

STATE OFFICERS ELECTORAL BOARD  
Special Meeting  
Monday, December 30, 2013

MINUTES

PRESENT:

Jesse R. Smart, Chairman  
Charles W. Scholz, Vice Chairman  
Harold D. Byers, Member  
Betty J. Coffrin, Member  
Ernest L. Gowen, Member  
William M. McGuffage, Member  
Bryan A. Schneider, Member  
Casandra B. Watson, Member

ALSO PRESENT:

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

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The special meeting of the State Officers Electoral Board was called to order via videoconference at 1:00 p.m. via videoconference with all Members present. Chairman Smart, Vice Chairman Scholz and Members Byers and Coffrin were present in Springfield and Members Gowen, McGuffage, Schneider and Watson present in Chicago.

The first item on the Agenda was consideration of subpoena requests in connection with objections to candidate nominating petitions of established party candidates. The General Counsel presented *Wharton, Smith & Wang v. Hardiman & Donald*, 13SOEBGP511 and reviewed the matter. He concurred with the hearing officer recommendation to grant the objector's request for subpoenas for all individuals except Thomas Mastin. Burt Odelson was present on behalf of the objectors and Randy Crumpton was present on behalf of the candidates. Mr. Odelson concurred with the recommendation of the hearing officer but also requested that a subpoena be issued for Thomas Mastin. Mr. Crumpton did not concur with the recommendation and said there was not sufficient evidence to prove a pattern of fraud. He felt this was a fishing expedition on the part of the objectors and the circulators should not be expected to appear. Discussion ensued regarding the results of the records examination. Member McGuffage moved to accept the recommendation of the General Counsel and grant the subpoena requests for the twenty-one individuals listed. Member Coffrin seconded the motion which passed by roll call vote of 8-0.

The General Counsel presented a subpoena request for *Mullen v. Goel*, 13SOEBGP514 and reviewed the matter. He did not concur with the hearing officer recommendation to grant subpoenas for three of the candidate's circulators because he felt the sustain rate in the records exam did not indicate a pattern of fraud. He did concur with the hearing officer recommendation to grant the subpoena request for the notary public who allegedly failed to sign the petition sheets. John Fogarty was present on behalf of the objector and Anish Parikh was present on behalf of the candidate. Mr. Fogarty concurred with the hearing officer recommendation concerning the notary public and withdrew the subpoena requests for the three circulators. He indicated that notary publics are required by law to manually affix their signature to documents and the use of a stamp is not sufficient. Mr. Parikh concurred with the hearing officer recommendation pertaining to the three circulators; however, he asked that the subpoena

request for the notary public be denied. After discussion, Member McGuffage moved to accept the recommendation of the General Counsel and grant the subpoena request for the notary public. Member Watson seconded the motion which passed by roll call vote of 8-0.

The General Counsel indicated that a listing of objections/candidates withdrawn would be e-mailed to the Board after the meeting adjourns.

It was also noted that Jane Gasperin will e-mail the Board after 5:00 p.m. on December 31 informing them if any objections were filed to candidates who filed nominating petitions during the December 16-23, 2013 filing period.

With there being no further business before the State Officers Electoral Board, Member Byers moved to recess until January 3, 2013 (if necessary), or until call of the Chairman. Vice Chairman Scholz seconded the motion which passed unanimously. The meeting recessed at 1:50 p.m.

Respectfully submitted,



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Amy Calvin, Administrative Assistant II



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Rupert Borgsmille, Executive Director