

STATE BOARD OF ELECTIONS
Special Meeting
Friday, November 4, 2016

MINUTES

PRESENT: Charles W. Scholz, Chairman
William J. Cadigan, Member
John R. Keith, Member
William M. McGuffage, Member
Casandra B. Watson, Member

VIA TELEPHONE CONFERENCE: Ernest L. Gowen, Vice Chairman

ALSO PRESENT: Steven S. Sandvoss, Executive Director
James Tenuto, Assistant Executive Director
Bernadette Matthews, Deputy General Counsel
Darlene Gervase, Admin. Assistant III

The Chairman called the meeting to order at 3:00 p.m. and led everyone in the pledge of allegiance.

Chairman Scholz and Member Keith were present in Springfield; Members Cadigan, McGuffage and Watson were present in Chicago and Vice Chairman Gowen, was present via telephonic conference call. Proxy for Mr. Carruthers was held by Member Cadigan. The Vice Chairman held Ms. Coffrin's proxy.

Chairman Scholz asked for a Motion to recess to the Executive Session to hear 3 Complaints following closed preliminary hearings. Member Keith so moved and Member Cadigan seconded the Motion which passed unanimously by roll call vote.

The State Board of Elections recessed to Executive Session at 3:03 p.m. and returned to open session at 3:47 p.m.

As to Item 1.a. *Thomas v. Kowalski*, 16CD158; The Hearing Officer found and the General Counsel concurred that the Complaint was not filed on justifiable grounds and no further action. Member Keith moved to adopt the recommendations of the Hearing Officer and General Counsel and dismiss the complaint without prejudice. Vice Chairman Gowen seconded the Motion which passed unanimously.

As to 1.b. *Grinnell v. Friends of Dr. Tom Rudd*, 16CD159; Member Keith moved to adopt the Hearing Officer and General Counsel's recommendations as to:

#1 - the complaint be found not filed on justifiable grounds as to the delinquent filing of the Statement of Organization; #2 - failure to include attribution of source on re-purposed yard signs found to have been filed on justifiable grounds, but this matter not proceed to a public hearing; rather, Respondent ordered to include an attribution of source on all future materials as well as the re-purposed and new signs and any future failure to comply with the order may subject the Respondent to a penalty not exceeding \$5,000; #3 – the complaint be found not filed on justifiable grounds as to the failure to timely and accurately report expenditures for a full page advertisement appearing in October 2016, event sponsorships, campaign buttons, signs, printing and postage; and #4 – the complaint be found not filed on justifiable grounds as to the newspaper endorsement because it is unclear as to the precise nature of the endorsement, specifically whether it was a paid advertisement or an unpaid endorsement and when it was published. The Respondent shall, within 14 days, report to Board staff as to whether any funds were expended for the ambiguous

newspaper item and shall report or amend its quarterly reports accordingly. Member Watson seconded the Motion which passed unanimously.

As to 1.c. *Grinnell v. People to Elect Matt Stanton*, 16CD160; Member Keith moved and Member Cadigan seconded the Motion to adopt the Hearing Officer and General Counsel's recommendations as follows:

#1 – Allegation of delinquent filing of Statement of Organization (1/13/16) found to have been filed on justifiable grounds; however, no further action ordered beyond referral to staff for civil penalty imposition.

#2 –Statement of Organization allegations related to failure to name committee custodians, treasurer and financial institution not filed on justifiable grounds.

#3 – The complaint was filed on justifiable grounds in regard to the allegation that the Respondent failed to include the required solicitation language on two pieces of campaign literature sent by a committee officer; however, in regard to the allegation that the Respondent failed to include the required solicitation language on a personal letter from a non-officer, the complaint was not filed on justifiable grounds. No public hearing necessary, but Respondent ordered to include solicitation language on all future materials and any repeat violation may subject Respondent to a penalty not exceeding \$5,000.

#4 – The complaint was filed on justifiable grounds as to the failure to include attribution of source on handout. No public hearing necessary, but Respondent ordered to include solicitation language on all future materials and any repeat violation may subject Respondent to a penalty not exceeding \$5,000

#5 - The complaint was filed on justifiable grounds as to the failure to timely report a \$5,000 contribution. No further action ordered beyond referral to staff for civil penalty imposition.

#6 – In regard to the allegation that the Respondent failed to report entry fees for two parades and failed to properly identify the end vendor of a \$4,197.57 expenditure, the complaint was not filed on justifiable grounds.

#7 – withdrawn by the complainant.

#8 – In regard to the allegation that the Respondent failed to disclose the correct amount of cash on hand on its March 2016 Quarterly report, the complaint was not filed on justifiable grounds; and

#9 – The complaint was filed on justifiable grounds in relation to the allegation that the Respondent failed to have the committee's treasurer sign the September 2016 Quarterly Report was later amended electronically on Oct. 25th and the treasurer of the committee verified the amendment; therefore, no further action is required and no public hearing ordered. The Motion passed unanimously.

The next meeting of the State Board of Elections is Monday, November 21, 2016 in Springfield. Interested parties may attend in Chicago via video conference in the Board's Conference Room 14-158.

There being nothing further before the Board, Member Cadigan moved to adjourn. Vice Chairman Gowen seconded the Motion which passed unanimously. The meeting adjourned at 3:54 p.m.

Respectfully submitted,



Darlene Gervase, Administrative Assistant III



Steven S. Sandvoss, Executive Director