

STATE OFFICERS ELECTORAL BOARD
August 6, 2012

MINUTES

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

ABSENT: Bryan A. Schneider, Member

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

The special meeting of the State Officers Electoral Board was called to order at 10:02 a.m. via videoconference with all Members present. Chairman McGuffage and Members Gowen and Rice were present in Chicago and Vice Chairman Smart and Members Byers, Coffrin and Scholz were present in Springfield. Member Schneider was absent and Vice Chairman Smart held his proxy.

Member Scholz moved to approve the minutes from the July 16 and 23 meetings as presented. Vice Chairman seconded the motion which passed unanimously.

Next on the Agenda was consideration of objections to candidate nominating petitions for the November 6, 2012 General Election. The General Counsel presented Agenda item 3.a, *Direso v. Oberline*, 12SOEBGE101 and summarized the matter. He concurred with the recommendation of the hearing officer to sustain the objection. Matt Welch was present on behalf of the objector and agreed with the recommendation and Michael Oberline was present pro se and did not offer any comment. Vice Chairman Smart moved to accept the recommendation of the General Counsel and sustain the objection. Member Gowen seconded the motion which passed by roll call vote of 8-0.

The General Counsel presented Agenda item 3.b, *James v. Gray*, 12SOEBGE109 and summarized the matter. He concurred with the recommendation of the hearing officer to sustain the objection. Matt Welch was present for the objector and agreed with the recommendation and no one was present for the candidate. Member Byers moved to accept the recommendation of the General Counsel and sustain the objection. Vice Chairman Smart seconded the motion which passed by roll call vote of 8-0.

The General Counsel presented Agenda item 3.c, *Stanley v. Roman*, 12SOEBGE503 and summarized the matter. He concurred with the recommendation of the hearing officer to sustain the objection. Mike Kasper was present for the objector and no one was present for the candidate. Vice Chairman Smart moved to accept the recommendation of the General Counsel and sustain the objection. Member Scholz seconded the motion which passed by roll call vote of 8-0.

The General Counsel presented Agenda item 3.d, *Abbott & Cabay v. Marks*, 12SOEBGE505 and summarized the matter. He concurred with the recommendation of the hearing officer to sustain the objection. John Fogarty was present on behalf of the objector and no one was present for the

candidate. Vice Chairman Smart moved to accept the recommendation of the General Counsel and sustain the objection. Member Rice seconded the motion which passed by roll call vote of 8-0.

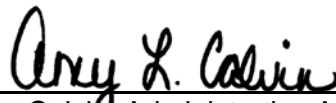
The General Counsel presented Agenda item 3.e, *McSweeney v. Beaubien*, 12SOEBGE507 and summarized the matter. He concurred with the hearing officer recommendation to overrule the objection on the basis that even though the candidate previously signed a republican party petition, she did not file a statement of candidacy as a republican party candidate nor did she request a republican ballot at the primary election. Rich Means and John Fogarty were present on behalf of the objector and Mike Kasper was present on behalf of the candidate. Mr. Fogarty disagreed with the recommendation and said he felt this was in fact a party switching case based on his interpretations of several provisions of the election code. Mr. Kasper concurred with the recommendation of the General Counsel and hearing officer and said there is no specific law that states that if an individual signs a petition of one political party they are precluded from running as an independent candidate in the general election. After discussion, Member Scholz moved to accept the recommendation of the General Counsel and hearing officer and overrule the objection. Member Rice seconded the motion which passed by roll call vote of 8-0.

For informational purposes, the Chairman presented the following objections that have been withdrawn for Agenda items 4.a-c:

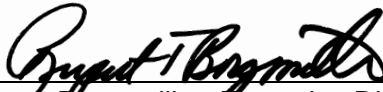
- a. *Alexander v. Bradshaw*, 12SOEBGE108;
- b. *Morris v. Montalvo*, 12SOEBGE500;
- c. *Storm & Eck v. Hartman*, 12SOEBGE506.

With there being no further business before the State Officers Electoral Board, Member Rice moved to recess until August 24, 2012 at 10:30 a.m. Member Scholz seconded the motion which passed unanimously. The meeting recessed at 10:30 a.m.

Respectfully submitted,



Amy Calvin, Administrative Assistant II



Rupert Borgsmiller, Executive Director