STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187
Springfield, Illinois 62708
217/782-4141 TTY: 217/782-1518
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago, Illinois 60601
312/814-6440 TTY: 312/814-6431
Fax: 312/814-6485

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

EXECUTIVE DIRECTOR
Daniel W. White

AGENDA
STATE BOARD OF ELECTIONS
BOARD MEETING

Friday, March 7, 2008
1020 South Spring Street
Springfield, Illinois
10:30 a.m.

Call State Board of Elections to order.

1. **Approval of the minutes of the February 13 special meeting and the February 19 regular meeting. (pgs.1-6)**

2. **Report of the Executive Director**
   - a. **Proclamation of results from the February 5 Primary Election; (pg.7)**
   - b. **Preparations for the March 8 Special Election; (pg.8)**
   - c. **Legislative update; (pgs.9-13)**
   - d. **Resolution in honor of Mike LaVelle; (pg.14)**
   - e. **Fiscal status reports; (pg.15)**
     1) **FY08 – month ending February 29 – informational;**
     2) **Help Illinois Vote Fund;**
   - f. **Two year plan of staff activity for the months of March and April - informational. (pgs.16-19)**

3. **Report of the General Counsel**
   - a. **Campaign Disclosure;**
     Appeals of campaign disclosure fines – new appeals – hearing officer recommendation appeals be denied
     1) ***SBE v. Citizens for a Better 24th Ward (CB24),* L13686, 07JS119; (pgs.20-22)**
     2) ***SBE v. J. Thornton Sr. Annual Fund Raiser Committee,* L13970, 07JS121; (pgs.23-26)**
     3) ***SBE v. Horsepower PAC LTD,* S7440, 07JS125; (pgs.27-29)**
     4) ***SBE v. ESPA District #15 PAC,* S9399, 07MA030; (pgs.30-37)**
     Other campaign disclosure items
     5) **Payment of civil penalties – informational; (pg.38)**
     Complaint following public hearing
     6) ***SBE v. Friends of Don Patterson,* L13749, 07CD101; (pgs.39-44)**
   - b. **Proposed Rule – Use of Obituaries to Remove Deceased Voters from Voter Registration Rolls; (pgs.45-51)**
   - c. **Consideration of reporting requirements for Act Blue Illinois and similarly situated committees. (pgs.52-55)**

4. **Other business. (pg.56)**

5. Comments from the Chairman and Vice Chairman. (pg.56)

6. Comments from the general public. (pg.56)

7. Next Board meeting Monday, April 21, 2008 at 10:30 a.m. in Chicago. (pg.56)

8. Executive Session. (pgs.57-66)

STATE BOARD OF ELECTIONS
Special Board Meeting Via Videoconference
February 13, 2008

MINUTES

PRESENT:	Albert S. Porter, Chairman Bryan A. Schneider, Vice Chairman Patrick A. Brady, Member John R. Keith, Member William M. McGuffage, Member Jesse R. Smart, Member Robert J. Walters, Member
ABSENT:	Wanda L. Rednour, Member
ALSO PRESENT:	Daniel W. White, Executive Director Steve Sandvoss, General Counsel Amy Calvin, Administrative Specialist II

The special meeting of the State Board of Elections was called to order via videoconference means at 9:00 a.m. with seven members present. Chairman Porter, Vice Chairman Schneider, Members Brady and McGuffage were present in the Chicago office and Members Keith and Smart were present in the Springfield office. Member Walters was connected via telephone. Member Rednour was absent and Member Keith held her proxy.

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

The Executive Director indicated the reason for today's meeting was to certify the results of the February 5, 2008 Special Primary Election in the 14th Congressional District and that before them were the results of the election and a certification to the election authorities for the Special General Election on March 8. Member Schneider stated that the percentage column on the results page were based on the total number of ballots cast rather than the total number cast for each political party. Mark Mossman, Director of Election Information, stated the percentages should be based on the number of votes for each party instead of the total number cast overall and indicated he would make that correction. Vice Chairman Schneider moved to accept the certification subject to the correction indicated. Member Brady seconded the motion which passed by roll call vote of 8-0.

With there being no further business before the Board Vice Chairman Schneider moved to adjourn until 10:30 a.m. on Tuesday, February 19, 2008, or until call of the Chairman whichever occurs

first. Member Brady seconded the motion which passed unanimously. The meeting adjourned at 9:08 a.m.

Respectfully submitted,

Amy Calvin, Administrative Specialist II

Daniel W. White, Executive Director

STATE BOARD OF ELECTIONS BOARD MEETING

Tuesday, February 19, 2008

MINUTES

PRESENT:	Albert S. Porter, Chairman Bryan A. Schneider, Vice Chairman Patrick A. Brady, Member John R. Keith, Member William M. McGuffage, Member Wanda L. Rednour, Member Jesse R. Smart, Member Robert J. Walters, Member
ALSO PRESENT:	Daniel W. White, Executive Director Steve Sandvoss, General Counsel Darlene Gervase, Administrative Specialist II

Chairman Porter called the meeting to order shortly after 10:30 a.m. and led everyone in the pledge of allegiance. Member Brady arrived at 10:33.

To accommodate members of the audience, Chairman Porter called matters out of order. Mr. Lance Gough, Executive Director of the Chicago Board of Election Commissioners, was recognized. He thanked the Board for the support the agency has given them and offered a review of the election. Mr. Gough indicated that they reached a early voting milestone of 81,000 and project 150,000 for the November General Election. Provisional ballots were under 7,000 overall. Mr. Gough concluded that he wanted to thank everyone at the SBE for their support to a successful primary. Chairman Porter said the Board was very happy to have him present his report.

Director White presented the minutes of the January meeting and read the changes suggested by Member Keith. Member McGuffage asked to delete a sentence on page 4, 2nd paragraph, the 2nd sentence from the bottom regarding election judge stipends. Member Smart moved to approve the minutes with the corrections proposed by Members Keith and McGuffage. Member Keith seconded the motion which passed unanimously by roll call vote.

The Chairman called the matter of *SBE v. Friends of Judy Sterns,* L14206, 07MA018, an appeal of campaign disclosure fines which was carried over from the January meeting. The hearing officer recommended the appeal be denied and General Counsel Steve Sandvoss concurred with that recommendation. Mr. Richard Means was present for the respondent committee and stated that the mistakes were unintentional. Further, he compared this complaint to two from 2006 which he claimed had the same facts and asked that the fine be abated as they were in those cases. Mr. Sandvoss disagreed as the two complaints from 2006 involved PACs, not a candidate's committee. He recommended that the appeal be denied, and the committee assessed $4,314 in fines that are immediately due and owing. Member Keith so moved and Member Brady seconded the motion which passed 7-1 with Chairman Porter dissenting.

The Chairman called *SBE v. Citizens for Cappelman*, L13487, 07AC053 and recognized Mr. James Cappleman for the respondent. Mr. Sandvoss indicated that a Motion to Reconsider a January 23, 2008 Final Order ordering the

committee to pay a $1,200.00 fine was filed by the respondent. Mr. Cappelman stated that he believed all A-1s had been timely filed until he received a letter on January 28, 2008. Mr. Rupert Borgsmiller, Director of Campaign Disclosure, stated that a notice of failure to file was mailed on December 18, 2007, the addresses were correct, and they were not returned to the SBE office. The General Counsel recommended that the Motion to Reconsider be denied on the grounds that the address was correct and the notice was not returned. He reasoned that it was possible that the letter was received and lost in the shuffle. Mr. Brady reminded Mr. Cappleman that his obligation exists independent of receiving notice. Member Smart moved to accept the recommendation of the General Counsel and deny the Motion to Reconsider. The motion was seconded by Member McGuffage and passed unanimously.

Mr. White began his report with a review of the February 5, 2008 General Primary Election, the earliest primary election in Illinois history. He said that the state of Illinois had a good election and while there were some normal problems, the election was very well administered. A record number of 3 million votes (41% of registered voters) were cast which is a 50% increase from the last presidential primary election. The Director acknowledged that an extensive state public information campaign informing Illinois voters of the early primary date, early voting and grace period registration may have added to its success. He added that the special Congressional election in the 14th District will be held Saturday, March 8th and commended those counties in the 14th Congressional District. Mr. White asked Mark Mossman, Director of Election Information, if he would like to add to the Post Election Day Report. Mr. Mossman, present by telephonic conference call, stated that most calls received on Election Day were routine in nature. He stated that a troubling, statewide problem was "federal office only" ballots were issued to voters and he thought that the fact that the packaging and ballots were the same color as the regular ballots may have confused the election judges. Vice Chairman Schneider asked if there were statutory changes that would be necessary to implement. Mr. Mossman indicated that addressing the issue of color where a federal-only ballot could be a different color than the regular party ballot may require legislation and that he will quickly complete his report and recommendations and submit them to Director White. Messrs. White and Mossman said they will also follow up with the advisory committee.

Mr. White indicated that the results of 3 pre-tests were contained on pages 14 and 15 of the board packet and asked Dianne Felts, present by teleconference call, for her comments. Director Felts said that with the help of her staff and other staff members from other divisions, they marked over 11,000 ballots to test the 3 jurisdictions. Further that it is a long, tedious process when testing the AutoMARK or touch screens. Only three small jurisdictions were tested, but it was tripled because there were the Democratic, Republican and Green Party primaries in each jurisdiction. Green County had many problems, several of the touch screen machines needed to be recalibrated and one froze up and needed to be rebooted and recalibrated. Problems in the 19th congressional district ensued due to the need for a write-in line. The problem was corrected after the vendor's rep changed the program for the second time. The touch screen machines did not have this problem in the 19th. Other problems were: the memory card would not upload for two precincts; one precinct had to be reconfigured due to a write-in line added after the initial program was compiled; and misspelling of a name for a precinct committeeman's office on the tabulator's tape and two ballot set up errors prior to the pre-test. In Menard County, 5 of the Auto-MARK machines malfunctioned; one machine had program card malfunction; two had belt problems. All of the Auto-MARK machines had been serviced prior to the test and no errors on the scan tabulators. Shelby County had one touch screen freeze up but recalibration corrected the problem and there were no errors on the scan tabulators. Vice Chairman Schneider asked if we currently notify other jurisdictions using the same equipment that problems occurred in pre election testing. Director White responded that they will make this information available to the election authorities so they are made aware of equipment irregularities before the next general election.

Election judge training school information was submitted for informational purposes.

We are very early in the spring session which is an emergency session, Mr. White said. However, it seems that some election issues will be addressed. The Election Committee did meet last week and vote a part of the omnibus election bill addressing signature issues in DuPage County. That was the only action taken by the committee. Cris Cray continues to work on our legislative package.

Director White presented a report on the first meeting of the Election Day Voter Registration Commission which met on Wednesday, February 13, 2008 in the Springfield office. Mr. James Ascot was elected Chairman of the commission and the SBE shall provide staff and technical assistance. The next meeting is in June and we will continue to support them. This commission has a short lifespan as its work must be completed by January 1, 2009.

The Executive Director was pleased to present the findings of the State Compliance Audit for the Fiscal years 2006 and 2007 and noted that there were three findings, but only two made it into the final written synopsis. The first finding, non-compliance with HAVA provision for a computerized centralized statewide voter registration list, is an ongoing project and we expect to be in full compliance by mid year. The second finding was non compliance with an Election Code provisions to give written notice to the central committee chairmen of established political parties of the time and place of the 5% precinct random selection prior to the Consolidate Primary. This has been addressed and we have provided the appropriate notice for the primary election. The last finding, inaccurate Grant and/or Contract Analysis Form filing with the Comptroller's office was a one time misunderstanding of reporting a Secretary of State's HAVA grant refund and will not be repeated. Mr. White gave credit to the entire staff that responded to the auditors, and special recognition to Administrative Services Director Jim Withers and Chief Fiscal Officer Mike Roate. Having only three findings is a remarkable achievement and because of the lack of significant findings we will not be required to appear before the Legislative Audit Commission. Mr. White indicated that he will continue to update the Department of Justice and the EAC on the progress of the unique identifier and felony matching.

Concluding the Report of the Executive Director were fiscal status reports and the two year plan of staff activity presented for information purposes.

General Counsel Sandvoss continued his report with three new Appeals of campaign disclosure fines. Mr. Sandvoss agreed with the hearing office and recommended the appeals be granted. Member Smart moved to adopt the recommendations of the hearing officer and general counsel and grant the appeals in *SBE v. Citizens for Carina Sanchez,* L13751, 07AC055; *SBE v. Friends to Elect Toni Foulkes*, S9334, 07A048; and *SBE v. Citizens for Heather Alderman*, S9386, 07AE047. Member McGuffage seconded the motion which passed unanimously.

Mr. Sandvoss presented four new appeals of campaign disclosure fines wherein the hearing officer recommended the appeals be denied. The General Counsel agreed with the hearing officer and recommended the appeals be denied and a fine assessed. Member Smart moved to deny the appeals and assess the fines in concurrence with the General Counsel's recommendation. Member Rednour seconded the motion which passed unanimously. Appeals were denied in *SBE v. Friends for Julius Anderson,* L13825, 07JS120; *SBE v. Citizens for an Independent Streamwood,* L14167, 07AE045; *SBE v. Friends of Susie Barber,* L14299, 07MA031; and *SBE v. Classroom Teachers Council IPACE*, S9385, 07MA026.

A request for payment plan was received from the Citizens to Elect Alvin Parks, Jr. The fine assessed is $4,120 and the committee will pay $1,120 and then make ten $300 payments. Member McGuffage moved and Member Schneider seconded the motion to accept the payment plan proposed. The motion passed 8-0.

Payments of civil penalties were submitted for informational purposes.

Vice Chairman Schneider moved to recess to executive session to discuss litigation and personnel matters. Member Rednour seconded the motion which passed by 8 yeas in unison. The meeting recessed at 11:55 a.m.

The Board returned to open session at 12:02 p.m.

Member McGuffage had two announcements. The Chicago Bar Association has invited the SBE to present a resolution honoring Mike Lavelle, one of the original SBE Board members as well as a renowned attorney involved in Election law for over 40 years. The date will be in early March and Mr. McGuffage will keep the Board advised.

Member McGuffage announced that a seminar on Federal Election Law and Ethics will be held on Tuesday, March 18 at the University Center across from the Harold Washington Library. A detailed analysis will be given on the Voting Rights Act and 4 hours of Ethics Credit will be awarded to attorneys under MCLE requirements. He indicated that it is open to anyone who would like to attend and the cost is $325. If anyone wanted more information they should contact him directly.

There being nothing further before the Board, Vice Chairman Schneider moved to adjourn until Friday, March 7, 2008 or the call of the Chair. Member Rednour seconded the motion which passed unanimously. The meeting adjourned at 12:08 p.m.

Dated: February 22, 2008

Respectfully Submitted,

Daniel W. White, Executive Director

Darlene Gervase

Darlene Gervase, Administrative Assistant II

STATE BOARD OF ELECTIONS

MEMORANDUM

From the desk of:
Daniel W. White, Executive Director

TO: Members of the Board

SUBJECT: Certification of the February 5 General Primary Election Results

DATE: February 26, 2008

We are meeting on Friday, March 7 to satisfy the statutory requirement to proclaim officially the results of the February 5, 2008 General Primary Election.

At the Board meeting I will provide the official canvass of results for your signature and ask for a motion to certify the results.

STATE BOARD OF ELECTIONS

From the desk of.... Mark Mossman, Director of Election Information
Phone: 217-557-0855
Email: mmossman@elections.il.gov

To: Daniel W. White, Executive Director
Re: March 8th Special General Election (14th Cong. Dist.)
Date: February 28, 2008

Springfield Office
(5:30 a.m.-10:00 p.m.)

5:30 a.m.-10:00 p.m.	Mark Mossman	(break 2:00 p.m.-4:30 p.m.)
6:00 a.m.-5:00 p.m.	Jane Gasperin	(break 10:30 a.m.-11:30 a.m.)
8:00 a.m.-3:00 p.m.	Steve Sturm	(break 11:30 a.m.-12:30 p.m.)
8:00 a.m.-6:00 p.m.	Kay Walker	(break 12:30 p.m.-1:30 p.m.)
10:00 a.m.-8:00 p.m.	Gary Nerone	(break 3:30 p.m.-4:30 p.m.)
3:00 p.m.-10:00 p.m.	Steve Sandvoss	(break 7:00 p.m.-8:00 p.m.)

Field Assignments

14th Congressional District	Ken Menzel and Rick Fulle

STATE BOARD OF ELECTIONS

MEMORANDUM

From the desk of:
Daniel W. White, Executive Director

TO: Members of the Board

SUBJECT: Legislative Update

DATE: February 26, 2008

Following for your information is a listing of SBE legislation with sponsors and bill numbers and a listing of all election bills introduced in this session.

We will have an oral update at the Board meeting.

Attachment

Illinois General Assembly

All Election Bills 2008 Help

Report Options

HB0588	William B. Black	ELEC CD-OPEN PRIMARY	02/25/2008 House	Assigned to Elections & Campaign Reform Committee
HB0824	Brandon W. Phelps (Don Harmon)	TREAS-INVESTMENT TRANSPARENCY	01/09/2008 Senate	Placed on Calendar Order of 3rd Reading January 10, 2008
HB4174	h Thomas Holbrook	MUNI CD-BALLOT FORM	02/21/2008 House	Placed on Calendar 2nd Reading - Short Debate
HB4218	Luis Arroyo	ELECTIONS-TECH	01/04/2008 House	Referred to Rules Committee
HB4238	Lou Lang	ELECTIONS-TECH	01/07/2008 House	Referred to Rules Committee
HB4239	Lou Lang	ELECTIONS-TECH	01/07/2008 House	Referred to Rules Committee
HB4240	Lou Lang	ELECTIONS-TECH	01/07/2008 House	Referred to Rules Committee
HB4254	Dan Brady	ELECTIONS-GEN ASSBY PETITIONS	01/07/2008 House	Referred to Rules Committee
HB4403	David Reis	ELECTIONS VOTER PHOTO ID	02/06/2008 House	Assigned to Elections & Campaign Reform Committee
****	**Elections & Campaign Reform Committee Hearing Feb 26 2008 4:00PM Capitol Building Room 122B Springfield, IL**			
HB4415	Elizabeth Coulson	ELEC CD-CAMPAIGN CONTRIBUTIONS	01/11/2008 House	Referred to Rules Committee
HB4453	Raymond Poe	ELEC CD-OPEN PRIMARY	02/25/2008 House	Assigned to Elections & Campaign Reform Committee
HB4539	Robert F. Flider	ELECTIONS-TECH	01/18/2008 House	Referred to Rules Committee
HB4543	Robert W. Pritchard	CIRCUIT CTS-ADD DEKALB JUDGE	02/06/2008 House	Assigned to Judiciary I - Civil Law Committee
****	**Judiciary I - Civil Law Committee Hearing Feb 27 2008 8:30AM Stratton Building Room C-1 Springfield, IL**			
HB4565	Dan Brady	ELEC CD-ST BD REMEDIES	01/18/2008 House	Referred to Rules Committee
HB4588	h Robert F. Flider	ELEC CD-ELECTORAL BOARDS	02/21/2008 House	Placed on Calendar 2nd Reading - Short Debate
HB4752	Sidney H. Mathias	ELEC CD-CAMPAIGN FREE ZONE	02/01/2008 House	Referred to Rules Committee
HB4819	Mike Bost	ELEC CD-NO IN PERSON ABSENTEE	02/08/2008 House	Referred to Rules Committee
HB4820	Mike Bost	ELEC CD-RETENTION DECLARATION	02/08/2008 House	Referred to Rules Committee
HB4832	Timothy L. Schmitz	ELEC CD-STATEWIDE VOTER DATA	02/08/2008 House	Referred to Rules Committee
HB4833	Dan Brady	ELECTIONS-TECH	02/08/2008 House	Referred to Rules Committee
HB4834	Dan Brady	ELECTIONS-TECH	02/08/2008 House	Referred to Rules Committee
HB4835	Dan Brady	ELECTIONS-TECH	02/08/2008 House	Referred to Rules Committee
HB5003	David E. Miller	ELEC CD-OBJECTOR CERTIFICATION	02/13/2008 House	Referred to Rules Committee
HB5004	David E. Miller	ELEC CD-OBJECTOR PETITIONS	02/13/2008 House	Referred to Rules Committee
HB5005	David E. Miller	ELEC CD-CANDIDATE WITHDRAWAL	02/13/2008 House	Referred to Rules Committee
HB5018	David E. Miller	ELEC C D-OVERSEAS VOTERS	02/13/2008 House	Referred to Rules Committee
HB5040	William B. Black	ELEC CD-OPEN PRIMARY	02/13/2008 House	Referred to Rules Committee
HB5111	Paul D. Froehlich	ELECTIONS-PETITION SIGNATURES	02/20/2008 House	Assigned to Elections & Campaign Reform Committee
****	**Elections & Campaign Reform Committee Hearing Feb 26 2008 4:00PM Capitol Building Room 122B Springfield, IL**			
HB5112	Mike Boland	ELECTIONS-LOCAL REFERENDA	02/25/2008 House	Assigned to Elections & Campaign Reform Committee
HB5119	Chapin Rose	ELECTIONS-VOTER REGISTRATION	02/14/2008 House	Referred to Rules Committee
HB5263	Mike Fortner	ELECTIONS-NOMINATION VACANCY	02/14/2008 House	Referred to Rules Committee

HB5278	Dan Brady	ELEC OFFICER-NO ENDORSEMENT	02/14/2008	House	Referred to Rules Committee
HB5299	Elaine Nekritz	ELECTIONS-PRECINCT POPULATION	02/14/2008	House	Referred to Rules Committee
HB5454	Michael J. Madigan	ELECTIONS-TECH	02/14/2008	House	Referred to Rules Committee
HB5455	Michael J. Madigan	ELECTIONS-TECH	02/14/2008	House	Referred to Rules Committee
HB5456	Michael J. Madigan	ELECTIONS-TECH	02/14/2008	House	Referred to Rules Committee
HB5458	Michael J. Madigan	ELECTIONS-TECH	02/14/2008	House	Referred to Rules Committee
HB5720	Shane Cultra	GA CAMPAIGN EXPENDITURE LIMITS	02/15/2008	House	Referred to Rules Committee
HB5736	Elizabeth Coulson	ELECTIONS-CONTRIBUTION REPORT	02/15/2008	House	Referred to Rules Committee
HB5737	Elizabeth Coulson	LOBBYING-ST BOARD MEMBERS	02/15/2008	House	Referred to Rules Committee
HB5914	Chapin Rose	ST/BD/ED-ELECT MEMBERS	02/15/2008	House	Referred to Rules Committee
HB6002	Michael J. Madigan	**$BD ELECTIONS-TECH**	02/25/2008	House	Referred to Rules Committee
HB6112	Michael J. Madigan	**$STATE BOARD OF ELECTIONS**	02/25/2008	House	Referred to Rules Committee
HB6208	Tom Cross	**$BD ELECTIONS-TECH**	02/26/2008	House	Filed with the Clerk by Rep. Tom Cross
SB1872	Don Harmon	ELEC CD-DUPAGE PETITIONS	02/14/2008	Senate	Placed on Calendar Order of 2nd Reading February 20, 2008
SB2023	William R. Haine	FIRST 2008 GENERAL REVISORY	02/14/2008	Senate	Assigned to State Government and Veterans Affairs
****	**State Government and Veterans Affairs Hearing Feb 27 2008 1:00PM Capitol 409 Springfield**				
SB2184	Dan Cronin	SPECIAL CONGRESSIONAL ELECTION	02/14/2008	Senate	Referred to Rules
SB2189	Terry Link	ELEC CD-CAMPAIGN FINANCE FINES	02/14/2008	Senate	Referred to Rules
SB2190	Terry Link	ELEC CD-POLITICAL COMMITTEES	02/20/2008	Senate	Assigned to Local Government
****	**Local Government Hearing Feb 28 2008 10:00AM Capitol 409 Springfield**				
SB2191	Terry Link	ELEC CD-CAMPAIGN REPORTS	02/14/2008	Senate	Referred to Rules
SB2306	Susan Garrett	ST BOARD APPOINTEE ETHICS ACT	02/14/2008	Senate	Referred to Rules
SB2314	Susan Garrett	ELECTIONS-HOMEBOUND ABSENTEE	02/20/2008	Senate	Assigned to Local Government
****	**Local Government Hearing Feb 28 2008 10:00AM Capitol 409 Springfield**				
SB2367	Pamela J. Althoff	DEBT COLLECTION-ELECTION FINE	02/14/2008	Senate	Referred to Rules
SB2585	John J. Millner	ELECTIONS-TECH	02/15/2008	Senate	Referred to Rules
SB2590	John J. Millner	ELECTIONS-TECH	02/15/2008	Senate	Referred to Rules
SB2607	Christine Radogno	GOVT ETHICS-GIFT DISCLOSURES	02/15/2008	Senate	Referred to Rules
SB2609	Christine Radogno	CAMPAIGN CONTRIBUTIONS	02/15/2008	Senate	Referred to Rules
SB2610	Christine Radogno	CAMPAIGN CONTRIBUTION REPORTS	02/15/2008	Senate	Referred to Rules
SB2823	Kwame Raoul	JUDICIAL CAMPAIGN REFORM	02/15/2008	Senate	Referred to Rules
SB2922	Emil Jones, Jr.	**$STATE BOARD OF ELECTIONS**	02/15/2008	Senate	Referred to Rules
HR0909	LaShawn K. Ford	CONGRESS-VOTING RIGHTS ACT	02/15/2008	House	Resolution Adopted
HJRCA0028	Jack D. Franks	CONAMEND-RECALL ELECTIONS	08/01/2007	House	Referred to Rules Committee
HJRCA0029	Lou Lang	SUFFRAGE-VOTING AGE 17	02/06/2008	House	Assigned to Elections & Campaign Reform Committee
****	**Elections & Campaign Reform Committee Hearing Feb 26 2008 4:00PM Capitol Building Room 122B Springfield, IL**				

All Election Bills 2008 Totals: 63 - (House Bills: 44) (Senate Bills: 16) (Other Bills: 3) Help

Report Options

Copyright © 2003 Legislative Information System

State Board of Elections Legislation 2008

Bill #/Sponsor
Description

Holbrook/HB 4174
Cleans up ballot preparation language. If no candidate files or no write-ins are declared, under the office title, the Clerk should list "no candidate."

Bost/SB 4819
Eliminate in-person absentee voting – extend early voting to the Monday before the election (delete 19-2.1 and amend 19A-15(a))

Bost/HB 4820
Amends 7A-1 to clarify declarations of candidacy for judges

Schmitz/HB 4832
Allows federal committees to access the pre-ballot request website.

Brady/HB 4833
Technical

Brady/HB 4834
Technical

Brady/HB 4835
Technical

Cronin/SB 2184
Clarifies the dates when a special congressional election is required. Permits the SBE, in consultation with the election authorities, to recommend said dates.

Link/SB 2189
This language clarifies what settlement authority, if any, the State Board of Elections has relative to campaign disclosure fines for violations other than those related to A-1 reports.

Link/SB 2190
Amends Sections 9-1.7 and 1.8 to mirror the definition used for candidates ("take action necessary") so it applies to referendum/advisory questions, etc. committees.

Link/SB 2191
Closes the loophole in Section 9-10(b) - the Dave Sullivan amendment.

Althoff-Watson/SB 2367
This language is a mandate to the Department of Revenue requiring their Debt Collection Division to pursue collection of fines imposed upon political committees by the State Board of Elections with a provision that said Department can determine whether or not said collection pursuits are "reasonable" or not and decline upon a case-by-case basis after evaluation and notification to the State Board of Elections.

Madigan/HB 6112
FY09 Budget

Madigan/HB 6002
FY09 Shell bill for the Budget

Cross/HB 6208
FY09 Shell bill for the Budget

_____/SB ____
FY09 Budget

THE
ILLINOIS STATE BOARD OF ELECTIONS

RESOLUTION
IN HONOR OF MICHAEL E. LAVELLE

WHEREAS, the State Board of Elections is an agency created and mandated by the Illinois Constitution to have general supervision over the conduct of elections and registration in the State of Illinois; and

WHEREAS, it has come to our attention that a reception is to be held in honor of Michael E. Lavelle, Attorney at Law, who served as the first chairman of the State Board of Elections and later as Chairman of the Chicago Board of Election Commissioners; and

WHEREAS, Michael E. Lavelle has been recognized by the election bar and public officials of the State as a leading expert on election and campaign finance law; and

WHEREAS, Michael E. Lavelle lectured on numerous election related topics at public administration and political science classes and seminars and before associations of election officials in this and other states; and

WHEREAS, Michael E. Lavelle has served as a consultant to the American Bar Association Standing Committee on Law and the Electoral Process Commission, and as counsel to numerous political party organization, public officials and candidates and has vigorously represented them before the state and local electoral boards in federal and state courts; and

WHEREAS, Michael E. Lavelle authored articles on campaign finance, election contests and judicial review of electoral board decisions for the Illinois Institute of Continuing Legal Education, served as the Chairman of the Election Law Committee of the Chicago Bar Association and was a former President of the Illinois Association of Election Commission Officials; and

THEREFORE, BE IT RESOLVED, that we, the members of the State Board of Elections offer our sincere admiration and appreciation to Michael E. Lavelle for his many years of dedicated and distinguished public service in the administration of elections and for his tireless efforts in legislative and judicial forums to improve the efficiency and integrity of the electoral process in this State.

Dated: March 7, 2008

STATE BOARD OF ELECTIONS

MEMORANDUM

From the desk of:
Daniel W. White, Executive Director

TO: Members of the Board

SUBJECT: FY08 Fiscal Status Reports

DATE: February 27, 2008

Due to the short time frame between Board meetings, the fiscal reports were not yet available at the time the packet was assembled. The reports will be sent under separate cover.

STATE BOARD OF ELECTIONS

MEMORANDUM

From the desk of:
Daniel W. White, Executive Director

TO: Members of the Board

SUBJECT: Two Year Plan of Activity

DATE: February 26, 2008

Attached is the two-year plan of staff activity for the months of March and April for your review and information.

Attachment

Start Date	End Date	Activity	Division
2 /26/2008		Last day for canvassing of election results (February 5th Primary Election) by proper canvassing boards. (Exception: SBE as canvassing board) 10 ILCS 5/18A-15(a)	EL INFO
2 /26/2008		Link report due from the LEO's to the SBE. 10 ILCS 5/19-20, 20-20	LEG
2 /26/2008		Complete preparation of camera-ready copy of the General Primary Election OFFICIAL VOTE book and send same to printer. Print by March 27, 2008. 10 ILCS 5/1A-8 (1, 2, 11)	ET&RD
2 /27/2008		Send to each election authority a current computerized voter registration error report, from the Primary Election 2008 submission.	VRS
2 /27/2008		Send notice to election authorities who failed to submit a computerized voter registration file, for the Primary Election 2008. Rules and	VRS
2 /28/2008		Committee Deadline Final day for SENATE committee action on SENATE bills. (Senate Rule) Final day for HOUSE committee action on HOUSE bills. (House Rule)	LEG
3 /3 /2008		Post election survey due from the LEO's to the SBE.	LEG
3 /4 /2008		Secure from each election authority a copy of precinct voting abstracts for the General Primary Election for filing in the SBE Research Library. 10 ILCS 5/1A-8 (11), 22-15	EL INFO
3 /7 /2008		Complete CANVASS. Completion date depends on how soon abstracts are received from the county clerks. Generate material for the "List of Candidates Elected and Nominated" and for the "Official Vote" book. 10 ILCS 5/1A-8(1, 2, 6, 11); 18A-15(a)	EL INFO, IT
3 /7 /2008		Begin preparing the Certificates of Nomination and Election (Complete by: March 17, 2008). 10 ILCS 5/1A-8 (1, 2) 5/7-58	EL INFO
3 /7 /2008		Begin compiling weighted vote figures for legislative and representative committees.	EL INFO
3 /7 /2008		BOARD MEETING. (Proclamation) 10 ILCS 5/1A7, 22-7	EXEC DIR

Start Date	End Date	Activity	Division
3 /12/2008		Distribute campaign financing materials and notices to all newly elected county chairmen, state central committee chairmen, and ward and township committeemen. 10 ILCS 5/1A-8 (1, 2, 4, 11) 10 ILCS 5/9-15	CAMP DISC
3 /13/2008		The Board will refer to the Attorney General of Illinois for compliance enforcement each jurisdiction whose computerized voter registration submission has not been received for the Primary Election 2008 submission.	VRS
3 /17/2008		Last day for the chairmen of all county central committees to file with the State Board of Elections the names and addresses of their OFFICERS and PRECINCT COMMITTEEMEN. 10 ILCS 5/7-9	ET&RD
3 /18/2008		Begin compiling PARTY OFFICIALS INFORMATION by county. Upon completion make data available to general public on disc and post completed listings on our web site. (Complete by: April 18, 2008) 10 ILCS 5/1A-8(1, 2, 6, 11)	ET&RD
3 /21/2008		(date subject to change) 3rd Reading Deadline Final day on which SENATE bills may be called for a final vote on 3rd reading in the SENATE. (Senate Rules) Final day on which HOUSE bills may be called for a final vote on 3rd reading in the HOUSE.	LEG
3 /24/2008		Begin making plans for notifying all legislative committees of their statutory deadline to file Certificates of Organization. (Deadline - August 4, 2008) 10 ILCS 5/1A-8 (12)	EL INFO
3 /27/2008		Distribute General Primary Election "OFFICIAL VOTE" book as soon as it is received from the printer. Project began February 26, 2008. 10 ILCS 5/1A-8 (1, 2, 11)	ET&RD
4 /7 /2008		Begin preparation of materials for state political committees for the Semi-Annual Report. (Packets to be mailed: May 30, 2008) 10 ILCS	CAMP DISC
4 /7 /2008		Last day established party managing committee may file resolution to fill vacancy in nomination when no candidate was nominated at the General Primary Election. 10 ILCS 5/7-	EL INFO

Start Date	End Date	Activity	Division
4 /14/2008		Last day to file objections to resolutions to fill vacancies in nomination when no candidate was nominated at the General Primary Election.	EL INFO
4 /16/2008		Last day to transmit objections and call for electoral board hearings. 10 ILCS 5/10-8	EL INFO
4 /18/2008		Complete compiling the party officials information received from the county party chairmen. Project began March 18, 2008. Information to be provided on disc and posted on our web site. 10 ILCS 5/1A-8 (1, 2, 6, 11)	ET&RD
4 /18/2008		(date subject to change) Final day for which SENATE committee may take action on HOUSE bills. (Senate Rule) Final day for which HOUSE committee may take action on SENATE bills. (House Rule)	LEG
4 /21/2008		BOARD MEETING. 10 ILCS 5/1A7	EXEC DIR
4 /21/2008		Send notification letter to all Legislative and Representative Committees re: statutory deadline to file Certificates of Organization with the SBE. (Deadline - August 4, 2008) 10 ILCS 5/8-5	EL INFO
4 /28/2008		Begin preparation of the 2009 Election and Campaign Finance Calendar. Complete by November 26, 2008 10 ILCS 5/1A-8(1 thru 12)	EL INFO, LEGAL
4 /28/2008		Notify election authorities of requirement to submit computerized voter registration information for the May 15, 2008 submission in a format prescribed by the SBE.	VRS
5 /1 /2008		Notify election authorities to have a sufficient inventory of campaign financing material for the new political party filing period. 10 ILCS	CAMP DISC
5 /5 /2008	5 /30/2008	NOTE: During this time period the State Board of Elections shall design a standard and scientific random sampling method to verify petition signatures and shall conduct a public test to prove its validity. Notice of the time and place for such test shall be given at least 10 days before such test. 10 ILCS 5/28-11	ET&RD, IT
5 /5 /2008		Last day to file a statewide petition for advisory public policy question with the State Board of Elections. 10 ILCS 5/28-9	ET&RD

STATE OF ILLINOIS
COUNTY OF COOK

BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

Illinois State Board of Elections
Complainant

Vs. **Case No. 07 JS 119**

Citizens for a Better 24th Ward (CB24) L13686
Respondent

REPORT OF HEARING EXAMINER

Appeal of Civil Penalty Assessment for Delinquently Filing the
June 30th, 2007 Semi-Annual Report

The political committee's June 2007 Semi-Annual Report was received by the State Board of Elections (herein referred to as SBE) on December 5th, 2007, 86 day(s) late. As such, the political committee has been assessed a fine of $4,300.00. In addition, this Committee had been assessed a civil penalty of $500.00, that was stayed as a first violation, for delinquently filing the February 2007 Pre-Election Report. The total assessment is $4800.00.

Mr. Thomas Worthy, Treasurer, filed a Request for Hearing and Appeal Affidavit, on January 11th, 2008, indicating as good reason or defense of the assessment of a civil penalty "miscommunications with the Treasurer's office and CB24's mailing address".

Hearing in this matter was set for Wednesday, January 30th, 2008, to be conducted at the Chicago Board office, 100 W. Randolph, 14-100, at 9:00 a.m.

Mr. Thomas Worthy, Treasurer, appeared on behalf of the political committee. Mr. Worthy indicated that the political committee's headquarters was located in the rear of a local church, which was not staffed on a daily basis. Mr. Worthy stated that the political committee has had no activity since the February, 2007 Consolidated Primary, retains approximately $300 in residual funds, and seeks leniency of the Board in this matter. Mr. Worthy stated a Final Report would be prepared and filed with the SBE shortly. Via telephone conversation of Thursday, February 21st, Mr. Worthy indicated that such Final Report would be filed on or before Monday, February 25th, 2008. As of the date of this report, a Final Report still has not been filed with the SBE.

I feel based upon a review of the statements/documents presented in this matter, and consideration of a prior filing delinquency ($500.00), it is the opinion of the Hearing Examiner that reasonable grounds do not exist to grant the appeal. Therefore it is the recommendation of the Hearing Examiner that the appeal be denied, and the assessed fine of $4,800.00 be due and owing.

Tony Morgando Jr. – Hearing Examiner
February 27th, 2008

State of Illinois)
)
County of Cook)

RECEIVED
JAN 11 2008
State Board of Elections

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;)
)
ILLINOIS STATE BOARD OF ELECTIONS,)
)
Complainant)
)
Vs.) Case No. 07CD076
)
Citizens for a Better 24th Ward)
Respondent(s).)

APPEAL AFFIDAVIT

I, Thomas Worthy (Name), the Treasurer (Chairman/Treasurer) of the Citizens for a Better 24th Ward (CB24) (Name of the Committee)

Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

Miscommunication with the Treasurer's office and CB24's Mailing address.

Signed and Sworn to by:
Thomas Worthy
before me this 11 Day of
January, 2008
Andy Nauman
Notary Public

Thomas Worthy.
(Signature of Chairman/Treasurer)

OFFICIAL SEAL
ANDY NAUMAN
NOTARY PUBLIC - STATE OF ILLINOIS
MY CC 021 EXPIRES:12/12/10

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187
Springfield, Illinois 62708
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440
Fax: 312/814-6485

BOARD MEMBERS
Albert Porter, Chairman
Bryan Schneider, Vice Chairman
Patrick Brady
John Keith
William McGuffage
Wanda Rednour
Jesse Smart
Robert Walters

EXECUTIVE DIRECTOR
Daniel W. White

December 18, 2007

Citizens for a Better 24th Ward (CB24)
Bert Downing, Thomas Worthy
3555 W Ogden Ave
Chicago, IL 60623

L13686

Dear Citizens for a Better 24th Ward (CB24);

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:	Semiannual Report of Campaign Contribution and Expenditures
Report Period:	January 1, 2007 through June 30, 2007
Filing Period:	July 2, 2007 through July 20, 2007

Based upon this committee's failure to comply with the provision of 10 ILCS 5-9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on December 5, 2007, 86 day(s) late. As such, this committee has been assessed a fine of $4300.00.

Enclosed please find the Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. Notice of Appeal must be filed within 30 days of the mailing of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.

If the above listed violation is not appealed and since this is a subsequent violation the previously stayed fine(s) for delinquent filing is now also required to be paid by the committee within 30 days:

Reporting Period	Report Type	Previous Fine Amount
1/1/2007 – 1/28/2007	Pre-election	$500.00
TOTAL AMOUNT NOW DUE		**$4800.00**

If you have any questions regarding the appeal process, please call Sue McArthur at 217/782-1543.

Sincerely,

Rupert T. Borgsmiller
Director, Division of Campaign Disclosure

RTB:sm
Enclosure(s) appeal documents

STATE OF ILLINOIS
COUNTY OF SANGAMON

BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

Illinois State Board of Elections

Complainant

v. **07 JS 121**

J Thornton Sr. Annual Fund Raiser Committee L13970

Respondent

REPORT OF HEARING EXAMINER

Appeal of Civil Penalty Assessment for Delinquently Filing the
2007 June Semi-Annual Report

The Report was received on November 20, 2007, 77 days late, resulting in a penalty assessment of $3850.

John H. Thornton, Sr., the Chairman and Candidate of the Committee, filed a Waiver of Appearance and submitted on the Appeal Affidavit the following:

On the Affidavit, Mr. Thornton stated that his Secretary/Treasurer falsely informed him that she had transmitted his information in the time frame that the paperwork was due. During that period his secretary was terminated as well due to an ongoing investigation for embezzlement. Due to the investigation he is not allowed to give any further information at this time. In an attached letter, Mr. Thornton stated that he was not aware that the report was late until the Board contacted him through letter which states that he now owes a fine because it was late.

I recommend that the appeal be denied for lack of an adequate defense. This report was not received until November 20th. All report notifications had been sent to the post office box, which was the Committee address at that time and, according to Board records, remains the Committee address. The 2007 Semi-Annual notification was mailed to the Committee on 5/30/07, and a reminder notification was sent on 7/10/07. In addition, the Board has not been notified of any change in officers since the original D-1 was filed in February 2007. It is clear that Mr. Thornton is dealing with internal personnel problems in the Committee; however, such problems do not constitute a valid reason for the Committee's delinquent filing. As a first violation, the penalty is stayed.

Sharon Steward – Hearing Officer
January 29, 2008

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187
Springfield, Illinois 62708
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440
Fax: 312/814-6485

BOARD MEMBERS
Albert Porter, Chairman
Bryan Schneider, Vice Chairman
Patrick Brady
John Keith
William McGuffage
Wanda Rednour
Jesse Smart
Robert Walters

EXECUTIVE DIRECTOR
Daniel W. White

December 18, 2007

J Thornton Sr Annual Fund Raiser Committee
PO Box 1161
Washington Park, IL 62204

L13970

Dear J Thornton Sr Annual Fund Raiser Committee;

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:	Semiannual Report of Campaign Contributions and Expenditures
Report Period:	January 1, 2007 through June 30, 2007
Filing Period:	July 2, 2007 through July 20, 2007

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received by the Board on November 20, 2007, 77 day(s) late. As such, this committee has been assessed a fine of $2850.00.

Enclosed please find Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. Notice of Appeal must be filed within 30 days of the mailing of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.

Since this is a first time violation, the assessed civil penalty will be ***stayed***. Any subsequent violation of any provision of Article 9 of the Election Code or of a Board Order shall result in the assessment of an additional penalty as provided in Section 125.425 of the Rules and Regulations governing the State Board of Elections, with that civil penalty and any previously assessed penalty to be paid within 30 days. Therefore, you need not pay this assessed civil penalty unless another violation occurs.

If you have questions regarding the appeal process, please call Sue McArthur at 217/782-1543.

Sincerely,

Rupert T. Borgsmiller
Director, Division of Campaign Disclosure

RTB:sm
Enclosure(s): appeal forms

State of Illinois)
)
County of _____)

FILED
State Board of Elections
SPRINGFIELD, ILLINOIS
JAN 14 2008
AM 7 8 9 10 11 12 1 2 3 4 5 6 PM

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;)
)
ILLINOIS STATE BOARD OF ELECTIONS,)
)
Complainant)
)
Vs.) Case No. 07 JS 121
)
_____)
Respondent(s).)

APPEAL AFFIDAVIT

I, John H. Thornton Sr., the Mayor of the
(Name) (Chairman/Treasurer)

Village of Washington Park
(Name of the Committee)

Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

I, John H. Thornton Sr. sending a letter to appeal the decision against me. My Secretary/treasurer falsely informed me that she have transmitted my information in the time frame that the paperwork was due. During that period my secretary was terminated as well, due to an ongoing investigation for embezzlement. Due to the investigation I'm not allow to give any further information at this time.

Signed and Sworn to by:

before me this 16th Day of
January, 2007

Kimberly Lewis
Notary Public

John H. Thornton
(Signature of Chairman/Treasurer)

OFFICIAL SEAL
KIMBERLY LEWIS
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 4-24-2010

Village of Washington Park

5218 N. Park Dr.
Washington Park, IL 62204

John Thornton
Mayor

Office: (618) 874-2040
Fax: (618) 874-1218

January 10, 2008

STATE BOARD OF ELECTION:

I, John Thornton Sr. am sending in a letter affidavit to appeal my annual report case. From my understanding your office stated that my annual report was late for the given time frame of January 07-June 3o, 2007. I would like to appeal this due to the matter of circumstances that my secretary/treasurer which whom handles my paperwork and funds for election was terminated for grounds of an ongoing investigation of embezzlement with our office. My secretary falsely inform me that she have transmitted this information to you in a timely manner. I was not aware that my report was late until your office contacted me through letter which states that I now owe a fine because it was late. Due to this matter of investigation, please understand at this time I can not provide your office with further details due to the investigation. I asked that will reconsider you judgment against me at this time.

Mayor John Thornton Sr,

John Thornton Sr.

STATE OF ILLINOIS
COUNTY OF COOK

BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

Illinois State Board of Elections
Complainant

Vs. Case No. **07 JS 125**

Horsepower PAC LTD S7440
Respondent

REPORT OF HEARING EXAMINER

The political committee filed it June 2007 Semi-Annual Report electronically with the State Board of Elections (herein referred to as SBE), on December 5th, 2007, 86 day(s) as such, the political committee has been assessed a fine of $5,000.00.

Mr. Edward Duffy, Treasurer, filed a Request for Hearing and Appeal Affidavit, on January 16th, 2008, indicating "I respectfully request to appear before the Board to present an oral defense".

Hearing in this matter was set for Tuesday, January 29th, 2008, to be conducted at the Chicago Board office, 100 W. Randolph, 14-100, at 9:30 a.m.

Mr. Edward Duffy, Treasurer, appeared on behalf of the political committee. Mr. Duffy indicated that due to the resignation of Mr. Brian Burn as Treasurer effective November 4, 2005, Mr. Thomas Carey, assumed responsibility as Chairman/Treasurer of the political committee on November 13th, 2004. Mr. Duffy stated over the following years Mr. Carey's age (75) and the affliction of Alzheimer's created a situation where SBE correspondence was regretfully going unnoticed. My Duffy filed an amended Statement of Organization, Form D-1, on Tuesday, January 29th, 2008, reflecting himself as the Treasurer of the political committee. It is Mr. Duffy's intent to disburse residual funds, and file a Final Report. Such Final Report was electronically filed on Tuesday, February 19th, 2008.

Based upon a review of statements/documents presented in this matter, it is the opinion of the Hearing Examiner that Horsepower PAC LTD failed to file its June 2007 Semi-Annual Report electronically in a timely manner. Therefore, it is the recommendation of the Hearing Examiner that the appeal be denied and the assessed civil penalty of $5,000.00 be due and owing. Since a Final Report has been filed, it is further recommended that such assessed civil penalty be ABATED if the political committee remains dissolved for a period of two (2) years following the date of the Final Order of the Board imposing the penalty.

Tony Morgando Jr. – Hearing Examiner
February 20th, 2008

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187
Springfield, Illinois 62708
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440
Fax: 312/814-6485

BOARD MEMBERS
Albert Porter, Chairman
Bryan Schneider, Vice Chairman
Patrick Brady
John Keith
William McGuffage
Wanda Rednour
Jesse Smart
Robert Walters

EXECUTIVE DIRECTOR
Daniel W. White

December 18, 2007

Horsepower PAC LTD
Tom Carey Jr
3501 S Laramie Ave
Cicero, IL 60804

S7440

Dear Horsepower PAC LTD;

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:	Semiannual Report of Campaign Contribution and Expenditures
Report Period:	January 1, 2007 through June 30, 2007
Filing Period:	July 2, 2007 through July 20, 2007

Based upon this committee's failure to comply with the provision of 10 ILCS 5-9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on December 5, 2007, 86 day(s) late. As such, this committee has been assessed a fine of $5000.00.

Enclosed please find the Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. Notice of Appeal must be filed within 30 days of the mailing of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.

If the above listed violation is not appealed and since this is a subsequent violation the previously stayed fine(s) for delinquent filing is now also required to be paid by the committee within 30 days:

Reporting Period	Report Type	Previous Fine Amount
7/1/2006 – 12/31/2006	Semi-annual 07 DS 165	$1400.00
TOTAL AMOUNT NOW DUE		**$6400.00**

If you have any questions regarding the appeal process, please call Sue McArthur at 217/782-1543.

Sincerely,

Rupert T. Borgsmiller
Director, Division of Campaign Disclosure

RTB:sm
Enclosure(s) appeal documents

State of Illinois)
)
County of Cook)

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

STATE BOARD OF ELECTIONS
08 JAN 16 PM 12:37

IN THE MATTER OF;)
)
ILLINOIS STATE BOARD OF ELECTIONS,)
)
Complainant)
)
Vs.) Case No. 08 JS 125
)
HORSEPOWER PAC LTD)
Respondent(s).)

APPEAL AFFIDAVIT

I, EDWARD DUFFY (Name), the TREASURER (Chairman/Treasurer) of the HORSEPOWER PAC LTD (Name of the Committee)

Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

I RESPECTFULLY REQUEST TO APPEAR BEFORE THE BOARD TO PRESENT AN ORAL DEFENSE.

Signed and Sworn to by:
Edward Duffy
before me this 16 Day of
January, 2008
Christina M. Vitone
Notary Public

Edward Duffy
(Signature of Chairman/Treasurer)

OFFICIAL SEAL
CHRISTINA M. VITONE
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES MARCH 17, 2008

STATE OF ILLINOIS
COUNTY OF COOK

BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

Illinois State Board of Elections
Complainant

Vs. Case No. **07 MA 030**

ESPA District #15 PAC S9399
Respondent

REPORT OF HEARING EXAMINER

The political committee on April 13th, 2007, filed the following disclosure reports late with the State Board of Elections (herein referred to as SBE), (1) A Statement of Organization, Form D-1, indicating a creation date of April 13th, 2007, 43 days late ($1,075.00), and, (2) A Pre-Election Report for the April 2007 Consolidated Election, 9 days late ($500.00). As such, the political committee has been assessed a total fine of $1,575.00.

Ms. Angeline Drazkowski, Chairman, filed a Request for Hearing and Appeal Affidavit, on January 10th, 2008, indicating "mitigating circumstances" as good reason or defense to the assessment of the civil penalty.

Hearing in this matter was set for Wednesday, January 30th, 2008, to be conducted telephonically from the Chicago Board office, 100 W. Randolph, 14-100, at 10:30 a.m.

Ms. Amy Kunz, IEA-NEA UniServ Director, Angeline Drazkowski, Chairman, Barbara John, Treasurer, and Mr. James Nally, Counsel, participated via conference call on behalf of the political committee. The Respondent(s) indicated that the committee had a cash balance of $1,721.00 as of November 28th, 1998. From that point in time, through January 25th, 2007, two (2) deposits were made to the account - (1) An IPACE rebate in the amount of $728.00 on February 1st, 2006, and, (2) An IPACE rebate in the amount of $2,380.00 on January 25th, 2007. The Respondent(s) did indicate that the political committee did make an expenditure to the Friends of Bokor, Chapman & Ekeberg, on April 13th, 2007, in the amount of $3,000.00. The Respondent(s) in this matter did provide the Hearing Examiner with all relevant bank statements related to their limited financial activity.

Based upon a review of statements/documents presented in this matter, it is the opinion of the Hearing Examiner that the ESPA District #15 PAC exceeded threshold limits as of January 25th, 2007, with the acceptance of the IPACE rebate in the amount of $2,380.00. Such contribution established receipt of contributions during a 12-month period in excess of $3,000.00 ($3,108.00). Therefore it is the recommendation of the Hearing Examiner that the appeal be denied, and the assessed civil penalty of $1,575.00 be imposed, but STAYED as a first violation.

Such recommendation is consistent with similar rulings in SBE v. Chicagoland Apartment Association PAC (06 MA 001), and SBE v. Black Illinois Legislative Lobby (06 MA 002).

Tony Morgando Jr. – Hearing Examiner
February 11th, 2008

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

1020 S. Spring Street
PO Box 4187
Springfield, Illinois 62708-4187
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 W. Randolph Street, Ste 14-100
Chicago Illinois 60601-3232
312/814-6440
Fax: 312/814-6485

BOARD MEMBERS
Albert Porter, Chairman
Bryan Schneider, Vice Chairman
Patrick Brady
John Keith
William McGuffage
Wanda Rednour
Jesse Smart
Robert Walters

EXECUTIVE DIRECTOR
Daniel W. White

December 18, 2007

ESPA District #15 PAC
Barbara Jobin
1595 Chesapeake Dr
Hoffman Estates, IL 60192

S9399

Dear ESPA District #15 PAC;

This letter is to inform you that this committee failed to file its' D-1 Statement of Organization during the requisite 10-day filing period.

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-3 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received by the Board on April 13, 2007, 43 day(s) late. As such, this committee has been assessed a fine of $1075.00.

In addition, this committee failed to file the following documents during the requisite filing period:

Report Type:	Pre-Election Report of Campaign Contributions
Report Period:	January 29, 2007 through March 18, 2007
Filing Period:	March 19, 2007 through April 2, 2007

Based upon this committee's failure to comply with the provision of 10 ILCS 5-9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on April 13, 2007, 9 day(s) late. As such, this committee has been assessed a fine of $500.00.

Enclosed please find Section 10 ILCS 5/9-3 of the Election Code and the forms with which you may appeal the assessed fines if you believe the civil penalty has been assessed in error. Notice of Appeal must be filed within 30 days of the mailing of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.

If you have questions regarding the appeal process, please call Sue McArthur at 217/782-1543.

Sincerely,

Rupert T. Borgsmiller
Director, Division of Campaign Disclosure

RTB:sm
Enclosure(s): appeal packet

State of Illinois)
)
County of Cook)

FILED
State Board of Elections
SPRINGFIELD, ILLINOIS
JAN 10 2008
AM 7 8 9 10 11 12 1 2 3 4 5 6 PM

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;)
)
ILLINOIS STATE BOARD OF ELECTIONS,)
)
Complainant)
)
Vs.) Case No. 07 MA 030
)
ESPA District #15 PAC)
Respondent(s).)

APPEAL AFFIDAVIT

I, Angie Drazkowski (Name), the Chairman (Chairman/Treasurer) of the ESPA District #15 PAC (Name of the Committee)

Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

Mitigating Circumstances.

Signed and Sworn to by:
Angela Drazkowski
before me this 2nd Day of
January, 2008
Notary Public

Angela Drazkowski
(Signature of Chairman/Treasurer)

OFFICIAL SEAL
CHARLENE R. GRAVES
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 9-24-2011

Illinois Education Association-NEA
Palatine Region Office

553 N. North Court, Suite 210
Palatine, IL 60067-8124
847/359-0300 • Fax 847.359.0088

January 29, 2008

Tony Morgando, Jr.
Deputy Director Campaign Finance
Suite 14-100
Chicago IL 60601

Dear Mr. Morgando,

Pursuant to our phone conversation with you on Tuesday, January 29, 2008, here is the financial documentation you requested connected with the Educational Support Personnel Association's appeal request.

1. checkbook register from November 28, 1998 through March 16, 2006
2. checkbook register from June 6, 2006 through November 27, 2007
3. bank statement for period of February 1, 2006 through February 28, 2006
4. bank statement for period of January 1, 2007 through January 31, 2007

We hope this information provides the assistance you need. If there's anything else you require, please don't hesitate to contact me.

Sincerely,

Amy Kunz

Amy Kunz
IEA-NEA UniServ Director

RECORD ALL CHARGES OR CREDITS THAT AFFECT YOUR ACCOUNT

NUMBER	DATE	DESCRIPTION OF TRANSACTION	PAYMENT/DEBIT (-)	✓ T	FEE (IF ANY) (-)	DEPOSIT/CREDIT (+)	BALANCE
							$1729 30
#1 (Blank)	11/28 1996	Cash for dep. into dues acct.	$ 8 30		$	$	1721 00
✓	2/1 2006	Dep - IPACE Rebate - CK# 14463		✓		728 00	2449 00
2	3/7 2006	Region 42 IPACE Dinners	100 00	✓			2349 00
3	5/10	A Draz Kiwski ESPA Dinner Mtg	313 00	✓			2036 00
4	5/16	Lee + Eddie's ESPA Dinner Mtg	334 05	✓			1701 95
5	5/16	Lynn Vicker ESPA Dinner Mtg	34 26	✓			1667 69

PROTECT YOUR ACCOUNT

- Begin the *dollar amount in figures* at the far left edge of the shaded box.
- Begin the *dollar amount in words* as far left as possible.
- Always sign *your name* exactly as you did when opening the account.
- Never use pencil or erasable ink pen on these documents.
- Notify your financial institution immediately if a document is ever missing.

WHEN MAKING A PAYMENT. . .

Each document must show:

- the date • the party to be paid (payee) • dollar amount in figures • dollar amount in words • your signature

HARRIS BANK

Harris Trust and Savings Bank
205 W. Northwest Highway

JAMES C. MORRISON
1768 SHERIDAN DRIVE
YOUR CITY, STATE 12345

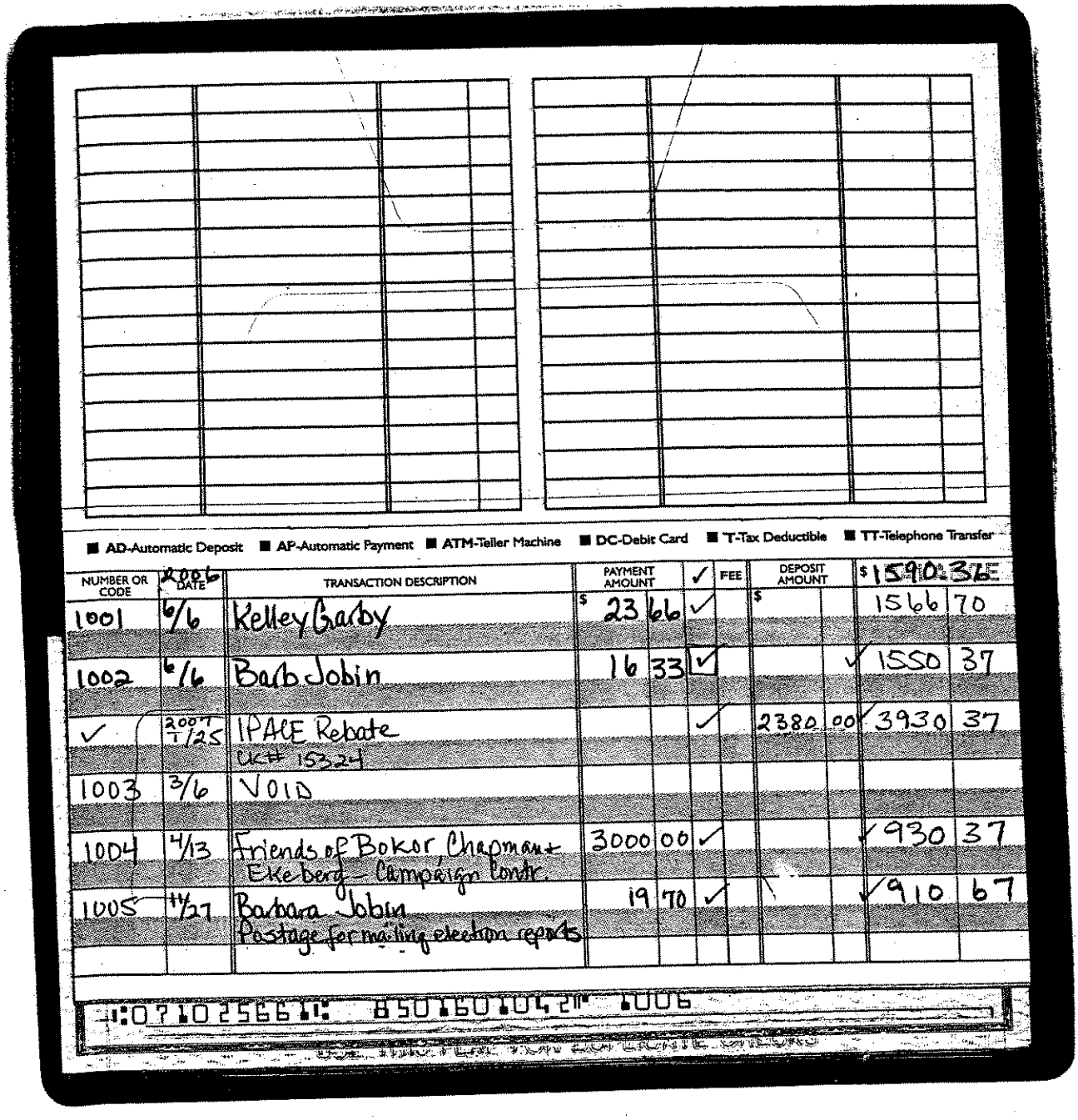
101

May 21 19 98

PAY TO THE ORDER OF Northern Realty Company $ 38.95

Thirty-eight and 95/100 DOLLARS

034



■ AD-Automatic Deposit ■ AP-Automatic Payment ■ ATM-Teller Machine ■ DC-Debit Card ■ T-Tax Deductible ■ TT-Telephone Transfer

NUMBER OR CODE	DATE 2006	TRANSACTION DESCRIPTION	PAYMENT AMOUNT	✓	FEE	DEPOSIT AMOUNT	$1590.36
1001	6/6	Kelley Garby	$ 23 66	✓		$	1566 70
1002	6/6	Barb Jobin	16 33	✓		✓	1550 37
✓	2007 1/25	IPALE Rebate UC# 15324		✓		2380 00 ✓	3930 37
1003	3/6	VOID					
1004	4/13	Friends of Bokor Chapman + Ekeberg – Campaign Contr.	3000 00	✓		✓	930 37
1005	11/27	Barbara Jobin Postage for mailing election reports	19 70	✓		✓	910 67

⑈071025666⑈ 850160042⑈ 0006

HARRIS

HARRIS N.A.
P.O. BOX 94033
PALATINE, IL 60094-4033

178986

ACCOUNT NUMBER: 8501601042

Statement Period
02/01/06 TO 02/28/06

01

ESPA DIST #15 PAC
C/O BARBARA I JOBIN
1595 CHESAPEAKE DR
HOFFMAN ESTATES IL 60195

PAGE 1 OF 1 1/ 1

0

:04
)0

**********NOTICE OF CHANGE**********
EFFECTIVE FEBRUARY 18, 2006, OUR MISCELLANEOUS SERVICE FEES WILL CHANGE AS FOLLOWS: ATM/DEBIT CARD REPLACEMENT FEE $5; MONEY ORDER (CUSTOMERS) $2; OFFICIAL BANK CHECK (CUSTOMERS) $4; OVERDRAFTS (O/D)/INSUFFICIENT FUNDS (NSF) PER ITEM PAID/RETURNED $29. IF YOU HAVE QUESTIONS, PLEASE CALL US AT 1-888-489-2265.

HARRIS BUSINESS BANKING WINS AWARD FOR EXCELLENCE IN SERVING SMALL BUSINESS! GREENWICH ASSOCIATES HAS AWARDED HARRIS A NATIONAL AWARD FOR EXCELLENCE FOR OVERALL CUSTOMER SATISFACTION. HARRIS COMPETED WITH 650 OTHER BANKS ACROSS THE COUNTRY FOR THIS RECOGNITION. TO LEARN MORE VISIT US ONLINE AT HARRISBANK.COM/SMALLBIZ.

IF YOU HAVE QUESTIONS ABOUT YOUR ACCOUNT PLEASE CONTACT OUR BUSINESS BANKING SERVICE CENTER AT 1-888-489-2265. MEMBER FDIC.

CHECKING ACCOUNTS

ALL BUSINESS CHECKING **ESPA DIST #15 PAC**
COUNT NUMBER 8501601042 (Checking)

DEPOSIT ACCOUNT SUMMARY

Previous Balance as of January 31, 2006		**1,721.00**
1 Deposits	(Plus)	728.00
Ending Balance as of February 28, 2006		**2,449.00**

Deposits and Other Credits

Date	Amount	Description
Feb 01	✓ 728.00	TELLER DEPOSIT

Daily Balance Summary

Date	Balance	Date	Balance
Jan 31	1,721.00	Feb 01	2,449.00

HARRIS

HARRIS N.A.
P.O. BOX 94033
PALATINE, IL 60094-4033

188806

ACCOUNT NUMBER: 8501601042

Statement Period
01/01/07 TO 01/31/07

01

ESPA DIST #15 PAC
C/O BARBARA I JOBIN
1595 CHESAPEAKE DR
HOFFMAN ESTATES IL 60195

PAGE 1 OF 1 1/ 1

BANK WITH US ON PRESIDENTS' DAY, MONDAY, FEBRUARY 19. THIS PRESIDENTS' DAY, HARRIS WANTS TO MAKE BANKING WITH US EVEN EASIER. ALL OF OUR LOCATIONS IN ILLINOIS AND NW INDIANA WILL BE OPEN NORMAL BUSINESS HOURS TO SERVE YOU.

IF YOU HAVE QUESTIONS ABOUT YOUR ACCOUNT PLEASE CONTACT OUR BUSINESS BANKING SERVICE CENTER AT 1-888-489-2265. MEMBER FDIC.

CHECKING ACCOUNTS

LL BUSINESS CHECKING — ESPA DIST #15 PAC
OUNT NUMBER 8501601042 (Checking)

DEPOSIT ACCOUNT SUMMARY

Previous Balance as of December 31, 2006		1,550.37
1 Deposits	(Plus)	2,380.00
Ending Balance as of January 31, 2007		3,930.37

Deposits and Other Credits

Date	Amount	Description
Jan 25	2,380.00	TELLER DEPOSIT

Daily Balance Summary

Date	Balance	Date	Balance
Dec 31	1,550.37	Jan 25	3,930.37

STATE BOARD OF ELECTIONS
1020 South Spring Street
Springfield, Illinois 62704
217/782-4141

Rupert T. Borgsmiller **Director, Campaign Disclosure**

To: Daniel W. White, Executive Director, Members of the Board

Re: Payment of Civil Penalties - Informational

Date: February 26, 2008

The following committees have made payment of outstanding civil penalties for the period of 2/8/2008 – 2/26/08:

- Citizens to Elect Alvin Parks Jr. - $1120.00
- Committee to Elect Edward "Ed" Russell - $1000.00
- Citizens for Reilly - $1310.00

Total Amount Paid for this Period- $3430.00

Year to Date:
1/10/08 – 2/7/08 - $8147.00
2/8/08 – 2/26/08 - $3430.00

RTB:sm

STATE OF ILLINOIS
COUNTY OF COOK

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

Illinois State Board of Elections
Complainant

Vs. **Board File No: 07 CD 101**

Friends of Don Patterson
Respondent

REPORT OF HEARING EXAMINER
Report of Public Hearing for the
Failure to File a Semi Annual Report for
The Period Ending June 2007

PROCEDURAL HISTORY

On November 26, 2007, the above referenced Complainant filed a Form D-4, Complaint for violation of the Campaign Disclosure Act, wherein it is specifically alleged that pursuant to 10 ILCS 5/9-10, 5/9-13, and 5/9-14, of the Campaign Disclosure Act, the Respondent failed to file a Semi Annual Report for the period specified above.

On December 13, 2007, a Closed Preliminary Hearing was convened in the Chicago Offices of the State Board of Elections. At that time, the Respondent failed to appear at said hearing, nor had the report at issue been filed, and as a result, the Hearing Examiner recommended that a Public Hearing be conducted. The Board issued an Order dated January 24, 2008 calling for a Public Hearing to be held.

On February 20, 2008, after acknowledging the receipt indicating proof of service upon the Respondent, a Public Hearing was convened. Tara Cachur appeared on behalf of the Complainant. No appearance was entered on behalf of the Respondent. Ms. Cachur testified that the Board found that the complaint was filed on justifiable grounds. She further indicated that the Complainant still was not in receipt of the Semi Annual Report for the period ending June 2007, and therefore requested that this Hearing Examiner recommend that the Board issue an Order for the Respondent to file its report within 30 days of the date of its Order. No further testimony occurred.

CONCLUSSIONS AND RECCOMENDATIONS

Given the fact that the Respondent failed to appear at hearing, and has yet to file a June 2007 Semi Annual Report, it is the recommendation of this Hearing Examiner that the Board issue an Order for the Respondent to file this report within 30 days of the date of issuance of such Order.

Mark D. Greben - Hearing Examiner
February 25, 2008

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Friends of Don Patterson
Don Patterson
1542 S Keeler
Chicago, IL 60623

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X [signature] ☐ Agent ☐ Addressee

B. Received by (Printed Name) LOUISE PATTERSON C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☐ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number (Transfer from service label) 7007 0710 0002 8628 6534

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Friends of Don Patterson
Gloria Buie
4386 W Ogden
Chicago, IL 60623

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X [signature] ☐ Agent ☐ Addressee

B. Received by (Printed Name) C. Date of Delivery 2-7-08

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☐ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number (Transfer from service label) 7007 0710 0002 8628 6527

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

In the Matter of:

State Board of Elections
Complainant(s)

Vs. Board File#: 07 CD 101

Friends of Don Patterson
Respondent(s)

NOTICE OF PUBLIC HEARING

TO: Friends of Don Patterson
Gloria Buie
4386 W Ogden
Chicago, IL 60623

Don Patterson
1542 S Keeler
Chicago, IL 60623

Please take notice that in accordance with the Order of the State Board of Elections, dated and entered on and pursuant to the provisions of "An Act to Regulate Campaign Financing" (10 ILCS 5/9-1 et seq.) and Rules and Regulations adopted pursuant thereto, and by the power vested in me, the Public Hearing to be conducted in the above captioned matter is set for February 20, 2008 at 12:00 PM, at the State Board of Elections, 100 W Randolph, Suite 14-100, Chicago IL.

The parties have the right to be represented by legal counsel in any proceeding conducted by the State Board of Elections.

Any party involved in any proceeding has the right to the presence and participation of additional persons, in addition to, or instead of an attorney, in order to provide technical assistance and consultation.

DATED: February 1, 2008

Steven S. Sandvoss, General Counsel

STATE OF ILLINOIS)
) SS
COUNTY OF SANGAMON)

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

In the Matter Of:	)	
State Board of Elections,	)	
	)	
Complainant(s),	)	
Vs.	)	07 CD 101
	)	
Friends of Don Patterson,	)	
	)	
Respondent(s).	)	

ORDER

TO: Friends of Don Patterson L13749
4386 W Ogden Ave
Chicago, IL 60623

This matter coming to be heard this 22nd day of January, 2008, following a Closed Preliminary Hearing of a Complaint filed pursuant to "An Act to Regulate Campaign Financing" (Illinois Compiled Statutes, 10 ILCS 5/9-1 *et seq.*, herein referred to as the "Act"), alleging that the respondent(s) violated 10 ILCS 5/9-10, 5/9-13 & 5/9-14 in that the respondent committee failed to file the June 2007 Semi-annual Report of Campaign Contributions & Expenditures; and the State Board of Elections having read the report of the Hearing Officer and reading the recommendation of the General Counsel and now being fully advised in the premises,

THE BOARD FINDS:

1. That the complaint was filed on justifiable grounds; and
2. There was no appearance by the Respondent at the Closed Preliminary Hearing, and
3. The report at issue remains unfiled.

IT IS HEREBY ORDERED:

1. That a Public hearing be conducted in this matter; and
2. The effective date of this Order is January 24, 2008, and
3. This is a Final Order subject to review under the Administrative Review Law and Section 9-22 of the Election Code.

DATED: 1/24/2008

Albert S. Porter, Chairman

FORM D-4	COMPLAINT FOR VIOLATION OF THE CAMPAIGN DISCLOSURE ACT

COMPLAINANT NAME, ADDRESS, AND TELEPHONE NUMBER:

State Board of Elections
1020 S. Spring Street
Springfield, IL 62704
(217) 782-4141

Vs.

No. 07CD101

NAME AND ADDRESS OF RESPONDENT:

Friends of Don Patterson

L13749

Gloria Buie
4386 W Odsen
Chicago, IL 60623

Don Patterson
1542 S Keeler
Chicago, IL 60623

SECTION 1. HAS RESPONDENT FILED A STATEMENT OF ORGANIZATION AS A POLITICAL COMMITTEE WITH THE ☒ STATE BOARD OF ELECTIONS, ☐ COUNTY CLERK, OR ☐ NONE. IF FILED WITH THE COUNTY CLERK IDENTIFY COUNTY;

SECTION 2. STATUTORY PROVISIONS: STATE THE PORTIONS OF THE CAMPAIGN DISCLOSURE ACT (ARTICLE 9, ELECTION CODE) THAT HAVE BEEN VIOLATED. (USE ADDITIONAL PLAIN SHEETS IF NECESSARY AND REFER TO THIS SECTION.)

10 ILCS 5/9-10, 5/9-13 & 5/9-14

SECTION 3. STATE THE NATURE OF THE OFFENSE(s) OR VIOLATION(s), IF APPLICABLE. (USE ADDITIONAL PLAIN SHEETS IF NECESSARY AND REFER TO THIS SECTION.)

Failure to file the June 2007 Semi-annual report of Campaign Contributions and Expenditures

SECTION 4. ATTACH ALL STATEMENTS, SCHEDULES, OR OTHER DOCUMENTS REFERRING TO THIS COMPLAINT.

VERIFICATION

I DECLARE THAT THIS COMPLAINT (INCLUDING ANY ACCOMPANYING SCHEDULES AND STATEMENTS) HAS BEEN EXAMINED BY ME AND TO THE BEST OF MY KNOWLEDGE AND BELIEF IS A TRUE AND CORRECT COMPLAINT AS REQUIRED BY ARTICLE 9 OF THE ELECTION CODE. I UNDERSTAND THAT THE PENALTY FOR WILLFULLY FILING A FALSE COMPLAINT SHALL BE A FINE NOT TO EXCEED $500 OR IMPRISONMENT IN A PENAL INSTITUTION OTHER THAN THE PENITENTIARY NOT TO EXCEED 6 MONTHS, OR BOTH FINE AND IMPRISONMENT

November 26, 2007
DATE

Sue A. McArthur
SIGNATURE OF COMPLAINANT

(IF COMPLAINANT IS A CORPORATION THEN VERIFICATION MUST BE SIGNED BY AN AUTHORIZED OFFICER AND ATTESTED TO BY THE SECRETARY)

PROOF OF SERVICE

I, Sue A. McArthur HEREBY SWEAR OR AFFIRM THAT I SERVED A COPY OF THE FOREGOING COMPLAINT UPON THE FOLLOWING:

a) BY PERSONALLY DELIVERING THE SAME ON THE ___ DAY OF _____, 2007 AT _____ O'CLOCK ___ M.

b) BY PLACING A COPY THEREOF IN THE UNITED STATES POSTAL SERVICES, PROPER POSTAGE PREPAID, TO THE ABOVE INDICATED ADDRESSES, ON THE **26th** DAY OF **NOVEMBER**, 2007 AT THE MAIL BOX OR POSTAL STATION LOCATED AT: **2105 E. COOK STREET, SPRINGFIELD IL 62703**.

Sue A. McArthur

SIGNATURE OF COMPLAINANT OR AGENT

SUBSCRIBED AND SWORN TO BEFORE ME
THIS 26th DAY OF November, 2007

Cheryl Kay Walker

NOTARY PUBLIC

NOTARY PUBLIC OFFICIAL SEAL STATE OF ILLINOIS
CHERYL KAY WALKER
MY COMMISSION EXPIRES
MARCH 4, 2010

INSTRUCTIONS

1. THIS FORM IS USED TO FILE COMPLAINTS FOR VIOLATIONS ARISING OUT OF AN ACT TO REGULATE CAMPAIGN FINANCING (ILLINOIS REVISED STATUTES, CHAPTER 46, ART. 9-1 ET SEQ.). SEE RULES AND REGULATIONS OF THE STATE BOARD OF ELECTIONS FOR THE FILING AND HEARING OF COMPLAINTS.

2. THE FILING AND HEARING OF COMPLAINTS ARE GOVERNED BY RULES AND REGULATIONS ADOPTED BY THE BOARD. IF A COMPLAINT IS FILED WITHIN 60 DAYS PRIOR TO THE DATE OF AN ELECTION IN REFERENCE TO WHICH THE COMPLAINT IS FILED, THE COMPLAINANT MUST SERVE A COPY OF THE COMPLAINT UPON ALL RESPONDENTS PRIOR TO THE TIME OF FILING. COPIES OF THE RULES AND REGULATIONS ARE AVAILABLE UPON REQUEST.

3. COMPLAINTS MUST BE FILED BY MAIL OR IN PERSON AT EITHER OF THE FOLLOWING LOCATIONS:

STATE BOARD OF ELECTIONS
1020 SOUTH SPRING STREET
SPRINGFIELD, ILLINOIS 62704

STATE BOARD OF ELECTIONS
100 WEST RANDOLPH, SUITE 14-100
CHICAGO, ILLINOIS 60601

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187
Springfield, Illinois 62708
217/782-4141 TTY: 217/782-1518
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago, Illinois 60601
312/814-6440 TTY: 312/814-6431
Fax: 312/814-6485

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

EXECUTIVE DIRECTOR
Daniel W. White

MEMORANDUM

TO: Chairman Albert Porter
Vice Chairman Bryan Schneider
Members of the Board
Executive Director Dan White

From: Steve Sandvoss, General Counsel

Re: Proposed Rulemaking Regarding the Use of Obituaries to Remover Deceased Voters from Voter Registration Rolls.

Date: February 20, 2008

The following is a proposed addition to the State Board of Elections Rules and Regulations that would add a published obituary, listing the name of a deceased voter as one of the acceptable notices that an election authority may use to strike the name of a registered voter from their voter registration rolls. This suggested change was submitted to the Board by Champaign County Clerk Mark Shelden, who was concerned about the delicate nature of seeking confirmation of the death from the spouse or relative of such deceased voters. Included with this proposal is the letter from Clerk Sheldon, as well as a copy of the relevant portion of the Guide to Implementing the National Voter Registration Act (NVRA) published by the FEC, which lists newspaper obituaries as a suggested form of notice. This appears to be a reasonable amendment to the SBE's Rules, and I therefore submit this to the Board for their approval.

Sincerely

Steven S. Sandvoss
General Counsel

Section 216.50 Canceling Voter Registrations

a) This Section implements Section 8 of the National Voter Registration Act of 1993 (42 U.S.C Sections 1973gg-5 and gg-6) and the order of the Circuit Court of Cook County entered May 1, 1996 in Or, et al., v. Edgar, et al. 95 CO 246 and 95 CO 248 (Consolidated).

b) No voter registration may be canceled without following the procedures and providing the notice of suspension or cancellation required by Section 8(a) through (d) of the National Voter Registration Act of 1993. The Voter Registration Application or the Voter Registration Card of an inactive voter who has not voted in two consecutive general federal elections shall be canceled at the completion of procedures set forth in Section 8(d) of the National Voter Registration Act of 1993, provided that while such procedures are pending, the voter has taken no action specified in the National Voter Registration Act of 1993 to restore his or her name to active voter status.

c) An election authority shall cancel the Voter Registration Application or Voter Registration Card of a voter upon receipt of a request in writing from the voter to do so. A written acknowledgment by the voter that he or she has changed residence to a place beyond the jurisdiction of the election authority or an attempt to register in another jurisdiction shall be deemed a request to cancel the voter registration.

d) A voter's registration shall be canceled upon the election authority's receipt of:

1) a notice from the State Board of Elections that the voter has been incarcerated in a United States correctional facility by reason of conviction;

2) a certified notice from the a state department of corrections or a sheriff of a county in the United States that the voter has been incarcerated in a state or county correctional facility, as the case may be, if:

A) the certified notice states on its face that the incarceration is a result of a criminal conviction and the crime of which the voter has been convicted, or

B) the certified notice is accompanied by a certified judgment of conviction or equivalent document issued by the court in which the conviction was obtained;

3) a certified copy of a judgment of conviction from a court of record that the

voter has been convicted of a crime in which it was found that the voter lacked the requisite qualifications to be a voter in Illinois either at the time of conviction or at the time application was made to become a voter, whether or not the voter was incarcerated as a result of such conviction;

4) a certified copy of a final judgment order of a court of record or a certified copy of the final determination of an administrative tribunal having jurisdiction in which it was found that the voter lacked the requisite qualifications to be a voter in Illinois either at the time of entry of the judgment or determination, or at the time application was made to become a voter; or

5) a certified copy of the voter's death certificate or equivalent document issued by a department of vital records, wherever situated~~.~~ , or in the alternative, an obituary from a newspaper or a copy thereof, listing the name of the decedent. In the event an obituary is used, confirmation of its authenticity and accuracy must be obtained via a written or verbal confirmation by an official of the funeral home or other location at which the memorial service, wake, funeral or similar service is held.

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187
Springfield, Illinois 62708
217/782-4141 TTY: 217/782-1518
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago, Illinois 60601
312/814-6440 TTY: 312/814-6431
Fax: 312/814-6485

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

EXECUTIVE DIRECTOR
Daniel W. White

January 22, 2008

Mark Shelden
Champaign County Clerk
1776 East Washington Street
Urbana, IL 61802

Dear Mark:

Thank you for your January 9, 2008 correspondence regarding voter's death certificate requirement.

I am forwarding a copy of this letter to our General Counsel's attention for his review and appropriate action.

Very truly yours,

Daniel W. White
Executive Director

cc: Steven Sandvoss, General Counsel ✓

DWW/dlg

www..gov

Mark Shelden
Champaign County Clerk
Champaign County, Illinois

1776 East Washington Street
Urbana, IL 61802
Email: mail@champaigncountyclerk.com
Website: www.champaigncountyclerk.com

Vital Statistics: (217) 384-3720
Elections: (217) 384-3724
Fax: (217) 384-1241
TTY: (217) 384-8601

January 9, 2008

Dan White
Executive Director
State Board of Elections
P.O. Box 4187
Springfield, IL 62708

Dear Mr. White,

I am enclosing a letter from Robert Pearson wherein he explains how he lost his wife following an operation in Ohio. Because the death did not occur in Champaign County, we did not have notice of it.

State Board of Elections rules (enclosed) require a death certificate to remove a voter.

Rule 216.50
5) a certified copy of the voter's death certificate or equivalent document issued by a department of vital records, wherever situated.

The Federal Election Commission, in their 1993 publication Implementing the National Voter Registration Act of 1993 states that voters can be removed upon death with an obituary. (enclosed)

I believe that the obituary generally provides enough information to accurately remove voters upon their death. Certainly County Clerks will need to exercise some prudence, but they need to do that upon removing any voter for whatever reason and with whatever documentation.

By allowing the less strict standard in Illinois, we would be helping to keep our voter files more accurate, and would avoid the not uncommon problem of inconsiderate and thoughtless mailings to widows and widowers, like the one enclosed.

Please consider having this rule changed. It may also be a good time for the Board to consider other changes to our list maintenance requirements that would assist us in cleaning our registration rolls.

Sincerely,

Mark Shelden
Champaign County Clerk

Printed on Recycled Paper

AUGUST 29, 2007

Mr. Mark Shelden
Champaign County Clerk
1776 E. Washington
Urbana IL 61802

Dear Mr. Shelden:

I am sorry to report that Marilyn June Pearson, my wife of almost 50 years died July 25, 2004 at the University of Ohio Hospital in Columbus. She died following an operation from cancer of the liver.

I apologize for not notify your office of her death. She worked for many years as an election judge before she got sick and was active in the community. My life was in shambles after her death because after almost 50 years together her death was like having part of my being ripped out.

I can provide a Xerox copy of her death certificate if necessary, but it would require me going to the deposit box to get it. Please notify me if necessary.

Sincerely,

Robert A. Pearson

1816 COVENTRY DR CHAMPAIGN IL 61822-5240
PHONE 217-356 050 MOBLE 217-493-5151

Research suggests the States that require such notification be provided to the State election official on a regularly scheduled basis (e.g.; monthly) have more effective programs because reporting at the local level tends to be sporadic. The State, in turn disseminates the information to local jurisdictions either by notifying those local election officials appropriate to the addresses on the list, or by sending the entire report to all local jurisdictions.

Removal by Reason of Death

The Act requires that States make a reasonable effort to "remove the names of ineligible voters from the official lists of eligible voters by reason of the death of the registrant..." [Section 8(a)(4)(A)]. It does not, however, specify the procedures for doing so. Because obtaining information about deaths of registrants has proved so difficult in the past, States might want to develop a more systematic approach.

One such approach might be requiring the State office in charge of vital statistics (e.g.; Bureau of Vital Statistics, Department of Health, or Division of Human Resources) to inform the chief State election official of all deaths of State residents on a monthly basis (in parallel to notices of court convictions). States may also want to establish what other sources of information about registrants who may have died are permitted and how to verify them, when necessary. These other sources may prove especially important for border jurisdictions whose registrants may seek medical attention from nearby hospitals in another State. These "unofficial" sources might include newspaper obituaries, contact with the deceased's relatives, or personal knowledge of an employee in the office charged with administering voter registration.

Removal by Reason of a Written Confirmation of a Change of Address outside the Registrar's Jurisdiction

The Act prohibits removing the name of a registrant from the list of eligible voters "on the ground that the registrant has changed residence unless the registrant confirms in writing that the registrant has changed residence to a place outside the registrar's jurisdiction in which the registrant is registered..." [Section 8(d)(1)(A)].

There are three ways in which a registrar might receive such written confirmation from the registrant.

First, the registrant may spontaneously send a notice informing the registrar of their change of address outside the jurisdiction (although this is an extremely rare practice). Still, should it happen, registrars need obtain no further confirmation.

The second way includes any actions by the registrant "that result in the registrant being registered at a new address, such as registering in another jurisdiction or providing a change-of-address notice through the driver's license [or agency] process that updates the voter registration" [Hse. Rpt., Section 8, page 14]. This suggests that cancellation notices received from voter registrars in other jurisdictions would be sufficient for removing a registrant's name. And by the same token, notices received from motor vehicle departments and agencies regarding a registrant's

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187
Springfield, Illinois 62708
217/782-4141 TTY: 217/782-1518
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago, Illinois 60601
312/814-6440 TTY: 312/814-6431
Fax: 312/814-6485

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

EXECUTIVE DIRECTOR
Daniel W. White

MEMORANDUM

TO: Chairman Albert Porter
Vice Chairman Bryan Schneider
Members of the Board
Executive Director Dan White

From: Steve Sandvoss, General Counsel

Re: Act Blue Illinois

Date: February 26, 2008

An issue has presented itself to the Campaign Disclosure Division that involves a political committee currently on file with the State Board of Elections (SBE). The political committee at issue is ActBlue Illinois (ABI), which is a branch of the national organization ActBlue. This organization has created a website in various states including Illinois. The website lists all candidates running under the Democratic Party label in Illinois. The website invites any visitor to click on a link to any candidate or candidates for the purpose of making a contribution to such candidate(s). The visitor may contribute as much money and to as many candidates as he would like. ABI transfers the contribution, (after deducting a small processing fee) to the contributor's intended recipient candidate. ABI does not exercise any independent discretion as to which candidates receive contributions or as to how much such candidate receives. The processing fee is a percentage of each donation, which is then transferred to Auburn Quad, a company with whom ABI has contracted with to provide administrative services. The recipient candidates are being informed by both the SBE and ABI that they should report the full amount of the contribution(s) as having come from the contributor(s) and (not ABI), and to report the deducted processing fee as an expenditure to Auburn Quad.

The issue facing the SBE is whether ABI is a political committee, as that term is defined in the Campaign Finance Act (the Act) and the corresponding Rule. A political committee is generally defined as an entity (candidate or organization) that accepts contributions and makes expenditures exceeding $3,000 on behalf of or in opposition to a candidate or referenda [10 ILCS 5/9-1.7 and 5/9-1.8]. Rule 100.10(g)(3) generally states that if a person or whoever solicits or receives funds for political purposes or acts as a conduit for political funds, it would become a political committee and have to comply with the Act's filing requirements. A strict reading of these provisions would seem to require Act Blue to file and report as a political committee. The campaign disclosure staff and I had a lengthy discussion on this issue and it boiled down to the basic question of whether Act Blue is really a political committee as contemplated by the Act. We are of the opinion that Act Blue is more a conduit for political contributions (albeit with a partisan identity) rather than a political committee.

The Campaign Finance Act was "designed to preserve the integrity of the electoral process by requiring full public disclosure of sources and amounts of campaign contributions and expenditures". Walker v. State Board of Elections 29 Ill.Dec. 244. It is my understanding that ABI provides its listed candidates with the names, dates and amounts of each contribution so that the candidate's committees can fulfill their reporting responsibilities. This however, poses a problem from an administrative perspective. Since ABI currently is reporting the name, date and amount of the contributions it receives on its own reports, and the listed candidates are now being instructed to do the same on their own reports, the result is a "double reporting" and is potentially misleading to interested observers of candidates' finances. Consistent with its opinion, the SBE would like to inform ABI and similar organizations (in fact, ABI made a written request for guidance on this question) that they need not be on file. However, the SBE legal staff is hesitant to do so as this may be construed as a legal opinion which the SBE has been advised by the Attorney General not to give [1987 Ill. Atty. Gen. Op. 230]. Even if the SBE were so inclined to give its opinion and ABI or others acted in reliance upon it, these organizations could be vulnerable to a complaint for non-compliance with the Act and the SBE would be in the awkward position of having advised them to take the action complained of (filing a Final Report or not filing a D-1 Statement of Organization).

To resolve this issue, I am suggesting authorization to propose an amendment to the Rules and Regulations that would define "conduit" so as to exclude organizations such as ABI. It should be noted that the term "conduit" contained in Rule 100.10(g)(3) was intended to apply to those entities such as a ward or township organization who also act as conduits, but who exercise their own independent discretion as to how their funds (raised through contributor solicitations) are distributed; a situation different than ABI, who does not exercise such discretion. Another option would be to define the parameters of ABI and similar organizations' filing obligations by requiring a completely separate reporting requirement to be facilitated through a separate reporting medium, so as not to result in the double reporting mentioned above. I am hopeful that this memorandum will generate discussion that will give the staff the rulemaking authority it seeks, and provide guidance as to how such a rule change would be written.

On the following pages, please find two suggested amendments to Rule 100.10(g)(3) for your consideration.

Sincerely

Steven S. Sandvoss
General Counsel

g) Political Committee

1) Reference: This subsection (g) interprets or applies Section 9-1.9 of the Election Code.

2) A person or whoever, as defined in Section 9-1.6 of the Election Code [10 ILCS 5/9-1.6] and as defined in subsection (b) does not qualify as a political committee pursuant to Article 9 of the Election Code by simply making a contribution from his or her personal income or profits regardless of the amount of the donations.

3) If a person or whoever solicits or receives funds for political purposes or acts as a conduit for political funds, he or she would, in fact, become a political committee and have to comply with all provisions of Article 9 of the Election Code. For purposes of this subparagraph, the term "conduit" means any person who receives and forwards an earmarked contribution to a candidate, a candidate's political committee, or a committee organized to support or oppose a question of public policy. A fundraising entity retained by the candidate or the candidate's political committee to assist in fundraising shall not be considered a "conduit" for purposes of this subparagraph. All contributions made by a person, either directly or indirectly, on behalf of a particular candidate or question of public policy, including contributions which are in any way earmarked or otherwise directed through an intermediary or conduit to such candidate or question of public policy, shall be treated as contributions from such person to such political committee and shall be reported as such by the political committee. Any fees incurred by the fundraising entity shall be reported as expenditures by the political committee.

g) Political Committee

1) Reference: This subsection (g) interprets or applies Section 9-1.9 of the Election Code.

2) A person or whoever, as defined in Section 9-1.6 of the Election Code [10 ILCS 5/9-1.6] and as defined in subsection (b) does not qualify as a political committee pursuant to Article 9 of the Election Code by simply making a contribution from his or her personal income or profits regardless of the amount of the donations.

3) If a person or whoever solicits or receives funds for political purposes or acts as a conduit for political funds, he or she would, in fact, become a political committee and have to comply with all provisions of Article 9 of the Election Code. For purposes of this subparagraph, the term "conduit" shall only refer to a person or whoever who either controls, directs or otherwise has discretion over the transfer of political funds to recipient candidates, or their political committees or committees to support or oppose questions of public policy. The term "conduit" shall not include a person or whoever who disburses political funds exclusively at the direction of the contributors who transfer funds to such person or whoever. Recipients of political funds transferred from such persons or whoever that are not "conduits" as described in the next preceding sentence shall list as a contributor the person or entity who made the initial transfer of political funds to the "non-conduit" person or whoever and any other information required to be disclosed by the provisions of Article 9 of the Election Code.

4. Other business.

5. Comments from the Chairman and Vice Chairman.

6. Comments from the general public.

7. The next Board meeting is scheduled for Monday, April 21, 2008 at 10:30 a.m. in Chicago.

8. Executive Session.