

STATE OFFICERS ELECTORAL BOARD
Special Board Conference Call
September 7-8, 2006

MINUTES

PRESENT:

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

ALSO PRESENT:

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

The special meeting of the State Officers Electoral Board was called to order at 9:40 a.m. with all Members present. Member Keith moved to use the same roll call taken during the State Board of Elections meeting. Member Brady seconded the motion which passed unanimously.

Chairman Smart asked the General Counsel to present an update on *Lietz, Dreher v. Parnaruskis*, 06SOEBGE503. Dave Herman who is the hearing officer in this matter was present in Springfield. Courtney Nottage on behalf of the objector, Andrew Spiegel on behalf of the candidate and Michael Kasper were present in Chicago. Mr. Sandvoss indicated for the record that this was an objection that was filed against Joseph J. Parnaruskis, a candidate of the Socialist Equality Party for State Senator from the 52nd Legislative District. The Board had considered this matter at its previous meeting and was continued to today. Mr. Sandvoss explained that the objection pertains to the validity of 44 petition sheets of the 477 that were filed. Of those 44 sheets, the office listed was State Senator and the other sheets were listed as State Senator 52nd legislative district. The challenge is that this is a violation of Section 10-4 of the Election Code and those petition sheets should be rendered invalid, which would place the number of valid signatures below the minimum required.

Mr. Nottage stated that 10-4 reads the heading of each sheet shall be the same, not substantially the same and that the 44 sheets in question do not have the same heading as the other sheets.

Mr. Spiegel indicated he had faxed a brief to the Board and General Counsel in support of ballot access and he believed that there was compliance with Sections 10-4 and 10-5 in that each sheet identifies the district above the preamble and that the statute doesn't say that the office should be

identified in a separate area on the petition. In response to a question, Mr. Spiegel agreed that there may not be any Illinois case that indicates the headings do not have to be the same.

Mr. Herman responded to questions from the Board regarding the applicability of the Salgado and Zapolsky cases concerning the objection. After discussion among the Board Members, Member McGuffage moved to sustain the objection. Vice Chairman Rednour seconded the motion. Lengthy discussion continued regarding the Salgado and Zapolsky cases. The Chairman then clarified the motion on the table was to sustain the objection and roll call was taken. The motion failed 4-4 with Members Brady, Schneider, Walters and the Chairman voting in the negative.

Mr. Kasper requested a five minute recess to confer with Mr. Nottage and was granted by the Chairman. After the recess, Mr. Kasper indicated he would need additional time to confer with his client. Member Keith moved to recess until Friday, September 8, 2006 at 2:00 p.m. and continue with the agenda today at that time. Member Porter seconded the motion which passed unanimously. The Board recessed at 10:45 a.m.

The State Officers Electoral Board meeting was reconvened shortly after 2:00 p.m. on September 8, 2006 with seven members present. Mr. Porter held Mr. McGuffage's proxy.

Mr. Courtney Nottage and Mr. Andrew Spiegel were present for the parties in the *Lietz, Dreher, v. Parnaruskis*, 06SOEBGE503 matter. Mr. Nottage had nothing new to report. The Chairman asked if the Board had any questions.

The Chairman asked for a motion to recess the State Officers Electoral Board. Mr. Schneider made the motion with Vice Chairman Rednour's second. The motion passed unanimously.

The State Officers Electoral Board is adjourned to September 18, 2006 at 2:05 p.m.

Respectfully submitted,

Amy L. Calvin, Administrative Specialist II

Darlene Gervase, Administrative Specialist II

Daniel W. White, Executive Director