$125.00	None

<b>December 2008 Semi-annual Report</b>			
<b>Cmte Name</b>	<b>Cmte No</b>	<b>Amt of Fine</b>	<b>Previous Violations</b>
Madison Co Republicans Dist 5	S9435	\$100.00	None
Friends of Howard Brookins Jr	S9446	\$100.00	None
Citz to Elect Dan Fish **	\$8455	\$375.00	None
Cmte to Amend Section 625 II Vehicle Code	S9458	\$75.00	None
Mulroe for Judge	S9500	\$700.00	None
Cmte to elect Judge Jennifer Bauknecht	S9579	\$150.00	None
Friends of Judge Snyder **	S9597	\$1725.00	None
Harper 512 Assn	S9662	\$100.00	None
Friends of Tom Shrier	S9730	\$50.00	None
Citz for Boises	S9733	\$450.00	None
Wright4champaign **	S9736	\$750.00	None
Haciendo Pac	S9743	\$150.00	1 semi
Citz for Dupar	S9764	\$150.00	None
Clover Club **	S9769	\$75.00	None
Metro Chicago United Pol Action Cmte **	S9797	\$425.00	None
Judge Lustfeldt Retention Cmte	S9821	\$50.00	None
USW Loc 17 Pac Fund	S9830	\$400.00	None
Friends of Tony Michaelassi	S9831	\$100.00	None

**(\*\* - DENOTES COMMITTEES THAT HAVE FILED A FINAL REPORT)**

**STATE BOARD OF ELECTIONS**

**1020 South Spring Street**

**Springfield, Illinois 62704**

**217/782-4141**

**Rupert T. Borgsmiller**

**Director, Campaign Disclosure**

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To: Daniel W. White, Executive Director, Members of the Board

Re: Payment of Civil Penalties - Informational

Date: April 9, 2009

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The following committees have made payment of outstanding civil penalties for the period of 3/5/2009 - 4/9/2009:

- § Citizens for Noland - \$1600.00
- § Committee to Elect Thaddeus Wilson - \$300.00
- § Emily's List – IL - \$150.00
- § Citizens to Elect Sue Low - \$450.00
- § Consolidated Communications PAC Inc - IL - \$150.00
- § Citizens for Arthur Turner - \$2000.00
- § Volunteers for Delgado - \$50.00
- § Friends of Judy Stearns - \$359.50
- § Citizens to Elect Norman Bolden Alderman of the 4th Ward - \$300.00
- § Massac County Republican Womens Club - \$200.00
- § Citizens for Judy Cates - \$75.00
- § Illinois New Party Political Committee - \$500.00
- § Citizens for April Troope - \$500.00
- § Acorn PAC - \$500.00
- § Friends of James McTague - \$900.00
- § The East St Louis Democratic Club - \$275.00
- § IL Community Action Fund Pac - \$100.00
- § Illinois Licensed Beverage Association PAC - \$225.00
- § Friends of Art Moore - \$125.00
- § Friends for Anita Forte Scott - \$1036.00
- § Citizens for Judy Cates - \$1134.00
- § 34th Ward Regular Democratic Organization - \$2000.00
- § Jersey County Democratic Central Committee - \$900.00
- § Dodge for Trustee - \$150.00
- § Stark County Democratic Central Committee - \$375.00
- § Friends of Bob Lutz - \$5000.00

**Total Amount Paid for this Period- \$19,354.50**

**Year to Date:**

1/8/09 – 2/4/09 - \$4305.50

2/5/09 – 3/5/09 - \$9722.50

3/6/09 – 4/9/09 - \$19,354.50

# **S** STATE BOARD OF ELECTIONS



*From the desk of.... Steve Sandvoss, General Counsel*  
*Phone: 217-557-9939*  
*Email: [ssandvoss@elections.il.gov](mailto:ssandvoss@elections.il.gov)*

**To:** Members of the Board  
**Re:** Temporary Employees, Prohibited Political Activity  
**Date:** April 8, 2009

---

At the request of Member Keith, I have prepared the following Memorandum that presents the issue of whether temporary contractual employees should be subject to the Election Code provision that prohibits political activity by State Board of Elections employees (Section 5/1A-13).

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187  
Springfield, Illinois 62708  
217/782-4141 TTY: 217/782-1518  
Fax: 217/782-5959

James R. Thompson Center  
100 West Randolph, Suite 14-100  
Chicago, Illinois 60601  
312/814-6440 TTY: 312/814-6431  
Fax: 312/814-6485



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

EXECUTIVE DIRECTOR  
Daniel W. White

MEMORANDUM

**TO:** Chairman Albert Porter  
Vice Chairman Bryan Schneider  
Members of the Board  
Executive Director Dan White

**From:** Steve Sandvoss, General Counsel

**Re:** Application of Section 1A-13 (ban on political activity) on Temporary Employees

**Date:** April 2, 2009

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The Election Code (the Code) prohibits State Board of Elections (SBE) employees from engaging in political activity of any sort or making contributions (money or in-kind) to any candidate or political organization. [10 ILCS 5/1A-13]. This Section however, does not define the term “employee”, nor is there such a definition elsewhere in the Code. Section 1A-14 [10 ILCS 5/1A-14] does distinguish SBE Board members from SBE employees by proscribing the election or appointment of Board members to public or political party offices, without the further prohibition of engaging in political activity or making political contributions. The issue presented is whether Section 1A-13 of the Code applies to temporary employees hired on a contractual basis for a limited duration to perform specific, limited tasks. If it is determined that Section 1A-13 does apply to all SBE employees, regardless of their employment status, then a second issue presents itself; What can the SBE do to ensure that such temporary employees are subject to the restrictions of Section 1A-13.

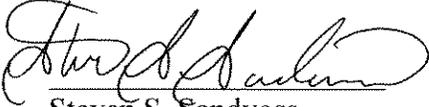
Currently, contracts executed by the SBE for the direct hiring of certain temporary SBE employees contain a clause which mirrors the language of Section 1A-13 and requires such employees to refrain from engaging in the political activity that this Section prohibits. Generally, these employees are hearing officers, technical consultants (such as Pat Freeman who has assisted with the analysis of numerous ethics and election related bills and Chris Scherf who was hired on a contractual basis as an IT programmer working on the Illinois Voter Registration System ) and other persons who are hired on an ad hoc basis to perform various functions (such as Mickey Gillespie and Ms. Freeman who have been contracted with to assist in the records examinations following petition challenges). What these types of temporary employees have in common is that they all perform duties that involve some degree of discretion and decision making as opposed to doing menial or mundane jobs such as data entry or making photocopies of documents. Since these “discretionary” employees are in a position to influence and/or execute SBE policies that may impact third parties, it was felt that these employees should be subject to the restrictions of Section 1A-13, lest they be perceived as having partisan motivations.

“Non-discretionary” temporary employees on the other hand perform more routine tasks that do not impact SBE policy and do not call for decisions that could impact third parties or that would influence the perception that such parties might have of the SBE. Therefore up to now, it was felt unnecessary to subject such employees to the restrictions contained in 1A-13. In addition, temporary employees that are hired from temporary employment companies such as Alice Campbell are not really SBE employees in the strict sense of the word. They are employees of the employment agency who the SBC “rents” so to speak, for a fee that has been previously negotiated by CMS and is part of the CMS master contract with such company. This however may be a matter of semantics for purposes of Section 1A-13, since such “employees” are supervised and take orders from SBE staff while assigned to the agency.

That having been said, Section 1A-13 does not distinguish “discretionary” SBE employees from “non-discretionary” employees, in terms of the prohibitions contained in this Section. Therefore, if the Board were to conclude that Section 1A-13 applies to employees in general, both temporary and full-time; a conclusion that I believe is correct, there would be no reason to exclude “non-discretionary” temporary employees from the restrictions of 1A-13, since full time “non-discretionary” employees are not exempt from such restrictions.

Should the Board accept the premise that all temporary contractual employees should be covered by the language of Section 1A-13, the next consideration is how to achieve this. Currently, contracts with “discretionary” employees are created by the SBE and contain the Section 1A-13 language. Contracts with “non-discretionary” employees however, are pursuant to a master contract between CMS and the temporary employment company from which the temporary employees came from. The SBE is not at liberty to change the terms of or add conditions to such contracts without the approval of CMS, nor can the SBE contract with such agencies independently of CMS without going through the cumbersome, time consuming procurement process. I therefore suggest that the SBE develop a separate agreement with such temporary employees that would have to be executed prior to their commencement of duties with the SBE. Such agreement would contain the same Section 1A-13 restrictions that are contained in the SBE contracts currently used to employ “discretionary” employees. To facilitate this process, such agreements could be provided to any temporary employment agency whose services the SBE intends to use, whereby each employee assigned to the SBE would, prior to beginning their term of employment, execute such agreement and provide a copy of the same to the Division of Administrative Services. This agreement would remain in effect until such time as the employee terminates their service with the SBE.

I would be happy to discuss this, and any other suggestions the Board may have regarding this issue.

  
Steven S. Sandvoss  
General Counsel

4. **Other business.**
5. **Comments from the Chairman and Vice Chairman.**
6. **Comments from the general public.**
7. **Next Board meeting Monday, May 18, 2009 at 10:30 a.m. in Springfield.**
8. **Executive Session.**