

# STATE OFFICERS ELECTORAL BOARD

## MINUTES

Wednesday, December 2, 2009

### MINUTES

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

ALSO PRESENT: Daniel W. White, Executive Director  
Steve Sandvoss, General Counsel  
Rupert Borgsmiller, Assistant Executive Director  
Darlene Gervase, Administrative Assistant II

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Chairman Schneider called the State Officers Electoral Board to order at 11:08 a.m. with all members present. Vice Chairman Rednour and Member Walters were present in the Springfield office via video conference.

General Counsel Sandvoss summarized the first case, *Ferritto v. Farnick*, 09SOEBGP502. Candidate Farnick is seeking the office of Congressman from the 8<sup>th</sup> Congressional District for the Democratic Party and is appearing *Pro Se*. The objector, Mr. Gregory Ferritto is represented by Sally Saltzberg and Mike Kreloff. The statutes require a minimum of 890 signatures. The candidate submitted 876. The objector claimed that the petition contained 14 signatures short of the statutory minimum. The hearing officer recommended sustaining the objection and that the candidate's name not be placed on the ballot for the 2010 general primary elections. Mr. Sandvoss concurred. Ms. Saltzberg asked the Board to affirm the General Counsel and hearing officers recommendations. Mr. Farnick concurred with the findings also and was present for formality. Member Smart moved to accept the recommendation of the hearing officer and General Counsel and the candidate's name not be printed on the ballot. Member McGuffage seconded the motion which passed unanimously.

The next matter, *Bednar v. Blezian*, 09SOEBGP510 was called. Mr. Sandvoss indicated that the objector claimed that the nomination papers contained names of persons who are not qualified to sign the petition; the Statement of Candidacy is defective and the candidate's residency was challenged. A motion for summary judgment as to residency was submitted and the hearing officer recommended the motion be granted. It's a dispositive motion and if the Board accepts the motion, the objection would be sustained and the candidate would not appear on the ballot. Mr. Sandvoss concurred with the recommendation that the motion be granted. Mr. Andrew Raucci was present for the objector and no one appeared for the candidate. Mr. Raucci indicated that the candidate did not appear before the hearing officer but submitted a letter apologizing to the Board and other people for creating difficulties. He asked that letter be part of the record. Member Brady moved to accept the recommendation of the hearing officer and General Counsel and not certify Mr. Blezian to the ballot. Member Smart seconded the motion which passed unanimously by roll call vote.

A challenge to the nominating papers of Mr. Thomas Kuna for the office of United States Senator for the Republican Party was called. Objector Raymond True was represented by Eric Peck of Peck & Zimmerman and no one appeared for the candidate. Mr. Sandvoss said the candidate submitted 405 signatures, 4,595 short of the statutory minimum. The hearing officer recommended and Mr. Sandvoss concurred that the candidate's name not appear on the ballot for the office he is seeking at the general primary election. Member Porter moved to adopt the hearing officer and general counsel's recommendations and not certify the name of Thomas Kuna to the ballot. Member Smart seconded the motion which passed 8-0 by roll call vote.

Mr. Sandvoss indicated that a subpoena request was made by the objector in the case of *Reidy v. Pilmer*, 09SOEBGP528.

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The Rules of Procedure, Item 8 stated that the decision of the hearing officer to issue subpoenas may be overruled by a voter of five concurring members of the Board. The General Counsel submitted this request to the Board to determine if any member wished to block the hearing officer's decision to issue the subpoena. Discussion was had among the Board. Member Keith moved to approve the hearing officer's order to issue the subpoena. Member Brady seconded the motion which passed 8-0.

The Chairman proposed to recess the State Officers Electoral Board to the call of the Chair. Member Brady so moved and Member McGuffage seconded the motion. The motion passed unanimously by 8 voices in unison.

The meeting adjourned at 11:26 a.m.

Dated: December 21, 2009

Respectfully submitted,

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Daniel W. White, Executive Director

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Darlene Gervase, Administrative Specialist II