

STATE BOARD OF ELECTIONS  
Regular Meeting  
Wednesday, February 20, 2019

MINUTES

PRESENT:

William J. Cadigan, Chairman  
John R. Keith, Vice Chairman  
Andrew K. Carruthers, Member  
Ian K. Linnabary, Member  
William M. McGuffage, Member  
Katherine S. O'Brien, Member  
Charles W. Scholz, Member  
Casandra B. Watson, Member

ALSO PRESENT:

Steven S. Sandvoss, Executive Director  
Bernadette Matthews, Asst. Exec. Director  
Kenneth R. Menzel, General Counsel  
Amy L. Calvin, Administrative Assistant III

---

The meeting convened at 10:30 a.m. via videoconference with the Springfield office and all members present in Chicago.

Chairman Cadigan opened the meeting by leading everyone in the pledge of allegiance.

Member Linnabary moved to approve the minutes from the January 22 meeting as presented. Member O'Brien seconded the motion, which passed by roll call vote of 8-0.

General Counsel Menzel presented a settlement offer for agenda 2.a.1) *SBE v. Eagle Forum State PAC*, 5490, 18MA0334. After review and discussion, it was agreed to defer the matter to the April meeting.

Member Scholz moved to grant the appeals of campaign disclosure fines for agenda items 2.a.2-6.

- 2) *SBE v. Southwestern Area Council AFT COPE*, 12191, 18AS015;
- 3) *SBE v. Citizens for Ubi O'Neal*, 22504, 18JQ035;
- 4) *SBE v. Friends of Lakeisha Purchase*, 32605, 18AS041;
- 5) *SBE v. Rick Robbins for Sheriff*, 32796, 18AS080;
- 6) *SBE v. Citizens for Ann Gillespie*, 34012, 18AM096.

Member Carruthers seconded the motion, which passed by roll call vote of 8-0.

The General Counsel presented an appeal of campaign disclosure fines for agenda item 2.a.7) *SBE v. Adams County Democratic Central Committee*, 321, 18MA014 and concurred with the hearing officer recommendation to deny the appeal. Mr. Menzel informed the board that the committee would fall into small dollar status as of the next reporting period and would qualify for a settlement. Keith Niewohner was present and offered a settlement of \$3,309. He said the committee had \$830.50 on hand at his time but would be able to raise enough funds to cover the settlement offer. The Board discussed a payment plan/revised settlement and asked Mr. Niewohner if that would be acceptable. Mr. Niewohner then asked for a settlement of \$3,500; \$500 to be paid within thirty days and \$3,000 to be paid within six months. Vice Chairman Keith moved to deny the appeal, accept the settlement of \$3,500, \$500 to be paid within thirty days, \$3,000 to be paid within six months, and if that is not complied with, the \$30,000 fine will go back into effect.

Member Watson seconded the motion, which passed by roll call vote of 7-0. Member Scholz recused himself from the matter.

Agenda item 2.a.8) *SBE v. Chicago Latino Public Affairs Committee*, 22755, 18AM077 was presented and Mr. Menzel concurred with the hearing officer recommendation to deny the appeal. John Escobar was present and, after discussion, asked the matter to be placed on the March meeting agenda. Member Watson moved to defer the matter to the March meeting, seconded by Member Scholz, which passed by roll call vote of 8-0.

Mr. Menzel presented an appeal of campaign disclosure fines for agenda item 2.a.10) *SBE v. People for Zulkey*, 34258, 18MA124 and concurred with the hearing officer recommendation to deny the appeal. Mr. Menzel also noted that since it was a first violation for the committee, the fine would be stayed for a period of two years. David Zulkey was present and said the violation was unintentional. He asked that the violation be struck from the record and the fine reduced to zero. Vice Chairman Keith moved to adopt the recommendation of the General Counsel and hearing officer and deny the appeal. Member Watson seconded the motion, which passed by roll call vote of 8-0.

Member Scholz moved to deny the appeal of campaign disclosure fines for agenda items 2.a.9) *SBE v. Friends of RVC PAC*, 25178, 18JQ059, 11) *SBE v. Friends for Chinchilla*, 34506, 18MA044 and 12) *SBE v. Committee to Elect Marcel Bright*, 34552, 18MQ128. Member Watson seconded the motion, which passed by roll call vote of 8-0.

Complaints following public hearing were presented for agenda items 2.a.13-21:

- 13) *SBE v. Friends for Darryl Smith*, 18CD097;
- 14) *SBE v. Committee to Elect Carol Clark*, 18CD101;
- 15) *SBE v. Gregg Moore for IL Governor*, 18CD105;
- 16) *SBE v. Friends of Fred Tetter*, 18CD109;
- 17) *SBE v. Friends of Tyrone Ward*, 18CD111;
- 18) *SBE v. Sankofa Restoration Project – Howard Wright*, 18CD114;
- 19) *SBE v. Friends of Jeanne Oddo for Alderman*, 18CD117;
- 20) *SBE v. Republican Gun Club of St. Clair County*, 18CD119;
- 21) *SBE v. Brandon Ewing Campaign Committee*, 18CD122,

Mr. Menzel concurred with the hearing officer recommendations that the complaints be upheld and Board orders be issued requiring the delinquent report(s) be filed within 30 days of the order or the committees face a fine up to \$5,000. Member Scholz moved to accept the recommendation of the General Counsel. Member Watson seconded the motion, which passed by roll call vote of 8-0.

Mr. Menzel presented a listing of civil penalty assessments necessitating a final board order. Member O'Brien moved to assess the civil penalties against the committees listed on page 144 of the board packet. Member Scholz seconded the motion, which passed by roll call vote of 8-0.

A listing of payments of civil penalties was presented for informational purposes.

Member Scholz moved to recess to executive session to consider complaints following closed preliminary hearing. Vice Chairman Keith seconded the motion, which passed by roll call vote of 8-0. The meeting recessed at 11:15 a.m. and reconvened at 11:50 a.m. with the same attendance as noted in the initial roll call.

As to agenda items 2.a.24) *Pal v. YES for D205 New Schools Referendum*, 18CD133, 26) *Horwitz v. District 21 Vote Yes to Secure Our Children's Future*, 18CD137, 28) *Weber v. Friends of Theresa Siaw*, 19CD002, and 31) *Martinez vs. Preckwinkle for President*, 19CD001, Member

Carruthers moved to dismiss the complaints for want of prosecution. Member Watson seconded the motion, which passed by roll call vote of 8-0.

As to agenda item 2.a.27) *Elliott v. United Neighbors of the 35<sup>th</sup> Ward*, 18CD139, Member Carruthers moved to dismiss the complaint for want of prosecution and refer the A-1 to staff for imposition of a civil penalty if necessary. Member Linnabary seconded the motion, which passed by roll call vote of 8-0.

As to agenda items 2.a.25) *Lenar v. Quinn, Citizens of Prospect Heights for Home Rule*, 18CD136, 29) *Dirscherl v. Villarreal, Jr.*, 19CD006, and 30) *McKenna v. Friends of Erika Wozniak*, 19CD007, Member Carruthers moved to adopt the recommendations of the General Counsel and hearing officer. Member Linnabary seconded the motion, which passed by roll call vote of 8-0.

Executive Director Sandvoss began his report with an update on the 2019 Consolidated Election. A report on voting system testing was presented and Mr. Sandvoss noted that the counties of Clinton, Edwards, Fayette, Putnam, Richland and Wayne had been selected for pre-election testing. A listing of election judge training schools was also presented for informational purposes. Chairman Cadigan noted that Matt Dietrich, Public Information Officer, would distribute a press release prior to the upcoming Consolidated Primary Election. Mr. Dietrich gave a brief update on the SBE website redesign. He indicated that the back-end work was complete and IT staff is working with a design specialist from the Illinois Office of Communication and Information. The new website is expected to be completed by July 1<sup>st</sup> of this year.

Angela Ryan, Director of Legislation, reported that Friday, February 15<sup>th</sup> was the deadline for the introduction of legislation and that all of the SBE's proposed bills were introduced. The Senate Appropriations Committee is scheduled for March 21<sup>st</sup> and she anticipates the House Appropriations Committee to meet on March 20<sup>th</sup>. Ms. Ryan said the survey of election officials regarding NVRA was completed and filed with the Election Assistance Commission. She reported on her activities at the NASED conference and informed that board that she and Mr. Sandvoss were scheduled to attend the House Appropriations Committee on Election Security in Washington, DC the following week.

Mr. Sandvoss presented the IVRS/IT update and noted that voter registration activity for the month of February was included on pages 149-152 of the board packet. Kyle Thomas, Director of Voting and Registration Systems said, upon the request of Chairman Cadigan and Vice Chairman Keith, that this report will be included on the monthly meeting agenda to provide the board as well as the public a review of registration activity across the State. Discussion ensued regarding the inactive numbers and possible reasons for those numbers. Matt Emmons, Director of IT gave a brief update on cybersecurity and reviewed the activities of his division. Mr. Sandvoss indicated that ninety-three election authorities have committed to the Cyber Navigator Program and approximately eighty-six have signed on for risk assessments.

Mr. Sandvoss presented the staff reports and agenda from the 2019 NASED Winter Conference for informational purposes. He noted that The National Counter Intelligence and Security Center conducted a briefing for all the attendees at the NASED and NASS conference and each of the various Homeland Security divisions along with their related agency representatives gave updates and reports.

The fiscal status reports were also presented for informational purposes. Jeremy Kirk, Director of Administrative Services, said that the ISL budget forms were completed and would be delivered to the appropriate staff within a couple of days. Mr. Kirk also briefed the board on the agency budget request and how it compared to past years' submissions.

The two-year plan of staff activity for the months of February and March was also presented for informational purposes.

With there being no further business before the Board, Member Carruthers moved to adjourn until Monday, March 18, 2019 in Chicago. Member Scholz seconded the motion, which passed unanimously. The meeting adjourned at 12:45 p.m.

Respectfully submitted,



---

Amy L. Calvin, Administrative Assistant III



---

Steven S. Sandvoss, Executive Director