

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

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Springfield, Illinois 62708
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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
Monday, March 16, 2009
10:30 a.m.

1020 South Spring Street
Springfield, Illinois
and via videoconference
James R. Thompson Center
Suite 14-100
Chicago, Illinois

Call State Board of Elections to order.

1. Approval of the minutes from the February 5 special meeting and the February 17 regular meeting. (pgs.1-7)
2. Report of the Executive Director
 - a. Election update;
 - 1) February 24, 2009 Consolidated Primary Election; (pg.8)
 - 2) March 3, 2009 Special Primary Election; (pg.9)
 - 3) April 7, 2009 Consolidated Election and Special Congressional Election; (pg.10)
 - 4) Voting system pre-testing – informational; (pg.11)
 - 5) Election judge training schools – informational; (pg.12)
 - b. Voting systems;
 - 1) Certification of ES&S M100 v.5.2.1.0; (pgs.13-23)
 - 2) 2010 Election Issue; (pgs.24-31)
 - c. Legislative update; (pg.32)
 - d. Fiscal status reports – informational; (pg.33)
 - 1) FY09 – month ending February 28;
 - 2) Help Illinois Vote Fund;
 - 3) EAC Data Collection Grant;
 - e. Two year plan of staff activity for the months of March and April – informational. (pgs.34-40)
3. Report of the General Counsel
 - a. Campaign Disclosure;
Motion for Reconsideration
 - 1) *SBE v. Committee for Retention of Judges in Cook County*, S4938, 08GE038; (pgs.41-45)
 - 2) *SBE v. Acorn PAC*, S6184, 08JS260; (pgs.46-49)
 - 3) *SBE v. Citizens for April Troope*, S8056, 08JS261; (pgs.50-54)
 - 4) *SBE v. Illinois New Party Political Committee*, S8209, 08JS262; (pgs.55-59)
 - 5) *SBE v. Friends of John Corrigan*, S9443, 08AP086; (pgs.60-69)
 - 6) *SBE v. Citizens for Judy Cates*, S9466, 08AP067; (pgs.70-79)

Appeals of campaign disclosure fines – new appeals – hearing officer
recommendation appeals be granted

- 7) *SBE v. Steve Weber for Auditor*, L9657, 08AG002; (pgs.80-86)
- 8) *SBE v. 23rd Ward Democratic Organization*, L13083, 08AG003; (pgs.87-95)
- 9) *SBE v. Citizens to Elect Eddie Washington*, S8022, 08AP052; (pgs.96-103)
- 10) *SBE v. Friends for Howland*, S8930, 08GE046; (pgs.104-112)
- 11) *SBE v. Friends for Eddie Winters*, S9623, 08AP088; (pgs.113-124)

Appeals of campaign disclosure fines – new appeals – hearing officer
recommendation appeals be denied

- 12) *SBE v. Stark County Democratic Central Committee*, L1889, 08GE001;
(pgs.125-128)
- 13) *SBE v. Rock Island County Democratic Women's Club*, L2079, 08GE002;
(pgs.129-131)
- 14) *SBE v. Committee to Elect Tommy Brewer*, L2122, 08JS248; (pgs.132-135)
- 15) *SBE v. Citizens for Mary Margaret Maule*, L13484, 08JS251; (pgs.136-138)
- 16) *SBE v. Friends of the Park District*, L14496, 08JS257; (pgs.139-143)
- 17) *SBE v. Friends of Bob Lutz*, L14879, 08MA016; (pgs.144-148)
- 18) *SBE v. Jersey County Democratic Central Committee*, S896, 08GE028;
(pgs.149-151)
- 19) *SBE v. The Republican Organization of Elk Grove Township*, S9737,
08GE054; (pgs.152-154)
- 20) *SBE v. Taxpayers United for Fairness*, S9370, 08JS265; (pgs.155-157)
- 21) *SBE v. Citizens for Diane Shapiro*, S9783, 08GE056; (pgs.158-161)
- 22) *SBE v. Citizens Looking at Supporting Schools*, S9791, 08GE057; (pgs.162-
164)

Appeals of campaign disclosure fines – new appeals – hearing officer
recommendation appeals be granted & denied

- 23) *SBE v. Citizens for Bill Brady*, S5138, 08AG008; (pgs.165-181)

Other campaign disclosure items

- 24) Payment of civil penalties – informational; (pg.182)

Complaints following closed hearing (separate packet)

- 25) *Cicero Equality Committee*, 09CD002; (motion to reconsider from closed
hearing - pgs.1-6)
- 26) *Swiss, Skoien & Sutarik v. Roupas*, 08CD086; (pgs.7-11)
- 27) *Wiggins v. Foster*, 09CD007. (pgs.12-17)

4. Other business. (pg.183)
5. Comments from the Chairman and Vice Chairman. (pg.183)
6. Comments from the general public. (pg.183)
7. Next Board meeting Monday, April 20, 2009 at 10:30 a.m. in Chicago. (pg.183)
8. Executive Session. (pgs.184-196)

STATE BOARD OF ELECTIONS
Special Board Meeting Via Videoconference
Thursday, February 5, 2009

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 9:35 a.m. with seven Members present. Chairman Porter, Vice Chairman Schneider, Members Brady and McGuffage were present in the Chicago office. Members Keith and Smart were present in the Springfield office and Member Walters was present at Lewis & Clark Community College in Godfrey. Member Rednour was absent and Member Keith held her proxy.

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

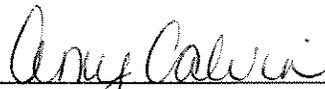
The Executive Director presented the certification of the April 7, 2009 Consolidated Election ballot for Regional Board of School Trustees and Fox Waterway Agency Trustees and asked for a motion to approve. Vice Chairman Schneider moved to accept the certification. Member Smart seconded the motion which passed by roll call vote of 8-0.

The next item on the agenda was consideration of an addition the Board's legislative agenda. Legislative Liaison Cris Cray indicated, at the request of the county clerks, the current legislative agenda included a provision that allowed military ballots to be sent in via FedEx or UPS delivery service but only the military member could fax their federal postcard application. The clerks would also like to allow spouses and dependents of a military member (and who have accompanied them overseas) to fax them in as well. Vice Chairman Schneider moved to accept the addition to the legislative agenda. Member McGuffage seconded the motion which passed unanimously.

For informational purposes, Ms. Cray informed the Board that Representative Jack Franks introduced HB 365 to fill the US Senate seat vacancy, which allows for a temporary appointment by the Governor followed by a special election. Representative Franks was very appreciative of all of the Board's work and requested that Board staff assist with drafting the amendment. It was agreed that Ms. Cray would send the material to the Board for review.

With there being no further business before the Board Vice Chairman Schneider moved to adjourn until Tuesday, February 17, 2009 at 10:30 a.m. in Chicago and Springfield via videoconference or until call of the Chairman, whichever occurs first. Member Brady seconded the motion which passed unanimously. The meeting adjourned at 9:45 a.m.

Respectfully submitted,



Amy Calvin, Administrative Specialist II



Daniel W. White, Executive Director

STATE BOARD OF ELECTIONS BOARD MEETING

Tuesday, February 17, 2009

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

VIA VIDEO CONFERENCE: 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 at 10:31 a.m. and led everyone in the pledge of allegiance. Member Brady arrived 1 minute after roll call was taken. Member Walters was present in the Springfield office via video conference.

The Chairman noticed several people were present for Campaign Disclosure matters under the General Counsel's Report and called those matters out of order.

Attorney Robert Mancilla was present regarding Item 3.a.13, *SBE v. Chicago Latino 100*, S8634, 08JS263. General Counsel Sandvoss noted that the June 2008 late filing resulted in a fine of \$4,200; a fine of \$500 for the late filing of the June 2006 Semi Annual Report; and a penalty of \$2,200.00 for the delinquent filing of the December 2007 Annual Report. He concurred with the Hearing Examiner's recommendation to deny the appeal and assess the total fine of \$10,100.00. Mr. Mancilla indicated that the committee wanted to file a final report and close the committee, and added that their defense still stands. The Board indicated that the fine would be abated if the committee was inactive for 2 years from the date of the order. Member Keith moved and Vice Chairman Schneider seconded a motion to deny the appeal. The motion passed unanimously.

Member Keith moved to recess to executive session to consider 3.a.22, a complaint following closed hearing. Member Rednour seconded the motion which passed by 8 ayes in unison. The Board recessed at 10:39 a.m.

The Board returned to open session at 11:20 a.m. with all members present.

Regarding the complaint following closed hearing heard in Executive Session, *Roberto Garcia vs. Cicero Voters Alliance (The Larry Dominick Team) 09CD001*, Member Keith moved to continue Counts I and II to the next regular board meeting on March 16, 2009. Vice Chairman Schneider seconded the motion which passed unanimously by roll call vote. As to Count III, Member Keith moved and Member Rednour seconded a motion to proceed to public hearing. The motion passed 6-2 with Member Brady and Chairman Porter voting against the motion.

Executive Director White began his report with item 2.c., a Voting System Issue for the 2010 elections. He indicated that a backlog at the federal testing level seriously impairs the ability to obtain approval of equipment upgrades and modifications in time for the 2010 Primary Election. Further that the Chicago Board urges the SBE to be prepared to test and approve WinEDS 4.0 prior to 2010. Mr. White asked the General Counsel to review HAVA and the Election Code and has asked Director Dianne Felts to be present today. Mr. White introduced Director Lance Gough of the Chicago Board of

Election Commissioners and Director Jan Kralovec of the Cook County Board of Election Commissioners. They reiterated Mr. White's comments and added that several states have taken independent action to test and certify voting systems and charge a fee. Ms. Kralovec stated that Ms. Felts is known for her thorough testing and does more testing than any other state. Ms. Sandy Green, a representative of Sequoia Voting Systems confirmed that other states charge a fee for testing and that they expect to pay for testing, she also said that they continue with ITA testing. Member Smart moved to continue and there was no second to this motion. Ms. Felts was asked how long testing would take and she answered 1-2 months and indicated that her testing is as good as or better than what is required. Member Smart moved to ask staff to give an estimate of costs; how much vendors pay other states; and that staff is to proceed as if we are going to do the testing. Member McGuffage seconded the motion which passed unanimously by roll call vote.

The Board returned to the approval of minutes from the January 20 regular meeting and the January 26 special meeting. Mr. White read the changes suggested by Members Keith and Brady. Vice Chairman Schneider moved to approve the minutes of the January 20 regular meeting and the January 26 special meeting with the changes suggested. Member Smart seconded the motion which passed unanimously by 8 voices in unison.

Chairman Porter asked if there was anyone present for Campaign Disclosure matters. Attorney John Fogarty stepped up and indicated he was representing the respondent in *SBE v. Citizens to Elect Darlene Senger*, S9722, 08AG016, a new appeal wherein the hearing officer recommended the appeal be granted. Mr. Sandvoss agreed with the hearing officer's recommendation as did Mr. Fogarty. Member Smart moved to accept the recommendations of the hearing officer and general counsel and grant the appeal. Member Keith added that an amended report be filed within 30 days of the date of the order. Member Smart accepted the amendment to his motion and Member Rednour seconded the motion. The motion passed unanimously 8-0.

Ms. Felicia Simmons Stovall was present, representing herself in *SBE v. Citizens for Felicia Simmons Stovall*, S9287, 08MA013. The General Counsel reviewed the activities of the committee and indicated that Ms. Simmons Stovall filed a final report on November 17, 2008. Ms. Simmons Stovall apologized for the late filing, but said that her mother's untimely death outweighed other concerns. The hearing examiner recommended that the appeal be granted and in consideration of the filing of a Final Report, that any assessed civil penalty pending be abated if the committee remains dissolved for two years following the date of the Final Order of the Board. General Counsel Sandvoss concurred with the recommendation. Member Smart moved and Member Rednour seconded a motion to grant the appeal. The motion passed 6-2 with Members Brady and Keith voting no.

Member Smart moved and Member Rednour seconded his motion to adopt the recommendations of the hearing examiner and general counsel and grant the appeals in *SBE v. Hudspetch4SA*, L14620, 08GE013 and *SBE v. Citizens for Ruth Munson*, S8396, 08AG012. The motion passed unanimously by roll call vote.

The Executive Director returned to his report and submitted staff assignments for the February 24 Consolidated Primary Election. He indicated primaries will occur in 24 jurisdictions. However, no staff has been assigned to any jurisdiction at this time. A list of election judge training schools was presented for informational purposes.

Mr. White continued with staff assignments for the March 3 Special Congressional Primary Election for U.S. Representative in the 5th Congressional District, which is wholly contained in Cook County. Staff is not assigned to observe Election Day procedures in the 5th Congressional District. He indicated that 23 candidates are on the ballot: 12 Democrat; 6 Republican; and 5 Green Party.

Director White indicated that Cris Cray was in the Springfield office to offer a legislative update. He said that Mr. James Lewis, Executive Director of the East St. Louis Elections Board intended to address the board about a proposal that deals

with precinct redistricting within 90 days of a presidential election. He is looking to have that increased from 90 to 180 days and asked the Board's support. After discussion, Member Smart moved to support Mr. Lewis' proposal to move the date to 180 days to redistrict precincts. Member Rednour seconded the motion which passed unanimously by 8 voices in unison.

Ms. Cray told the Board that she is busy with bill analyses, getting sponsors and committees. She indicated that the Governor has not yet signed 761, the bill that give our agency an extension and staff does not know if or when it will be signed. Legislative Liaison Cray indicated that staff continues to accept and administer PA95-0971, Ethics Legislation. Rupert Borgsmiller, Assistant Executive Director/Campaign Disclosure Director added that 3,130 business entities have filed with the SBE as of last Friday and we have 100-125 file on a daily basis and 60% register via email. Certifications are sent out the next day. He indicated that IT Director, Steve Flowers, has done a lot of work on this system assuming the Governor signs the bill and said that they hope to beat the August 1 deadline by one month.

Mr. Borgsmiller reviewed the Campaign Disclosure Downlink Seminar held on February 7, 2009. The streaming video had a small glitch that dial up users experienced. The video is available on our website and will be available until the next down link seminar. The Chairman indicated that he had viewed the video and had a problem trying to stop and restart without returning to the beginning. Mr. Borgsmiller offered to check on that problem and get back to the Chairman with an answer.

The Executive Director concluded with informational reports on the fiscal status ending January 31, 2009; the Help America Vote Fund; the EAC Data Collection Grant; and the two year plan of staff activity for February and March. Member Smart asked for clarification of the cuts requested by the former and present governor. The former requested 3% and the present 1%. Mr. White considered it a 4% request for agencies under the governor; he indicated that the Governor's requests will be given the utmost consideration.

General Counsel Sandvoss began his report with *SBE v. Friends of Kevin Perkins*, S9287, 08MA013, an appeal of campaign disclosure fine, which was carried over from January. No one appeared for the respondent. Mr. Sandvoss agreed with the recommendation of the hearing officer to grant the appeal in regards to the Pre Election Report for the 2007 April Consolidate Election and the June and December 207 Semi Annuals and to deny the appeal regarding the June 2008 Semi Annual Report and to stay the \$75 fine be stayed as a first violation. Member Brady moved to accept the recommendation of the General Counsel and grant in part and deny in part the appeal as reported by the General Counsel. Member Keith seconded the motion which passed unanimously by roll call vote.

The Chairman called for a motion regarding new appeal items 3.a.6, 7, 10, 12 and 14. Member Keith moved to adopt the recommendations of the General Counsel and Hearing Officer and deny the appeals. Member Smart seconded the motion and the motion passed 8-0 by roll call vote. The Appeals were denied in *SBE v. Citizens for Hoyle*, L11823, 08GE008; *SBE v. Citizens for Catherine Zaryczny*, L13770, 07JS137; *SBE v. Edgar County Democratic Central Committee*, S1338, 08GE032; *SBE v. Citizens for Noland*, S815, 08AG011; and *SBE v. Citizens for Judy Cates*, S9466, 08AP067.

Chairman Porter acknowledged Messrs. Bryan and James McTague, respondents in *SBE v. Friends of James McTague*, L13708, 08GE012. The hearing examiner recommended that the appeal be denied for lack of an adequate defense. Mr. Bryan McTague moved from his father's home and changed his address with the U.S. Post Office and mistaken thought that was sufficient for the Campaign Disclosure records. The address of the committee was reaffirmed on an amended D-1 filed in January, 2009. General Counsel Sandvoss concurred with the recommendation. Member Keith moved to adopt the hearing officer and general counsel's recommendations and deny the appeal. Member Smart seconded the motion which passed unanimously by roll call vote.

The Chairman called *SBE v. Committee to Elect Germain Castellanos*, L14309, 08JS256 and recognized Mr. Castellanos appearing *pro se*. The hearing officer found no reasonable grounds for the report to have been filed late. A previous fine of \$25 was assessed for late filing of the 2007 December Semi-Annual Report. The committee filed a final report on October 31, 2008. He recommended the total assessed fine of \$3,625 be due and owing, but the fine be abated if the committee remains dissolved for a period of two years following the date of the final order of the Board. Mr. Sandvoss concurred with the recommendation. Member Smart moved to adopt the recommendation of the Hearing Officer and General Counsel and deny the appeal. Member Brady seconded the motion which passed 8-0.

SBE v. IL Association of Mortgage Brokers PAC, S5063, 08GE039 was called and Mr. Marvin Stockert was recognized for the respondent. The hearing officer recommended that the appeal be denied for lack of an adequate defense; the stay lifted from the previous assessment; and the total amount of \$2190 is now due and owing. General Counsel Sandvoss agreed with the recommendation. Member McGuffage moved to adopt the hearing officer and general counsel's recommendations. Member Smart seconded the motion which passed unanimously.

Item 3.1.15, *SBE v. Committee for Ed Smith* L822, 08MA011 asked for a continuance. Member Smart moved and Member Rednour seconded a motion that was unanimously approved by 8 ayes in unison. This matter is continued until April 20th in Chicago.

Mr. Sandvoss presented a list of civil penalty assessments necessitating final board orders. He indicated that Rosemont Voters League and Citizens for Suarez paid their fines and are removed from this list. Member Keith moved to issue final orders on assessments contained on pages 149 and 150 of the board packet and removal of 2 committees. Member Smart seconded the motion which passed 8-0. Member McGuffage voted Present on Committee Number 6929.

Mr. Sandvoss asked for orders of the board regarding items 3.a.18-25. He concurred with the recommendation of the hearing examiner in all matters. Member Keith moved to adopt the recommendations of the hearing examiners and general counsel. Member Rednour seconded the motion which passed unanimously by roll call vote. In the matters of *SBE v. 16th Ward Democratic Organization*, 08CD046 and *SBE v. 25th Ward Democratic Political Alliance*, 08CD076 the committees have not filed the reports at issue and no one appeared at the public hearing. Committees are ordered to file the required reports within 30 days or are ordered to file the reports at issue or be assessed a penalty not to exceed \$5000. The required reports were filed in *SBE v. Friends of David Askew*, 08CD053 and *SBE v. Citizens for Mike Psak*, 08CD070 and no further action will be taken except to refer these matters to staff for appropriate penalty.

The General Counsel indicated that 2 documents were received from Cook County; one was a withdrawal of Pete Dagher. The other, an Electoral Board decision from Cook County, indicated an objection was sustained to the nomination papers of Roger A. Thompson III. Member Keith moved to remove the names of Pete Dagher and Roger A. Thompson III from the Special Primary in the 5th Congressional District. Member Rednour seconded the motion which passed unanimously by roll call vote. The Board thanked Ken Menzel for getting this matter done so quickly as not to have another meeting.

At 1:20 p.m., Member Keith moved to retire to executive session to discuss personnel. Member Rednour seconded the motion which passed by 8 ayes in unison.

The board returned to open session at 1:25 p.m. with all members present.

The Chairman commented that he received an invitation from Lawrence Oliver, a member of the commission that Governor Quinn appointed to bring transparency into elections, a commission that the new governor brought in to clean up Illinois government. He summarized the conversation with Mr. Oliver and indicated that he accepted the invitation to attend at

their office in Springfield Monday, February 23rd. Executive Director White, Assistant Executive Director Borgsmiller, and other Directors were invited and supply information to the commission.

Mr. White confirmed the following Board Meeting schedule: a special board meeting on Tuesday, March 10 at 5:00 p.m.; the regular monthly Board Meeting in the Springfield office on Monday, March 16; and a special meeting to hear campaign disclosure complaints under the 7 day calendar for Monday February 23 at 3:00 p.m. The special meetings will utilize the video conferencing equipment at the Chicago and Springfield offices and Lewis & Clark College in Godfrey, IL.

There being nothing further before the State Board of Elections, Member Keith moved to adjourn until February 23, 2009 or the call of the Chairman. Member McGuffage seconded the motion which passed unanimously by 8 ayes in unison.

The Board adjourned at 1:34 P.M.

Dated: February 24, 2009

Respectfully Submitted,



Daniel W. White, Executive Director



Darlene Gervase, Administrative Assistant II

S 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: February 24 Consolidated Primary
Date: March 6, 2009

A Consolidated Primary Election was conducted on a limited basis in only 25 jurisdictions. Few calls were received concerning election day activities for this election. Calls received were of a routine nature.

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 3 Special Election, 5th Congressional District
Date: March 6, 2009

Based upon a press release by the Chicago Board of Election Commissioners, voter turnout for the Special Primary in the 5th Congressional District on Tuesday, March 3 was 18% in the 486 precincts in the City of Chicago and 10.8% in the 92 precincts in suburban Cook County.

The State Board of Elections received few calls concerning election day activities for this election. Calls received were of a routine nature.

SSTATE 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: April 7 Consolidated Election Assignments
Date: March 4, 2009

OFFICE SPRINGFIELD 5:00 a.m. – Midnight

5:00 a.m. – midnight	Mark Mossman	break 2:00 p.m. – 5:00 p.m.
6:00 a.m. – 4:00 p.m.	Jane Gasperin	break 10:00 a.m. – 11:00 a.m.
7:00 a.m. – 5:00 p.m.	Kay Walker	break noon – 1:00 p.m.
10:00 a.m. – 8:00 p.m.	Gary Nerone	break 2:00 p.m. – 3:00 p.m.
11:00 a.m. – 9:00 p.m.	Bruce Brown	break 4:00 p.m. – 5:00 p.m.
2:00 p.m. – midnight	Dianne Felts	break 6:00 p.m. – 7:00 p.m.
2:00 p.m. – midnight	Steve Sandvoss	break 6:30 p.m. – 7:30 p.m.

CHICAGO 6:00 a.m. – 10:00 p.m.

6:00 a.m. – 4:00 p.m.		
Ken Menzel	break noon – 1:00 p.m.	
Rose Rodriguez	break 12:30 p.m. – 1:30 p.m.	
Marc Petrone	break 12:30 p.m. – 1:30 p.m.	
Noon – 10:00 p.m.		
Mark Greben	break 3:00 p.m. – 4:00 p.m.	
Darcell McAllister	break 3:00 p.m. – 4:00 p.m.	
Rick Fulle	break 4:00 p.m. – 5:00 p.m.	

FIELD PROGRAM

East St. Louis (counting center)	Eric Donnewald
St Clair (counting center)	Brent Davis

INTEROFFICE MEMORANDUM

TO: Dan White, Executive Director
From: Dianne Felts, Director of Voting Systems and Standards (VOSS)
Subject: Pretests
Date: March 3, 2009

Consolidated Primary: Morgan County (GBS)

Consolidated Election: Franklin County (Platinum)

Hamilton County (ES&S)

White County (GBS)

Judges Schools CP/CE 2009

Date	Jurisdiction	No. of Schools	Attendance Zone	
Thursday, February 19, 2009	Morgan	2	42	Two
Thursday, February 26, 2009	Montgomery	5	165	Two
Thursday, March 05, 2009	Christian	2	0	Three
Tuesday, March 10, 2009	Aurora	3	0	Four
Wednesday, March 11, 2009	Aurora	3	0	Four
Thursday, March 12, 2009	Aurora	3	0	Four
Monday, March 16, 2009	Kendall	1	0	Four
Tuesday, March 17, 2009	Putnam	2	0	Four
Thursday, March 19, 2009	Macoupin	2	0	Two
Thursday, March 19, 2009	McLean	2	0	Two
Saturday, March 21, 2009	McLean	1	0	Two
Monday, March 23, 2009	Cass	2	0	Two
Monday, March 23, 2009	Massac	1	0	One
Tuesday, March 24, 2009	Crawford	2	0	One
Tuesday, March 24, 2009	Hardin	1	0	One
Tuesday, March 24, 2009	Pope	1	0	One
Wednesday, March 25, 2009	Vermilion	2	0	Three
Thursday, March 26, 2009	Fayette	2	0	One
Thursday, March 26, 2009	Greene	2	0	Two
Saturday, March 28, 2009	E St Louis	2	0	One
Monday, March 30, 2009	Monroe	3	0	One
Tuesday, March 31, 2009	Monroe	3	0	One

INTEROFFICE MEMORANDUM

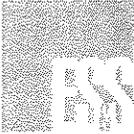
TO: Dan White, Executive Director

From: Dianne Felts, Director of Voting Systems and Standards (VOSS)

Subject: ES&S M100 v. 5.2.1.0 final approval

Date: March 6, 2009

This is a very brief report. VOSS has pre-tested the M100 v.5.2.1.0 often during its interim approval. The staff has found and heard of very few problems. Staff recommends final approval.



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February 20, 2009

Ms. Dianne Felts
Director of Voting Systems and Standards (VOSS)
Illinois State Board of Elections
1020 S. Spring Street
Springfield, IL 62704

RE: Model 100 And AutoMARK Voter Assist (VAT) Terminal Final Report

Dear Ms. Felts,

Pursuant to Section 204-90, Election Systems & Software (ES&S) is requesting the Illinois State Board of Elections to grant final approval for the following ES&S products:

- The Model 100 Precinct Tabulator v. 5.2.1.0, certified by your office on February 02, 2007
- The AutoMARK VAT v. 1.1.2258, certified by your office on February 02, 2008

I have enclosed a vendor reports for the Model 100 and the AutoMARK VAT in compliance with Section 204-90 for your review. If you should have any questions or require further information, contact me directly at 402-938-1399.

Sincerely,

Mark Manganaro
State Certification Manager
Election Systems and Software
mamanganaro@essvote.com

CC: Steve Pearson, ES&S
Pat Whalen, ES&S
Enclosure: M100 Final Approval Report
AutoMARK Final Approval Report with Enclosure (Letter to
Vermillion County dated January 16, 2009)



February 20, 2009

Model 100 Final Report

Model 100 Equipment Description

The ES&S Model 100 is a precinct-based, voter activated paper ballot counter and vote tabulator utilizing advanced Intelligent Mark Recognition (IMR) visible light scanning technology. To ensure voter intent and ballot integrity, the Model 100 has the ability to alert voters to overvoted races and undervoted situations or blank ballots. The Model 100 can be programmed to “accept” or “reject” through the push of a button on the display. Returned ballots provide voters the opportunity to privately revise and then recast their ballot.

Model 100 Deployment

The following Illinois jurisdictions use the Model 100 to tabulate at the precinct level:

- Adams County - 80 precincts, approximately 43,000 registered voters
- Alexander County - 11 precincts, approximately 7,600 registered voters
- City of Bloomington - 44 precincts, approximately 47,400 registered voters
- Brown County - 10 precincts, approximately 3,400 registered voters
- Calhoun County - 8 precincts, approximately 3,800 registered voters
- Champaign County - 117 precincts, approximately 127,200 registered voters
- Clay County - 22 precincts, approximately 9,600 registered voters
- Danville Election Commission - 34 precincts, approximately 17,500 registered voters
- De Kalb County - 83 precincts, approximately 53,200 registered voters
- East St. Louis Election Commission - 44 precincts, approximately 23,100 registered voters
- Edwards County - 12 precincts, approximately 4,600 registered voters
- Effingham County - 37 precincts, approximately 21,700 registered voters
- City of Galesburg - 31 precincts, approximately 17,900 registered voters
- Gallatin County - 13 precincts, approximately 4,450 registered voters
- Hamilton County - 16 precincts, approximately 6,400 registered voters
- Hancock County - 35 precincts, approximately 13,100 registered voters
- Henderson County - 13 precincts, approximately 5,200 registered voters
- Henry County - 52 precincts, approximately 38,300 registered voters
- Jefferson County - 37 precincts, approximately 26,900 registered voters
- Jersey County - 25 precincts, approximately 16,000 registered voters
- Jo Daviess County - 29 precincts, approximately 16,200 registered voters
- Kendall County - 64 precincts, approximately 51,400 registered voters
- La Salle county - 124 precincts, approximately 72,600 registered voters
- Lake County - 481 precincts, approximately 421,800 registered voters
- Lawrence County - 27 precincts, approximately 11,100 registered voters
- Logan County - 45 precincts, approximately 18,800 registered voters
- Madison County - 232 precincts, approximately 170,700 registered voters



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- Marshall County - 16 precincts, approximately 8,500 registered voters
- Massac County - 17 precincts, approximately 12,400 registered voters
- Menard County - 16 precincts, approximately 8,800 registered voters
- Mercer County - 24 precincts, approximately 13,900 registered voters
- Montgomery County - 42 precincts, approximately 17,706 registered voters
- Ogle County - 52 precincts, approximately 36,000 registered voters
- Rockford Election Commission - 117 precincts, approximately 80,300 registered voters
- Saline County - 43 precincts, approximately 16,500 registered voters
- Stark County - 10 precincts, approximately 4,800 registered voters
- Stephenson County - 46 precincts, approximately 33,100 registered voters
- Wabash County - 16 precincts, approximately 10,188 registered voters
- Will County - 452 precincts approximately 329,900 registered voters
- Williamson County - 65 precincts, approximately 41,800 registered voters
- Woodford County - 35 precincts, approximately 24,00 registered voters

Model 100 Performance

The Model 100 has been successfully used in the following elections with no significant issues reported to ES&S:

- Adams County
 - 2008 General Election
 - 2008 Primary Election
 - 2007 Consolidated General Election
 - 2006 General Election
 - 2006 Primary Election
 - 2005 Consolidated General Election
 - 2005 Consolidated Primary Election
 - 2004 General Election
 - 2004 Primary Election
- Alexander County
 - 2008 General Election
 - 2008 Primary Election
 - 2007 Consolidated General Election
 - 2007 Consolidated Primary Election
 - 2006 General Election
 - 2006 Primary Election
- City of Bloomington
 - 2008 General Election
 - 2008 Primary Election
 - 2007 Consolidated General Election
 - 2007 Consolidated Primary Election
 - 2006 General Election
 - 2006 Primary Election
 - 2005 Consolidated General Election



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- 2005 Consolidated Primary Election
 - 2004 General Election
 - 2004 Primary Election
- **Brown County**
 - 2008 General Election
 - 2008 Primary Election
 - 2007 Consolidated General Election
 - 2006 General Election
 - 2006 Primary Election
 - 2005 Consolidated General Election
 - 2004 General Election
- **Calhoun County**
 - 2008 General Election
 - 2008 Primary Election
 - 2007 Consolidated General Election
 - 2006 General Election
 - 2006 Primary Election
- **Champaign County**
 - 2008 General Election
 - 2008 Primary Election
 - 2007 Consolidated General Election
 - 2006 General Election
 - 2006 Primary Election
- **Clay County**
 - 2008 General Election
 - 2008 Primary Election
 - 2007 Consolidated General Election
 - 2007 Consolidated Primary Election
 - 2006 General Election
 - 2006 Primary Election
- **Danville Election Commission**
 - 2008 General
 - 2008 Primary
 - 2007 Consolidated General Election
 - 2007 Consolidated Primary Election
 - 2006 General Election
 - 2006 Primary Election
 - 2005 Consolidated General Election
 - 2005 Consolidated Primary Election
 - 2004 General Election
 - 2004 Primary Election
- **De Kalb County**
 - 2008 General Election
 - 2008 Primary Election
 - 2007 Consolidated General Election
 - 2006 General Election
 - 2006 Primary Election
- **East St. Louis Election Commission**



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- 2008 General Election
- 2008 Primary Election
- 2007 Consolidated General Election
- 2007 Consolidated Primary Election
- 2006 General Election
- 2006 Primary Election
- 2005 Consolidated General Election
- 2005 Consolidated Primary Election
- 2004 General Election
- 2004 Primary Election
- 2003 Consolidated General Election
- 2003 Consolidated Primary Election
- 2002 General Election
- 2002 Primary Election
- Edwards County
 - 2008 General Election
 - 2008 Primary Election
 - 2007 Consolidated General Election
 - 2007 Consolidated Primary Election
 - 2006 General Election
 - 2006 Primary Election
- Effingham County
 - 2008 General Election
 - 2008 Primary Election
 - 2007 Consolidated General Election
 - 2007 Consolidated Primary Election
 - 2006 General Election
 - 2006 Primary Election
- City of Galesburg
 - 2008 General Election
 - 2008 Primary Election
 - 2007 Consolidated General Election
 - 2006 General Election
 - 2006 Primary Election
- Gallatin County
 - 2008 General Election
 - 2008 Primary Election
 - 2007 Consolidated General Election
 - 2006 General Election
 - 2006 Primary Election
- Hamilton County
 - 2008 General Election
 - 2008 Primary Election
 - 2007 Consolidated General Election
 - 2006 General Election
 - 2006 Primary Election
 - 2005 Consolidated General Election
 - 2004 General Election



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- 2004 Primary Election
- Hancock County
 - 2008 General Election
 - 2008 Primary Election
 - 2007 Consolidated General Election
 - 2006 General Election
 - 2006 Primary Election
 - 2005 Consolidated General Election
- Henderson County
 - 2008 General Election
 - 2008 Primary Election
 - 2007 Consolidated General Election
 - 2006 General Election
 - 2006 Primary Election
 - 2005 Consolidated General Election
 - 2004 General Election
- Henry County
 - 2008 General Election
 - 2008 Primary Election
 - 2007 Consolidated General Election
 - 2007 Consolidated Primary Election
 - 2006 General Election
 - 2006 Primary Election
 - 2005 Consolidated General Election
 - 2005 Consolidated Primary Election
 - 2004 General Election
- Jefferson County
 - 2008 General Election
 - 2008 Primary Election
 - 2007 Consolidated General Election
 - 2007 Consolidated Primary Election
 - 2006 General Election
 - 2006 Primary Election
 - 2005 Consolidated General Election
 - 2004 General Election
 - 2004 Primary Election
 - 2003 Consolidated General Election
 - 2003 Consolidated Primary Election
 - 2002 General Election
 - 2002 Primary Election
- Jersey County
 - 2008 General Election
 - 2008 Primary Election
 - 2007 Consolidated General Election
 - 2007 Consolidated Primary Election
 - 2006 General Election
 - 2006 Primary Election



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- **Jo Daviess County**
 - 2008 General Election
 - 2008 Primary Election
 - 2007 Consolidated General Election
 - 2007 Consolidated Primary Election
 - 2006 General Election
 - 2006 Primary Election
 - 2005 Consolidated Primary Election
- **Kendall County**
 - 2008 General Election
 - 2008 Primary Election
 - 2007 Consolidated General Election
 - 2006 General Election
 - 2006 Primary Election
- **La Salle County**
 - 2008 General Election
 - 2008 Primary Election
 - 2007 Consolidated General Election
 - 2007 Consolidated Primary Election
 - 2006 General Election
 - 2006 Primary Election
 - 2005 Consolidated General Election
 - 2004 General Election
 - 2004 Primary Election
- **Lake County**
 - 2008 General Election
 - 2008 Primary Election
 - 2007 Consolidated General Election
 - 2006 General Election
 - 2006 Primary Election
 - 2005 Consolidated General Election
 - 2005 Consolidate Primary Election
 - 2004 General Election
 - 2004 Primary Election
 - 2003 Consolidated General Election
 - 2003 Consolidated Primary Election
 - 2002 General Election
 - 2002 Primary Election
- **Lawrence County**
 - 2008 General Election
 - 2008 Primary Election
 - 2007 Consolidated General Election
 - 2006 General Election
 - 2006 Primary Election
 - 2005 Consolidated General Election
 - 2004 General Election
 - 2004 Primary Election



- **Logan County**
 - 2008 General Election
 - 2008 Primary Election
 - 2007 Consolidated General Election
 - 2007 Consolidated Primary Election
 - 2006 General Election
 - 2006 Primary Election
 - 2005 Consolidated General Election
 - 2005 Consolidated Primary Election
 - 2004 General Election
- **Madison County**
 - 2008 General Election
 - 2008 Primary Election
 - 2007 Consolidated General Election
 - 2006 General Election
 - 2006 Primary Election
 - 2005 Consolidated General Election
 - 2004 General Election
 - 2004 Primary Election
- **Marshall County**
 - 2008 General Election
 - 2008 Primary Election
 - 2007 Consolidated General Election
 - 2006 General Election
 - 2006 Primary Election
 - 2005 Consolidated General Election
 - 2004 General Election
- **Massac County**
 - 2008 General Election
 - 2008 Primary Election
 - 2007 Consolidated General Election
 - 2006 General Election
 - 2006 Primary Election
 - 2005 Consolidate General Election
 - 2004 General Election
 - 2004 Primary Election
- **Menard County**
 - 2008 General Election
 - 2008 Primary Election
 - 2007 Consolidated General Election
 - 2006 General Election
 - 2006 Primary Election
 - 2005 Consolidated General Election
 - 2004 General Election
- **Mercer County**
 - 2008 General Election
 - 2008 Primary Election
 - 2007 Consolidated General Election



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- 2006 General Election
- 2006 Primary
- **Montgomery County**
 - 2008 General Election
 - 2008 Primary Election
 - 2007 Consolidated General Election
 - 2006 General Election
 - 2006 Primary Election
- **Ogle County**
 - 2008 General Election
 - 2008 Primary Election
 - 2007 Consolidated General Election
 - 2007 Consolidated Primary Election
 - 2006 General Election
 - 2006 Primary Election
 - 2005 Consolidated General Election
 - 2005 Consolidated Primary Election
 - 2004 General Election
 - 2004 Primary Election
- **Rockford Election Commission**
 - 2008 General Election
 - 2008 Primary Election
 - 2006 General Election
 - 2006 Primary Election
- **Saline County**
 - 2008 General Election
 - 2008 Primary Election
 - 2007 Consolidated General Election
 - 2007 Consolidated Primary Election
 - 2006 General Election
 - 2006 Primary Election
 - 2005 Consolidated General Election
 - 2004 General Election
- **Sangamon County**
 - 2008 General Election
- **Stark County**
 - 2008 General Election
 - 2008 Primary Election
 - 2007 Consolidated General Election
 - 2006 General Election
 - 2006 Primary Election
- **Stephenson County**
 - 2008 General Election
 - 2008 Primary Election
 - 2007 Consolidated General Election
 - 2007 Consolidated Primary Election
 - 2006 General Election



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- 2006 Primary Election
- Wabash County
 - 2008 General Election
 - 2008 Primary Election
 - 2007 Consolidated General Election
 - 2007 Consolidated Primary Election
 - 2006 General Election
 - 2006 Primary Election
- Will County
 - 2008 General Election
 - 2008 Primary Election
 - 2007 Consolidated General Election
 - 2007 Consolidated Primary Election
 - 2006 General Election
 - 2006 Primary Election
 - 2005 Consolidated General Election
 - 2005 Consolidated Primary Election
 - 2004 General Election
 - 2004 Primary Election
- Williamson County
 - 2008 General Election
 - 2008 Primary Election
 - 2007 Consolidated General Election
 - 2007 Consolidated Primary Election
 - 2006 General Election
 - 2006 Primary Election
 - 2005 Consolidated General Election
 - 2005 Consolidated Primary Election
 - 2004 General Election
- Woodford County
 - 2008 General Election
 - 2008 Primary Election
 - 2007 Consolidated General Election
 - 2006 General Election
 - 2006 Primary Election
 - 2005 Consolidated Primary Election
 - 2004 General Election

Model 100 Future Deployment

Jurisdictions considering purchase of the Model 100:

- Sangamon County- has signed a lease agreement with ES&S to lease Model 100s for use in the 2009 Consolidated General Election. Sangamon County may consider purchasing at a later date.

STATE BOARD OF ELECTIONS

MEMORANDUM

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

TO: Members of the Board

SUBJECT: Voting Systems Issue for 2010 Elections

DATE: March 9, 2009

At the February meeting, the Board considered a joint request from the Chicago Board of Election Commissioners and the Cook County Clerk's office regarding voting systems testing issues for the 2010 elections. The Chicago Board had sent the attached letter requesting that we undertake testing of Chicago's Sequoia based WinEDS 4.0 voting system, prior to the system receiving certification from the federal Election Assistance Commission (EAC). Chicago Board Executive Director Lance Gough, Cook County Elections Director Jan Kralovec and Sandy Green from Sequoia appeared and addressed the Board.

After discussion and input from SBE staff, the Board voted to direct staff to obtain further information toward accomplishing testing, including costs, time to complete and staffing, and report back to the Board at the March meeting.

Accordingly, the following is submitted for consideration.

I have met with Voting Systems Director Dianne Felts and General Counsel Steve Sandvoss to review issues to be addressed. For purposes of this discussion we have identified the following issues for review.

1. Costs
2. Personnel
3. EAC Testing Standards
4. Illinois Statutory Requirements
5. Risks

In two memos that are attached, Dianne and Steve address these matters but, first, let me briefly summarize.

1. Costs
Any costs for testing, including securing of additional space and staffing will be borne by election vendors. This is provided by Sections 24B-16 and 24C-16 of the Election Code that states the vendor is responsible for production and cost of fees, ballots, temporary workers, equipment and facilities needed for testing. In addition, SBE rule 204.50 says that reasonable expenses incurred by the SBE in the approval process shall be

borne by the applicant for approval of the voting system. There will be costs to the SBE in terms of man hours, but at this point the costs are indeterminate as they depend on the scope of modifications/upgrades requested. While there may be additional costs to individual jurisdictions such as Cook and Chicago, that information is not available as it is a matter of the contractual agreement between election jurisdiction and vendor. In Dianne's attached memo she has included some costs other states charge for testing.

2. Personnel

Currently there are two vendors who have submitted applications to us for modifications to their current systems - Sequoia and Premier. We also expect ES&S to be submitting an application very shortly. All three are currently seeking EAC certification as well. Dianne has indicated that with staff assistance from other SBE divisions, she will have sufficient resources and manpower to conduct these three tests this summer. Each test will run one to two months and some testing phases can be run concurrently as resources permit.

3. EAC Testing Requirements

We are required to conduct voting system testing under guidelines of the federal voting system standards. However, the EAC and the SBE testing procedures provide for different criteria. For example, the EAC tests for certain physical requirements such as temperature and humidity response. They also review the source code. We do not test for these criteria and presently do not have the capacity to do so. Please see Dianne's memo for further detail.

4. Illinois Statutory Requirements

We find only one section of Illinois law that poses a statutory challenge to conducting state testing in the absence of federal certification. That Section is 5/24C-16 which addresses DRE (direct recording electronic) voting systems and states in relevant part that the SBE shall approve all DRE's that fulfill the mandatory requirements of the federal voting system standards promulgated by the EAC. In addition, the Board has adopted the federal standards for Illinois certification. I have asked Steve Sandvoss to review this section and offer comments. Please see his attached memo.

5. Risk

Should we proceed with voting system testing prior to securing EAC approval, there is the risk that some or all of our testing may later be rendered ineffective by an EAC finding that addresses or alters some aspect of the testing we have already concluded. We may then need to redo testing of impacted voting systems.

Findings

1. In the absence of a statutory change to Section 5/24C-16 regarding DRE's, we are bound to abide by the EAC standards.
2. We have sufficient resources to begin testing soon while the three Illinois vendors proceed through the EAC testing laboratory.
3. Above I addressed the risk of moving ahead now – later changes by the EAC could require additional testing on our part. However, eventually we will need to begin testing of upgrades and modifications that are necessary for the 2010 February Primary Election. Given the EAC's backlog in testing voting systems, the risk of later having to revise some aspects of our testing may be less than the risk of waiting for the conclusion of a protracted EAC testing procedure.

We have notified Cook, Chicago, Sequoia, ES&S and Premier that this matter is on the March Agenda. Dianne, Steve and I will review at the meeting and respond to questions.

Attachments

COMMISSIONERS
Langdon D. Neal, *Chairman*
Richard A. Cowen, *Secretary*
Marisel A. Hernandez, *Commissioner*
Lance Gough, *Executive Director*



January 30, 2009

Mr. Daniel W. White
Executive Director
Illinois State Board of Elections
100 West Randolph Street, Suite 14-100
Chicago IL 60601

Dear Dan:

We are writing to ask the assistance of the State Board of Elections on a matter of critical importance. No voting system may be used in Illinois unless it is approved for use by the State Board. The Chicago Board of Election Commissioners currently uses voting devices and software supplied by Sequoia Voting Systems, Inc. Sequoia's vote tabulation and election management software, WinEDS version 3.0.74, was approved for use by the State Board of Elections prior to the March 2006 general primary.

Since then, the State Board has approved several software modifications and work-arounds to address changing requirements and problems which have been identified. In the meantime, Sequoia undertook a comprehensive upgrade to WinEDS and developed version 4.0 of that software that also address some of the issues that needed resolution. Sequoia initially submitted WinEDS 4.0 for federal testing and certification in August 2007. However, the entire federal testing and certification process has languished as the United States Election Assistance Commission has changed its policies and operations since inheriting from the National Association of State Election Directors the responsibility for voting system testing and certification.

In August 2008, the *New York Times* reported that known voting machine flaws could not be fixed in time for the November 2008 presidential election because of the EAC's backlog in testing the machines' hardware and software. As a result, election officials and voting machine manufacturers had to forgo important software modifications meant to address security and performance concerns.

In September 2008, the United States Government Accounting Office issued a report finding that the EAC had yet to define an approach to testing and certifying voting

systems in sufficient detail to ensure that certification activities are performed thoroughly and consistently. The GAO also found that although the EAC had broadly described an approach for tracking problems with certified voting systems and using this information to improve its certification program, key elements of the EAC's approach were either missing or inadequately defined.

Thus far, there is little indication that the EAC has taken adequate steps to get the testing and certification process on track.

In Chicago, we have been fortunate enough to have been able to conduct recent elections with few or no problems. However, looking forward to the 2010 elections, it is clear that we must have access to the features of WinEDS 4.0 to meet the demands that such elections will place on us. This includes a new requirement in 2010 that a voting system must identify when a voter has not voted for all statewide constitutional offices.

To be ready for 2010, we must begin to soon move forward with testing and implementation of WinEDS 4.0, with or without certification by the U.S. Election Assistance Commission.

Illinois law does not require that voting systems be tested and certified by either the EAC or any other federal authority. We know, however, that the State Board of Elections has in the past prudently required that voting system manufacturers first obtain federal certification before seeking approval from the State Board of Elections. However, prudence now dictates that states like Illinois must assume greater responsibility and initiative in voting system testing and certification because of the EAC's lack of diligence. States like California, Washington and New Jersey have already decided to proceed with state testing and certification of voting equipment and software because of the EAC's inaction. The State of Washington, for example, undertook its own testing and certification of Sequoia's WinEDS 4.0 software in June 2008, notwithstanding the lack of EAC certification. The State of California followed suit in October 2008. From what we have been able to determine, WinEDS 4.0 performed satisfactorily in those states in the 2008 elections.

We know, from our prior experiences, that the State Board of Elections has done an outstanding job on its own in testing and approving voting systems here in Illinois. In many respects, the State Board's testing has been more rigorous and thorough than the testing done at the federal level.

With this experience in mind, we are now asking the State Board of Elections to undertake, despite the lack of EAC certification, its own independent testing of WinEDS 4.0 with the goal of approving the same in time for implementation for the February 2010

Mr. Daniel W. White
January 30, 2009
Page 3

primary election. We will, of course, stand ready to cooperate with the State Board and to provide any assistance we can in this important endeavor.

We thank you in advance for your courtesy in considering this matter.

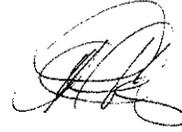
Sincerely,



Langdon D. Neal
Chairman



Richard A. Cowen
Secretary-Commissioner



Marisel A. Hernandez
Commissioner

INTEROFFICE MEMORANDUM

TO: Dan White, Executive Director

From: Dianne Felts, Director of Voting Systems and Standards (VOSS)

Subject: Testing

Date: March 4, 2009

On November 17, 2003, our Board adopted the 2002 Standards. Under the Voluntary Federal Voting System Standards, the Voting System Testing Laboratories now perform tests with expertise in such fields as programming, electricity, engineering, and computer science security etc. Some examples are: source code review making sure that the vote counting equipment can withstand without disruption of normal operation or loss of data when there are surges of electric power increases and reductions of nominal specified power supply for a period of up to four hours, static electricity tests, low temperature tests, high temperature tests, humidity tests, vibration tests and security provisions that guard against loss of system integrity, availability, confidentiality, and accountability. These are just a few of the expert tests performed by the Laboratories. My staff, at this time does only logic and accuracy tests on the systems.

Some states are frustrated, as we are, regarding the EAC's snail's pace to approve new systems. The state of Washington does not require the use of voting systems certified by the EAC. They are required however, to use voting systems that have been tested and certified by an independent testing authority. They recently used a provision in their administrative rules to certify a system not tested by an Independent Testing Authority. Their administrative rules allow them to grant an emergency approval under certain conditions. They used this provision.

The state of California must use only DREs that are approved by the EAC. This same provision does not apply to optical scan machines. They recently used DREs and then had appointed people transfer the votes from the DRE paper trail to optical scan ballot sheets and then ran the ballots through scan tabulators. This had to be so cumbersome.

Florida has not adopted the Federal Standards. Florida has state detailed Standards that include source code review. They used a new system this past November. At this time they use the federally certified laboratories for only environmental testing.

Illinois requires the vendors to pay for all testing requirements. A couple of years ago my staff checked into what a few other states charge for system approvals. Ohio charges \$1500 initially and refunds the costs if less or requires more from the vendor if there are additional costs above the initial fee. Indiana as well as Michigan charge \$1500 but Michigan then only charges \$500 for any upgrades. New York charges \$5,000 and Pennsylvania charges \$3,000. And lastly, California, Missouri and Washington do not have certification fees.

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STATE OF ILLINOIS

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Fax: 217/782-5959

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Chicago, Illinois 60601
312/814-6440 TTY: 312/814-6431
Fax: 312/814-6485



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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: Application of Section 24C-16 on SBE Testing of DRE Voting Systems

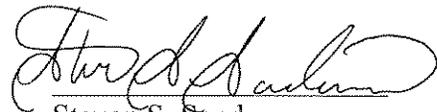
Date: March 4, 2009

The State Board of Elections is required to follow the provisions of Section 24C-16 [10 ILCS 5/24C-16] when testing Direct Recording Electronic Voting Systems (DRE) to determine whether they should be formally approved. The relevant provision of this Section reads as follows:

The State Board of Elections shall approve all Direct Recording Electronic Voting Systems that fulfill the functional requirements provided by Section 24C-11 of this Code, the mandatory requirements of the federal voting system standards pertaining to Direct Recording Electronic Voting Systems promulgated by the Federal Election Commission or the Election Assistance Commission, the testing requirements of an approved independent testing authority and the rules of the State Board of Elections.

You will note that one of the criteria for SBE approval is that the system must fulfill the mandatory requirements of the voting system standards (which the Board has previously adopted) pertaining to DREs that have been set by the Election Assistance Commission (EAC). To accomplish this, the system must be tested by an Independent Testing Authority (ITA) using a testing plan developed by the EAC.

Whether the Board elects to begin the testing of a voting system that SBE staff is capable of performing (addressing the requirements of Section 24C-11 and the Rules and Regulations of the SBE) prior to the voting system being tested and approved by the ITA is a policy decision of the Board, and is not prohibited by Section 24C-16. However, to fulfill the requirements of Section 24C-16, the voting system will at some point have to be tested and approved as noted in the preceding paragraph.


Steven S. Sandvoss
General Counsel

STATE BOARD OF ELECTIONS

MEMORANDUM

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

TO: Members of the Board

SUBJECT: Legislative Update

DATE: March 4, 2009

We are moving into the heart of the Spring legislative session. We are scheduled to testify before the Joint Committee on Government Reform on March 17 and the House Appropriations Committee hearing is March 25.

Cris will have an oral update report on election legislation at the Board meeting.

STATE BOARD OF ELECTIONS

MEMORANDUM

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

TO: Members of the Board

SUBJECT: FY09 Fiscal Reports

DATE: March 5, 2009

At the time the Board packet materials were assembled the fiscal reports were not yet available. They will be forwarded 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: March 4, 2009

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
3 /2 /2009		Last day to submit Illinois NVRA Report to the Election Assistance Commission.	LEG
3 /2 /2009		The date that a second letter goes out to all delinquent committees advising them that an assessment for late filing is continuing and that a complaint will be filed if the committee fails to file a PRE-ELECTION REPORT or in lieu thereof a Statement of Nonparticipation for the February 24, 2009 Consolidated Primary Election. Rules and Regulations 125.425	CAMP DISC
3 /3 /2009		Begin review of the computer operator's logs for the performance of automatic tabulating equipment used in the Consolidated Primary Election. (Rules and Regulations)	VOSS
3 /6 /2009		Begin testing of the automatic tabulating equipment. 10 ILCS 5/24B-9, 24C-9	VOSS
3 /9 /2009		First day of period during which any receipt by a political committee of a contribution in an aggregate of more than \$500 must be reported within 2 business days following receipt. 10 ILCS 5/9-10	CAMP DISC
3 /9 /2009		First day political committees shall file their PRE-ELECTION REPORT OF CAMPAIGN CONTRIBUTIONS or in lieu thereof a Statement of Nonparticipation for the April 7, 2009 Consolidated Election with the Board or the Board and county clerk. 10 ILCS 5/9-10	CAMP DISC
3 /10/2009		Last day for local election authorities to count absentee, military & overseas ballots which were postmarked by midnight Feb 23, 2009. 10 ILCS 5/19-8&20-8	LEG
3 /10/2009		Last day for voter registration or transfer of registration prior to Consolidated Election. 10 ILCS 5/4, 5, 6	EL INFO
3 /10/2009		Notify election authorities to forward a copy of their computer operator's log or analogous information following the proclamation of election results. 10 ILCS 5/24A-13, 24B-13, 24C-14 (Rules and Regulations)	VOSS
3 /11/2009		First day for grace period registration, change of address and voting begins. 10 ILCS 5/4-50, 5-50, 6-100	EL INFO

Start Date	End Date	Activity	Division
3 /11/2009		Begin preparation of the 2010 Election and Campaign Finance Calendar (Completion by July 31, 2009) 10 ILCS 5/1A-8 (1-13)	EL INFO
3 /16/2009		First day for early voting at the office of the Election Authority and locations designated by the Election Authority. 10 ILCS 5/19A-15	EL INFO
3 /16/2009		BOARD MEETING. 10 ILCS 5/1A7	EXEC DIR
3 /16/2009		Complete analysis of Referenda Profile for the Consolidated Primary Election. 10 ILCS 5/1A-8 (1, 2, 12)	VOSS
3 /17/2009		Notify election officials who failed to submit their computer operator's log or analogous information. 10 ILCS 5/24A-13, 24B-13, 24C-14 (Rules and Regulations)	VOSS
3 /17/2009		Send letter to those jurisdictions where in-precinct counting equipment is utilized requesting a list of those precincts involved in the election. 10 ILCS 5/24B-15, 24C-15	VOSS
3 /17/2009		Complete profile of pre-election referenda. 10 ILCS 5/1A-8 (1, 2, 12)	VOSS
3 /17/2009		Link report due to the SBE from the LEO's. 10 ILCS 5/19-20, 20-20.	LEG
3 /19/2009		Send notice to election authorities who failed to submit a computerized voter registration file, for the Consolidated Primary 2009 submission. Rules and Regulations	VRS
3 /19/2009		Complete draft of Board's field and office plan for Consolidated Election.	EL INFO
3 /19/2009		Send to each election authority a current computerized voter registration error report, from the Consolidated Primary 2009 submission	VRS
3 /20/2009		First day for election authority to submit computerized voter registration file for the Consolidated General 2009 submission. 10 ILCS 5/4-8,5-7,6-36	VRS
3 /23/2009		Last day political committees shall file their PRE-ELECTION REPORT OF CAMPAIGN CONTRIBUTIONS or in lieu thereof a Statement of Nonparticipation in the election for the April 7, 2009 Consolidated Election with the Board or the Board and county clerk. 10	CAMP DISC

Start Date	End Date Activity	Division
3 /24/2009	Last day of grace period registration change of address and voting. 10 ILCS 5/4-50, 5-50, 6-	EL INFO
3 /27/2009	(date subject to change) Committee deadline Final day for HOUSE committee action on HOUSE bills. (House Rule) Final day for SENATE committee action on SENATE bills. (Senate Rule)	LEG
3 /27/2009	Date those jurisdictions utilizing in-precinct counting equipment must submit list of those precincts that will be open for the election. 10 ILCS 5/24B-15, 24C-15	VOSS
3 /27/2009	Notify state central committee chairmen of the time and place of SBE's random selection procedure for the election jurisdictions' 5% re-tabulation of precincts. 10 ILCS 5/24B-15 and 5/24C-15	VOSS
3 /29/2009	Target date for completion and printing of the 2009 FEDERAL AND STATE OFFICERS book. Completion will depend on how soon required data is received from the members of the General Assembly. (Project began November 26, 2008.) 10 ILCS 5/1A-8 (1, 2, 11)	ET&RD
3 /30/2009	Last day for election authority to submit computerized voter registration file for the Consolidated General 2009 submission. 10 ILCS 5/4-8,5-7,6-36	VRS
3 /30/2009	Last day for election authorities to submit request for extension to file computerized voter registration information for the Consolidated General 2009 submission. Rules and Regulations	VRS
3 /31/2009	Last day to conduct SBE tests of automatic tabulating equipment. 10 ILCS 5/24B-9, 24C-9	VOSS
3 /31/2009	Send verification letter to election authorities to confirm the precinct data they originally submitted for their 5% re-tabulation. 10 ILCS 5/24B-15, 24C-15	VOSS

Start Date	End Date	Activity	Division
4 /1 /2009		Date upon which the State Board of Elections shall notify political committees that have failed to file a PRE-ELECTION REPORT OF CAMPAIGN CONTRIBUTIONS or in lieu thereof a Statement of Nonparticipation for the April 7, 2009 Consolidated Election that an assessment will be levied against the committee for failure to file the report or statement in a timely fashion. Rules and	CAMP DISC
4 /2 /2009		Last day for early voting at the office of the Election Authority and locations designated by the Election Authority. 10 ILCS 5/19A-15	EL INFO
4 /3 /2009		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 Consolidated Primary 2009 submission	VRS
4 /6 /2009		Last day for election authorities to send a sealed copy of each tested program for the upcoming election to the State Board of Elections. The SBE secures the programs until the next Consolidated Election, and if no contest or appeal is pending - destroys them.	VOSS
4 /6 /2009		Last day of period during which any receipts by a political committee of a contribution in an aggregate of more than \$500 must be reported within 2 business days following receipt. 10 ILCS 5/9-10	CAMP DISC
4 /7 /2009		CONSOLIDATED ELECTION	EL INFO
4 /8 /2009		Begin preparing the ELECTION JUDGES MANUALS OF INSTRUCTION for elections in 2010. (Complete by August 15, 2009.) 10 ILCS 5/1A-8 (1, 2, 3, 4, 11)	ET&RD
4 /8 /2009		Begin updating ELECTION JUDGES' TRAINING PROGRAM AND JUDGES' EXAMS. (Complete by August 15.) 10 ILCS 5/1A-8 (1,	ET&RD
4 /8 /2009		Provide the election authorities in those jurisdictions where in-precinct counting equipment is utilized a list of the precincts selected on a random basis by the State Board of Elections. 10 ILCS 5/24B-15, 24C-15	VOSS

Start Date	End Date Activity	Division
4 /10/2009	Begin planning for the distribution of campaign financing notices/packets to state political committees for the Semi-Annual Report. (Packets to be mailed May 29, 2009.) 10 ILCS	CAMP DISC
4 /13/2009	The date that a second letter goes out to all delinquent committees advising them that an assessment for late filing is continuing and that a complaint will be filed if the committee fails to file a Pre-Election Report or in lieu thereof a Statement of Nonparticipation for the April 7, 2009 Consolidated Election. Rules and Regulations 125.425	CAMP DISC
4 /14/2009	Begin review of computer operator's logs for the performance of automatic tabulating equipment used in the Consolidated Election. (Rules and Regulations)	VOSS
4 /20/2009	BOARD MEETING. 10 ILCS 5/1A7	EXEC DIR
4 /21/2009	Last day for local election authorities to count absentee, military & overseas ballots which were postmarked by midnight April 6,2009. 10 ILCS 5/19-8(c) & 20-8[c]	LEG
4 /24/2009	(date subject to change) 3rd Reading Deadline Final day on which SENATE bills may be called for final action on 3rd reading in the SENATE. (Senate Rule) Final day on which HOUSE bills may be called for a final vote on 3rd reading in the HOUSE.	LEG
4 /27/2009	Notify election authorities of requirement to submit computerized voter registration information for the May 15, 2009 submission in a format prescribed by the SBE	VRS
4 /27/2009	Complete analysis of Referenda Profile for the Consolidated Election. 10 ILCS 5/1A-8 (1, 2,	VOSS
4 /28/2009	Notify election officials who failed to submit their computer operator's log or analogous information 10 ILCS 5/24A-13, 24B-13, 24C-14 (Rules and Regulations).	VOSS
4 /28/2009	Link report due from the LEO's to the SBE. 10 ILCS5/19-20, 20-20.	LEG
4 /29/2009	Send to each election authority a current computerized voter registration error report, from the Consolidated General 2009	VRS

Start Date	End Date Activity	Division
4 /29/2009	Send notice to election authorities who failed to submit a computerized voter registration file, for the Consolidated General 2009 submission. Rules and Regulations	VRS
5 /1 /2009	Send draft of the 2010 CANDIDATE'S GUIDE to legal for review. (Complete by July 31, 2008.) 10 ILCS 5/1A-8 (1, 2, 4, 11)	ET&RD
5 /1 /2009	Prepare dates for the Appointment of Election Judges 2010/2011 document. Send to all election authorities by May 21, 2009. 10ILCS 5/13-1(1.1,2,3,5 & 7)	ET&RD
5 /8 /2009	Canvass results of Fox Waterway Agency trustees election.	EL INFO
5 /14/2009	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 Consolidated General 2009 submission	VRS
5 /15/2009	First day for election authority to submit computerized voter registration file for the May 15, 2009 submission. 10 ILCS 5/4-8,5-7,6-36	VRS
5 /15/2009	(date subject to change) Final day for which HOUSE committees may take action on SENATE bills. (House Rule) Final day for which SENATE committees may take action on HOUSE bills. (Senate Rule)	LEG
5 /18/2009	BOARD MEETING 10 ILCS 5/1A7	EXEC DIR
5 /26/2009	Last day for election authorities to submit request for extension to file computerized voter registration information for the May 15, 2009 submission. Rules and Regulations	VRS
5 /26/2009	Last day for election authority to submit computerized voter registration file for the May 15, 2009 submission. 10 ILCS 5/4-8,5-7,6-36	VRS
5 /29/2009	Last day to notify political committees that have filed a Statement of Organization of their obligation to file a SEMI-ANNUAL REPORT OF CAMPAIGN CONTRIBUTIONS AND EXPENDITURES. 10 ILCS 5/9-10, 9-16(7)	CAMP DISC

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
March 3, 2009

Committee for Retention of Judges in Cook County
Anvil Siegel
35 E Wacker Dr, ste 1550
Chicago, IL 60601

S4938

NOTICE TO POLITICAL COMMITTEE

Dear Political Committee Officer/Representative,

Please be advised that your Motion for Reconsideration of a Final Board Order, case number 08 GE 038 will be presented to the Board at its March 2009 meeting. You are welcome to attend the meeting to answer any questions the Board may have, however your presence is not mandatory. The meeting will begin at 10:30 AM on March 16, 2009 and will be held at the State Board of Elections, 1020 S Spring Street, Springfield IL. You may also attend the meeting via Video Conference at our Chicago office, located in the James R Thompson Center, 100 W Randolph, Suite 14, 100.

Any Motions regarding this matter must be made in writing and received by the General Counsel no later than four (4) days before the date of the meeting. If you have any further questions please feel free to contact our office.

Sincerely,

Rupert T. Borgsmiller, Director
Division of Campaign Disclosure

RTB: sm

STATE OF ILLINOIS)
) SS.
COUNTY OF C O O K)

CHICAGO

FEB 24 PM 1:07

STATE BOARD OF ELECTIONS

STATE BOARD OF ELECTIONS

STATE OF ILLINOIS

In the Matter Of:)
)
State Board of Elections)
)
Complainant(s),)
)
vs.)
)
Committee for Retention of Judges)
in Cook County,)
)
Respondent(s).)

08 GE 038
SHA38

TO: Albert S. Porter, Chairman
State Board of Elections
State of Illinois Building
100 W. Randolph St.
Suite 14-100
Chicago, Illinois 60601

Albert S. Porter, Chairman
State Board of Elections
1020 S. Spring St.
Springfield, Illinois 62708-4187

MOTION FOR RECONSIDERATION

Now comes The Committee for Retention of Judges in Cook County by John N. Hourihane and moves the State Board of Elections for reconsideration of their order of February 18, 2009 entering a civil penalty against the respondent for the following reasons.

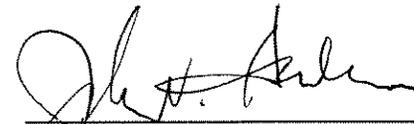
1. The respondent was assessed \$500.00 penalty for the delinquent filing of a November 2008 Pre-Election report as a result of a misunderstanding.
2. The report was over 100 pages and was prepared on a computer program taken

from the forms distributed by the State Board of Elections.

3. One week prior to its due date, a secretary attempted to e-mail the report to The State Board of Elections, but the program used by the secretary was not compatible with the program used by the State and could not be received.
4. As a result, the respondent attempted to file the report manually and the State refused to accept the report manually advising that it could only be accepted electronically.
5. The report was then sent to the committee's Accountant and Treasurer, Alvin I. Siegel, whose affidavit is attached to this motion, and Mr. Siegel had to redo the entire report of over 100 pages and it took him and his staff over a week to do so, causing the report to be untimely by a period of less than a week.
6. The respondent has always filed the required documentation and responses in a timely manner.

Wherefore, respondent prays that the State Board of Elections reconsider the \$500.00 civil penalty and vacate its order of February 18, 2009.

By:



John N. Hourihane
Co-Chairman for the Committee
For Retention of Judges Of
Cook County

John N. Hourihane
225 W. Washington
Suite 1700 - 60606
312/782-6856

STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

STATE BOARD OF ELECTIONS

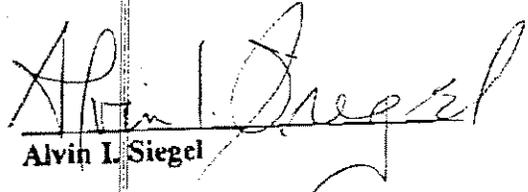
STATE OF ILLINOIS

In the Matter Of:)
)
State Board of Elections)
)
Complainant(s),)
) 08 GE 038
vs.)
)
Committee for Retention of Judges)
in Cook County,)
)
Respondent(s).)

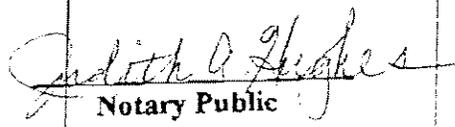
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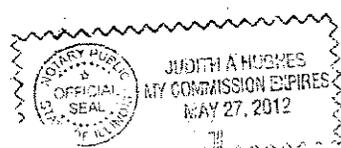
Now comes your Affiant, ALVIN L SIEGEL, and respectfully requests as follows:

1. That your Affiant is a Certified Public Accountant and is the Treasurer of the Committee for Retention of Judges in Cook County.
2. That your Affiant has read the Motion for Reconsideration and attests that it is true and correct.
3. Your Affiant further sayeth not.


Alvin L. Siegel

Subscribed and Sworn to
before me this 24th
day of February, 2009.


Notary Public



STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

In the Matter Of:)
)
State Board of Elections)
Complainant(s),)
Vs.)
) 08 GE 038
Committee for Retention of Judges)
in Cook County)
Respondent(s).)

FINAL ORDER

TO: Committee for Retention of Judges in Cook County S4938
35 E Wacker Dr, ste 1550
Chicago, IL 60601

This matter coming to be heard this 17th day of February, 2009, as an imposition of a civil penalty under Article 9 of the Illinois Election Code (10 ILCS 5/9-1 *et. seq.*), and the State Board of Elections being fully advised in the premises,

THE BOARD FINDS

1. In case number 08 GE 038, a \$500.00 civil penalty was assessed against the Respondent for the delinquent filing of the November 2008 Pre-election report; and
2. An appeal of the civil penalty was not submitted by the committee.

IT IS ORDERED:

1. A civil penalty in the amount of \$500.00 is imposed and is stayed as a first violation; and
2. The effective date of this Order is February 18, 2009, and
3. This is a Final Order subject to review under the Administrative Review Law and Section 9-22 of the Election Code.

DATED: 2/18/2009


Albert S Porter, Chairman

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



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

EXECUTIVE DIRECTOR
Daniel W. White
March 3, 2009

Acorn PAC
1719 N North Park Ave.
Chicago, IL 60614

S6184

NOTICE TO POLITICAL COMMITTEE

Dear Political Committee Officer/Representative,

Please be advised that your Motion for Reconsideration of a Final Board Order, case number 08 JS 260 will be presented to the Board at its March 2009 meeting. You are welcome to attend the meeting to answer any questions the Board may have, however your presence is not mandatory. The meeting will begin at 10:30 AM on March 16, 2009 and will be held at the State Board of Elections, 1020 S Spring Street, Springfield IL. You may also attend the meeting via Video Conference at our Chicago office, located in the James R Thompson Center, 100 W Randolph, Suite 14, 100.

Any Motions regarding this matter must be made in writing and received by the General Counsel no later than four (4) days before the date of the meeting. If you have any further questions please feel free to contact our office.

Sincerely,

Rupert T. Borgsmiller, Director
Division of Campaign Disclosure

RTB: sm

ILLINOIS STATE BOARD OF ELECTIONS

CHICAGO

State Board of Elections

v.

Acorn PAC

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} 08 JS 260
} 56184
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STATE BOARD OF ELECTIONS

MOTION FOR RECONSIDERATION

NOW COMES Acorn PAC by and through its attorney Dan Johnson-Weinberger with a Motion for Reconsideration and states as follows:

1. Acorn PAC did not file its D-2 campaign disclosure report for January-June 2008 on time.
2. Acorn PAC has not participated in any political campaign through a contribution or expenditure for at least two years.
3. Acorn PAC participated in a closed preliminary hearing in November of 2008 with a State Board of Elections hearing officer related to the failure to file the D-2 campaign disclosure report for January-June 2008.
4. Acorn PAC's attorney Dan Johnson-Weinberger reported to the hearing officer at that time that he was in the process of collecting all bank statements from the New Orleans-based bank in order to account for any discrepancies and file a final D-2 to close out the committee. That final accounting is still ongoing but likely to be completed in the next few weeks when the committee will be closed.
5. Dan Johnson-Weinberger was under the belief that the hearing before the hearing officer related to the January - June 2008 D-2 campaign disclosure report was the only hearing related to any fines or assessments against the committee that would permit an opportunity to share the mitigating circumstances that would permit consideration of a reduction in fines assessed against Acorn PAC and did not believe he needed to file a separate appeal to trigger a separate hearing before a hearing officer in order to share the same information with the hearing officer related to potentially reducing the fines assessed against Acorn PAC for the same failure to file the January - June 2008 D-2 campaign disclosure on time.
6. For purposes of administrative convenience and because of the inherent confusion of participating in a hearing with a State Board of Elections hearing officer on this identical topic, Acorn PAC respectfully requests RESONSIDERATION of the State Board of Elections' decision in the instant case.

Respectfully submitted,



Dan Johnson-Weinberger
Attorney for Acorn PAC
1719 N. North Park #3
Chicago, Illinois 60614
312.867.5377 (office)
dan.johnsonweinberger@gmail.com

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

In the Matter Of:)
)
State Board of Elections)
Complainant(s),)
Vs.)
) 08 JS 260
Acorn PAC)
Respondent(s).)

FINAL ORDER

TO: Acorn PAC S6184
1719 N Park Ave.
Chicago, IL 60614

This matter coming to be heard this 17th day of February, 2009, as an imposition of a civil penalty under Article 9 of the Illinois Election Code (10 ILCS 5/9-1 *et. seq.*), and the State Board of Elections being fully advised in the premises,

THE BOARD FINDS

1. In case number 08 JS 260, a \$5000.00 civil penalty was assessed against the Respondent for the delinquent filing of the June 2008 Semi-annual report; and
2. An appeal of the civil penalty was not submitted by the committee, and
3. The committee was previously assessed a penalty of \$50.00, which was stayed as a first violation, for the delinquent filing of the December 2007 Semi-annual report (08 DS 153). This assessment was not appealed.

IT IS ORDERED:

1. A civil penalty in the amount of \$5000.00 is imposed and the stay is lifted on the previously assessed penalty of \$50.00. The total amount of \$5050.00 is now due and owing within 30 days of the effective date of this Order; and
2. The effective date of this Order is February 18, 2009, and
3. This is a Final Order subject to review under the Administrative Review Law and Section 9-22 of the Election Code.

DATED: 2/18/2009


Albert S Porter, Chairman

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

In the Matter Of:)
)
State Board of Elections,)
 Complainant(s),)
 Vs.) 08 CD 065
)
Acorn PAC,)
 Respondent(s).)

FINAL ORDER

TO: Acorn PAC S6184
 3917 W 14th St
 Chicago, IL 60623

This matter coming to be heard this 5th day of December, 2008 following a Closed Preliminary Hearing as a result 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 respondent failed to file the June 2008 Semi-annual Report of Campaign Contributions and Expenditures; and the State Board of Elections having read the report of the Hearing Officer and hearing the recommendation of the General Counsel and now being fully advised in the premises,

THE BOARD FINDS:

1. The complaint was filed on justifiable grounds; and
2. The Respondent filed the required report on November 14, 2008, and
3. That the Committee filed the report on the scheduled date of the closed preliminary hearing, rendering the hearing unnecessary.

IT IS ORDERED:

1. No further action is required other than the imposition of a civil penalty for delinquent filing; and
2. The effective date of this Order is December 9, 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: 12/9/2008



Albert S Porter, Chairman

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



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Patrick Brady
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William McGuffage
Wanda Rednour
Jesse Smart
Robert Walters

EXECUTIVE DIRECTOR
Daniel W. White
March 3, 2009

Citizens for April Troope
Mahaley Somerville
3917 W 14th St
Chicago, IL 60623

S8056

NOTICE TO POLITICAL COMMITTEE

Dear Political Committee Officer/Representative,

Please be advised that your Motion for Reconsideration of a Final Board Order, case number 08 JS 261 will be presented to the Board at its March 2009 meeting. You are welcome to attend the meeting to answer any questions the Board may have, however your presence is not mandatory. The meeting will begin at 10:30 AM on March 16, 2009 and will be held at the State Board of Elections, 1020 S Spring Street, Springfield IL. You may also attend the meeting via Video Conference at our Chicago office, located in the James R Thompson Center, 100 W Randolph, Suite 14, 100.

Any Motions regarding this matter must be made in writing and received by the General Counsel no later than four (4) days before the date of the meeting. If you have any further questions please feel free to contact our office.

Sincerely,

A handwritten signature in black ink, appearing to read "Rupert T. Borgsmiller".

Rupert T. Borgsmiller, Director
Division of Campaign Disclosure

RTB: sm

ILLINOIS STATE BOARD OF ELECTIONS

State Board of Elections

v.

Citizens for April Troope

}
}
}
}

08 JS 261

58056

STATE BOARD OF ELECTIONS

STATE

FEB 23 PM 4:34

CHICAGO

MOTION FOR RECONSIDERATION

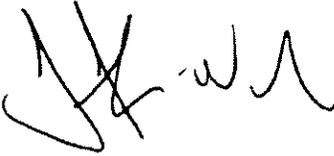
NOW COMES Citizens for April Troope by and through its attorney Dan Johnson-Weinberger with a Motion for Reconsideration and states as follows:

1. Citizens for April Troope did not file its D-2 campaign disclosure report for January-June 2008 on time.
2. Citizens for April Troope has not participated in any political campaign through a contribution or expenditure for at least two years.
3. Citizens for April Troope participated in a closed preliminary hearing in November of 2008 with a State Board of Elections hearing officer related to the failure to file the D-2 campaign disclosure report for January-June 2008.
4. Citizens for April Troope's attorney Dan Johnson-Weinberger reported to the hearing officer at that time that he was in the process of collecting all bank statements from the New Orleans-based bank in order to account for any discrepancies and file a final D-2 to close out the committee. That final accounting is still ongoing but likely to be completed in the next few weeks when the committee will be closed.
5. Dan Johnson-Weinberger was under the belief that the hearing before the hearing officer related to the January – June 2008 D-2 campaign disclosure report was the only hearing related to any fines or assessments against the committee that would permit an opportunity to share the mitigating circumstances that would permit consideration of a reduction in fines assessed against Citizens for April Troope and did not believe he needed to file a separate appeal to trigger a separate hearing before

a hearing officer in order to share the same information with the hearing officer related to potentially reducing the fines assessed against Citizens for April Troope for the same failure to file the January – June 2008 D-2 campaign disclosure on time.

6. For purposes of administrative convenience and because of the inherent confusion of participating in a hearing with a State Board of Elections hearing officer on this identical topic, Citizens for April Troope respectfully requests RESONSIDERATION of the State Board of Elections' decision in the instant case.

Respectfully submitted,



Dan Johnson-Weinberger
Attorney for Citizens for April Troope
1719 N. North Park #3
Chicago, Illinois 60614
312.867.5377 (office)
dan.johnsonweinberger@gmail.com

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

In the Matter Of:)
)
State Board of Elections)
Complainant(s),)
Vs.)
) 08 JS 261
Citizens for April Troope)
Respondent(s).)

FINAL ORDER

TO: Citizens for April Troope S8056
3917 W 14th St
Chicago, IL 60623

This matter coming to be heard this 17th day of February, 2009, as an imposition of a civil penalty under Article 9 of the Illinois Election Code (10 ILCS 5/9-1 *et. seq.*), and the State Board of Elections being fully advised in the premises,

THE BOARD FINDS

1. In case number 08 JS 261, a \$5000.00 civil penalty was assessed against the Respondent for the delinquent filing of the June 2008 Semi-annual report; and
2. An appeal of the civil penalty was not submitted by the committee, and
3. The committee was previously assessed a penalty of \$50.00, which was stayed as a first violation, for the delinquent filing of the December 2007 Semi-annual report (08 DS 176). This assessment was not appealed.

IT IS ORDERED:

1. A civil penalty in the amount of \$5000.00 is imposed and the stay is lifted on the previously assessed penalty of \$50.00. The total amount of \$5050.00 is now due and owing within 30 days of the effective date of this Order; and
2. The effective date of this Order is February 18, 2009, and
3. This is a Final Order subject to review under the Administrative Review Law and Section 9-22 of the Election Code.

DATED: 2/18/2009


Albert S Porter, Chairman

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

In the Matter Of:)
)
State Board of Elections,)
 Complainant(s),)
 Vs.) 08 CD 066
)
Citizens for April Troope,)
 Respondent(s).)

FINAL ORDER

TO: Citizens for April Troope S8056
 3917 W 14th St
 Chicago, IL 60623

This matter coming to be heard this 5th day of December, 2008 following a Closed Preliminary Hearing as a result 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 respondent failed to file the June 2008 Semi-annual Report of Campaign Contributions and Expenditures; and the State Board of Elections having read the report of the Hearing Officer and hearing the recommendation of the General Counsel and now being fully advised in the premises,

THE BOARD FINDS:

1. The complaint was filed on justifiable grounds; and
2. A representative of the Respondent committee appeared at the closed preliminary hearing on November 13, 2008 and indicated that the report would be filed within 24 hours, and,
3. The Respondent filed the required report on November 14, 2008.

IT IS ORDERED:

1. No further action is required other than the imposition of a civil penalty for delinquent filing; and
2. The effective date of this Order is December 9, 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: 12/9/2008



Albert S Porter, Chairman

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
March 3, 2009

Illinois New Party Political Committee
209 W Jackson Blvd, fl 2
Chicago, IL 60606

S8209

NOTICE TO POLITICAL COMMITTEE

Dear Political Committee Officer/Representative,

Please be advised that your Motion for Reconsideration of a Final Board Order, case number 08 JS 262 will be presented to the Board at its March 2009 meeting. You are welcome to attend the meeting to answer any questions the Board may have, however your presence is not mandatory. The meeting will begin at 10:30 AM on March 16, 2009 and will be held at the State Board of Elections, 1020 S Spring Street, Springfield IL. You may also attend the meeting via Video Conference at our Chicago office, located in the James R Thompson Center, 100 W Randolph, Suite 14, 100.

Any Motions regarding this matter must be made in writing and received by the General Counsel no later than four (4) days before the date of the meeting. If you have any further questions please feel free to contact our office.

Sincerely,

Rupert T. Borgsmiller, Director
Division of Campaign Disclosure

RTB: sm

ILLINOIS STATE BOARD OF ELECTIONS

State Board of Elections

v.

Illinois New Party

}
}
}
}

08 JS 262
58209

STATE BOARD OF ELECTIONS

FEB 23 PM 4:34

CHICAGO

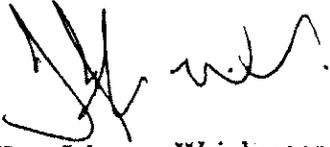
MOTION FOR RECONSIDERATION

NOW COMES Illinois New Party by and through its attorney Dan Johnson-Weinberger with a Motion for Reconsideration and states as follows:

1. Illinois New Party did not file its D-2 campaign disclosure report for January-June 2008 on time.
2. Illinois New Party has not participated in any political campaign through a contribution or expenditure for at least two years.
3. Illinois New Party participated in a closed preliminary hearing in November of 2008 with a State Board of Elections hearing officer related to the failure to file the D-2 campaign disclosure report for January-June 2008.
4. Illinois New Party's attorney Dan Johnson-Weinberger reported to the hearing officer at that time that he was in the process of collecting all bank statements from the New Orleans-based bank in order to account for any discrepancies and file a final D-2 to close out the committee. That final accounting is still ongoing but likely to be completed in the next few weeks when the committee will be closed.
5. Dan Johnson-Weinberger was under the belief that the hearing before the hearing officer related to the January – June 2008 D-2 campaign disclosure report was the only hearing related to any fines or assessments against the committee that would permit an opportunity to share the mitigating circumstances that would permit consideration of a reduction in fines assessed against Illinois New Party and did not believe he needed to file a separate appeal to trigger a separate hearing before a hearing officer in order to share the same information with the hearing officer related to potentially reducing the fines assessed against Illinois New Party for the same failure to file the January – June 2008 D-2 campaign disclosure on time.

6. For purposes of administrative convenience and because of the inherent confusion of participating in a hearing with a State Board of Elections hearing officer on this identical topic, Illinois New Party respectfully requests RESONSIDERATION of the State Board of Elections' decision in the instant case.

Respectfully submitted,



Dan Johnson-Weinberger
Attorney for Illinois New Party
1719 N. North Park #3
Chicago, Illinois 60614
312.867.5377 (office)
dan.johnsonweinberger@gmail.com

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

In the Matter Of:)
)
State Board of Elections)
Complainant(s),)
Vs.)
) 08 JS 262
Illinois New Party Political)
Committee)
Respondent(s).)

FINAL ORDER

TO: Illinois New Party Political Committee S8209
209 W Jackson Blvd, fl 2
Chicago, IL 60606

This matter coming to be heard this 17th day of February, 2009, as an imposition of a civil penalty under Article 9 of the Illinois Election Code (10 ILCS 5/9-1 *et. seq.*), and the State Board of Elections being fully advised in the premises,

THE BOARD FINDS

1. In case number 08 JS 262, a \$4000.00 civil penalty was assessed against the Respondent for the delinquent filing of the June 2008 Semi-annual report; and
2. An appeal of the civil penalty was not submitted by the committee, and
3. The committee was previously assessed a penalty of \$25.00, which was stayed as a first violation, for the delinquent filing of the December 2007 Semi-annual report (08 DS 182). This assessment was not appealed.

IT IS ORDERED:

1. A civil penalty in the amount of \$4000.00 is imposed and the stay is lifted on the previously assessed penalty of \$25.00. The total amount of \$4025.00 is now due and owing within 30 days of the effective date of this Order; and
2. The effective date of this Order is February 18, 2009, and
3. This is a Final Order subject to review under the Administrative Review Law and Section 9-22 of the Election Code.

DATED: 2/18/2009


Albert S Porter, Chairman

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

In the Matter Of:)
)
State Board of Elections,)
 Complainant(s),)
 Vs.) 08 CD 067
)
IL New Party Political Committee,)
 Respondent(s).)

FINAL ORDER

TO: IL New Party Political Committee S8209
 209 W Jackson Blve, fl 2
 Chicago, IL 60606

This matter coming to be heard this 5th day of December, 2008 following a Closed Preliminary Hearing as a result 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 respondent failed to file the June 2008 Semi-annual Report of Campaign Contributions and Expenditures; and the State Board of Elections having read the report of the Hearing Officer and hearing the recommendation of the General Counsel and now being fully advised in the premises,

THE BOARD FINDS:

1. The complaint was filed on justifiable grounds; and
2. A representative of the Respondent committee appeared at the closed preliminary hearing on November 13, 2008 and indicated that the report would be filed within 24 hours, and,
3. The Respondent filed the required report on November 14, 2008.

IT IS ORDERED:

1. No further action is required other than the imposition of a civil penalty for delinquent filing; and
2. The effective date of this Order is December 9, 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: 12/9/2008



Albert S Porter, Chairman

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

EXECUTIVE DIRECTOR
Daniel W. White
March 3, 2009

Friends of John Corrigan
311 W Superior St, Ste 209
Chicago, IL 60654

S9443

NOTICE TO POLITICAL COMMITTEE

Dear Political Committee Officer/Representative,

Please be advised that your Motion for Reconsideration of a Final Board Order, case number 08 AP 086 will be presented to the Board at its March 2009 meeting. You are welcome to attend the meeting to answer any questions the Board may have, however your presence is not mandatory. The meeting will begin at 10:30 AM on March 16, 2009 and will be held at the State Board of Elections, 1020 S Spring Street, Springfield IL. You may also attend the meeting via Video Conference at our Chicago office, located in the James R Thompson Center, 100 W Randolph, Suite 14, 100.

Any Motions regarding this matter must be made in writing and received by the General Counsel no later than four (4) days before the date of the meeting. If you have any further questions please feel free to contact our office.

Sincerely,

Rupert T. Borgsmiller, Director
Division of Campaign Disclosure

RTB: sm

BEFORE THE STATE BOARD OF ELECTIONS

In the Matter Of:)	
)	
State Board of Elections,)	
)	
Complainant,)	
)	
vs.)	No. 08 AP 086
)	<i>S9443</i>
Friends of John Corrigan,)	
)	
Respondent)	

MOTION FOR RECONSIDERATION

Now comes Friends of John Corrigan (the "Respondent"), and, pursuant to the provisions of Title 26, Section 125.440 of the Administrative Code of the State of Illinois (the "Code") moves for reconsideration of the Final Order dated February 18, 2009 (the "Order") of the State Board of Elections (the "Board") assessing a civil penalty on Respondent. In support of this Motion, Respondent states as follows:

I. PROCEDURAL POSTURE.

A. By letter dated December 16, 2008, Respondent was notified by Rupert T. Borgsmiller, Director, Division of Campaign Disclosure of the State Board of Elections, that a determination had been made that Respondent had failed to file certain Schedule A-1's, Report of Campaign Contributions of more than \$500.00, in three instances. Respondent was further advised that a civil penalty of \$300.00 would be assessed against it. Finally, Respondent was advised that it had the right to file a Notice of Appeal within 30 days of "the mailing of this assessment." The letter did not indicate whether it was actually mailed on the date stated in the letter, and the letter did not advise of the actual calendar date for deadline of filing the Notice of Appeal.

B. On January 16, 2009, Respondent, through its authorized representative, hand delivered a Request for Hearing, on forms supplied by the Board, to the Board for filing. Included with the Request for Hearing was an Appeal Affidavit completed by John C. Corrigan, Chairman of Respondent, also on a form supplied by the Board. Attached to the Affidavit was a

letter from Mr. Corrigan, dated January 15, 2009, outlining the substantive reasons justifying reversal of the assessment determination. Copies of the Request for Hearing, Appeal Affidavit, and the January 15, 2009 letter (collectively, the "Appeal") are attached to this Motion as Exhibit A and incorporated herein.

C. By letter dated January 20, 2009, Mr. Borgsmiller notified Respondent that the Appeal was not received in a timely manner and would not be considered. Mr. Borgsmiller further advised Respondent that the due date for filing the Appeal was January 15, 2009, not January 16, 2009, the date upon which the Appeal was submitted for filing.

D. On February 18, 2009, the Order was issued by the Board.

II. RESPONDENT SHOULD NOT BE DENIED ITS OPPORTUNITY TO PRESENT A DEFENSE WHEN THERE IS AMBIGUITY CONCERNING THE DATE OF MAILING. It is not evident from the December 16, 2008 letter that it was actually mailed on that date, and there is, accordingly, ambiguity concerning when the 30 day period should commence. Title 26, Section 125.50 of the Code states that computation of any period expressed in days "shall begin with the first day following the day on which the act or event initiating such period of time occurs." It is unclear whether that period, triggered by the date of mailing, should begin on December 17, 2008 or a later date. Even a one day delay in mailing would have made Respondent's filing timely.

In addition, the 30 day rule contemplates a period of time in which a respondent would have ample opportunity to receive the Board's correspondence and be able effectively to respond. The period of time encompassed in the instant situation, however, included two national holidays, Christmas Day and New Years' Day, as well as a season in which the United States Postal Service is historically overwhelmed, and receipt of mail is inevitably late. In addition, the holiday season is traditionally one during which persons are away from work and it is difficult to contact persons who are in possession of the information necessary to respond to the Board's allegations. Even assuming, therefore, that the December 16, 2008 letter was, in fact, mailed on that date, Respondent's filing of the Notice of Appeal on January 16, 2009 is both a reasonable reading of Section 125.50 as well as an understandable action given the vicissitudes of the season.

III. RESPONDENT HAS PROVIDED A SUBSTANTIVE DEFENSE WHICH SHOULD NOT BE DISMISSED BY THE BOARD FOR TECHNICAL REASONS. In the January 15, 2009 letter included in the Notice of Appeal, Respondent fully and completely responded to each of the Board's allegations concerning the three A-1's in question. In two of the instances, Respondent stated that it would obtain deposit records from Chase Bank to demonstrate date of receipt of contributions in questions. Since the filing of the Appeal, Respondent has obtained

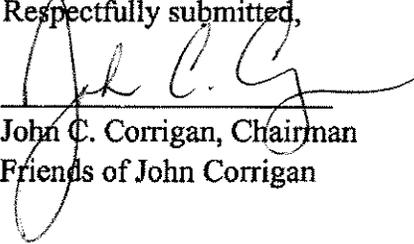
those records and has attached them as Exhibit B to this Motion and incorporated them herein. In the third instance, Respondent demonstrated that the recipient of the contribution was not even the Respondent.

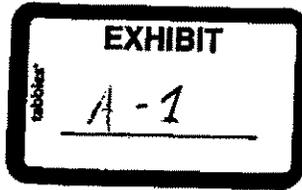
Due to the technicality of the deadline, Respondent was denied, *by one day*, the opportunity to provide its defense. This deadline has nothing to do with the philosophy behind the Campaign Financing Act, as the citizens of Illinois were not denied information needed to make informed choices, nor were there any disclosures withheld from opposing candidates. Instead, this deadline comes purely in the nature of an administrative rule of convenience.

Respondent has never previously been the subject of an administrative proceeding before the Board and has fully complied with the requirements of the Election Code and the Campaign Financing Act. In the interest of fairness, Respondent respectfully requests that the Board permit Respondent to state facts in its defense.

WHEREFORE, for the reasons above stated, Respondent Friends of John Corrigan respectfully requests that the Board reconsider its Final Order assessing a civil penalty against Respondent. Respondent also respectfully requests that the Board permit oral argument at a public hearing at which it will appear to offer reasons and defenses why the civil penalty should not be imposed.

Respectfully submitted,


John C. Corrigan, Chairman
Friends of John Corrigan



State of Illinois)
County of Cook)

CHICAGO

2009 FEB 16 AM 10:32

BEFORE THE STATE BOARD OF ELECTIONS OF THE STATE OF ILLINOIS

STATE BOARD OF ELECTIONS

IN THE MATTER OF;
ILLINOIS STATE BOARD OF ELECTIONS,
Complainant

Vs.

Friends of John Corrigan
Respondent(s).

Case No. _____

REQUEST FOR HEARING

I, John C. Corrigan, the Chairman
(Name) (Chairman/Treasurer)
Friends of John Corrigan
(Name of Committee)

Committee, appeals on behalf of the said committee the assessment of civil penalty proposed in this matter and submits in support of that appeal the accompanying affidavit. The said committee requests a public hearing at which it will appear to offer reasons and defenses why the proposed assessment should not be imposed.

[Signature]
(Signature of Chairman/Treasurer)



State of Illinois)
County of Cook)

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;)
ILLINOIS STATE BOARD OF ELECTIONS,)
Complainant)

Vs.)
Friends of John CORRIGAN)
Respondent(s).)

Case No. _____

APPEAL AFFIDAVIT

I, John C. Corrigan, the Chairman of the
(Name) (Chairman/Treasurer)
Friends of John Corrigan
(Name of the Committee)

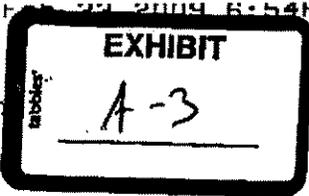
Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

(See Attached Letter)

Signed and Sworn to by:
John C. Corrigan
before me this 16th Day of
January, 2008-2009
Mett Radke
Notary Public

John C. Corrigan
(Signature of Chairman/Treasurer)





John Corrigan

Your values, your ward.

Committeeman
42nd Ward



January 15, 2009

Mr. Rupert T. Borgsmiller
Director, Division of Campaign Disclosure
Illinois State Board of Elections
100 West Randolph, Suite 14-100
Chicago, IL 60601

RE: Friends of John Corrigan

Dear Mr. Borgsmiller:

In response to your correspondence sent on December 16, 2008 regarding our Semi-Annual Report and A-1 reports for the period of 1/1/08 - 6/30/08:

Our Semi-Annual Report for the period of 1/1/08 - 6/30/08, the Committee reported the following contributions that are in question with the State Board of Elections:

Jason Friedman made a contribution of \$1000 on 1/31/08.

This contribution was actually received by Citizens for Tom Allen. Staff has informed me that this was a data entry error and an amendment will be made to the semi-annual report to remove this contribution. Please note that this contribution was recorded with the appropriate committee.

Daniel Mackey made a contribution of \$1000 on 2/2/08.

The check was dated 2/2/08, but my staff who collected our contributions and did our data entry believes that our committee did not receive it until a later date. A request has been made with our bank to obtain the deposit records and we feel that this will reflect a received date outside the A-1 reporting window.

Sharyl Rothschild made a contribution of \$1000 on 2/4/08.

The check was dated 2/2/08, but my staff who collected our contributions and did our data entry believes that our committee did not receive it until a later date. A request has been made with our bank to obtain the deposit records and we feel that this will reflect a received date outside the A-1 reporting window.

An appeal will be filed with this correspondence and I am hopeful that we have adequately responded to your concern. If you have any questions, please contact me at 312-573-0042.

Sincerely,

John C. Corrigan
John Corrigan
Chairman
Friends of John Corrigan



john@johncorrigan.org ★ www.JohnCorrigan.org

EXHIBIT
B

CHASE DEPOSIT

Customer Name: Friends of John Corrigan
 Address: 1133 N. Dearborn St. #345
 Chicago, IL 60610

CASH 5400.00
 CHECKS 0.00
 TOTAL FROM OTHER SOURCES 0.00
 TOTAL \$ 5400.00

⑆0192?19859⑆ ⑆300001020⑆

CANNON CORRIGAN MANAGEMENT SERVICES, INC.
 148353
 3301 W. WASHINGTON ST. CHICAGO, IL 60640

PAY TO THE ORDER OF: Friends of John Corrigan
 DATE: 01/09/08 AMOUNT: \$1,000.00

⑆148353⑆ ⑆088300012⑆ ⑆357000836⑆

SCOTT T. KENNEDY
 1105 179
 597 W. MADISON AVE. CHICAGO, IL 60622-0909

DATE: 2/1/08
 PAY TO THE ORDER OF: Friends of John Corrigan \$50.00

⑆071000505⑆ ⑆3079929470⑆ ⑆00179⑆

DANIELLE STILZ
 1070
 PH. 638-452-5538
 806 W. WRIGHTWOOD AVE., APT. 2 CHICAGO, IL 60614

DATE: 2/1/08
 PAY TO THE ORDER OF: Friends of John Corrigan \$50.00

⑆071923909⑆ ⑆509432428⑆ ⑆1070⑆

MICHAEL J. MCCOY
 2360
 ACCOUNT #2
 747 W. WABASH #808 CHICAGO IL 60611

DATE: 2/1/08
 PAY TO THE ORDER OF: Citizens For John Corrigan \$1000.00

⑆101218856⑆ ⑆5600013044311⑆ ⑆2360⑆

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

In the Matter Of:)
)
State Board of Elections)
Complainant(s),)
Vs.) 08 AP 086
)
Friends of John Corrigan)
Respondent(s).)

FINAL ORDER

TO: Friends of John Corrigan S9443
311 W Superior St, Ste 209
Chicago, IL 60654

This matter coming to be heard this 17th day of February, 2009 as an imposition of a civil penalty under Article 9 of the Illinois Election Code (10 ILCS 5/9-1 *et. seq.*), and the State Board of Elections being fully advised in the premises,

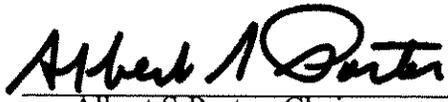
THE BOARD FINDS

1. In case number 08 AP 086, a \$3000.00 civil penalty was initially assessed against the Respondent for failing to file Schedule A-1 reports in conjunction with the February 2008 election; and
2. An appeal of the civil penalty was not timely submitted by the committee, and
3. Pursuant to section 9-10 of the Code, the assessment is reduced to \$300.00 (10% of the value of the delinquently reported contributions).

IT IS ORDERED:

1. A civil penalty in the amount of \$300.00 is imposed and is now due and owing within 30 days of the effective date of this Order; and
2. The effective date of this Order is February 18, 2009, and
3. This is a Final Order subject to review under the Administrative Review Law and Section 9-22 of the Election Code.

DATED: 2/18/2009


Albert S Porter, Chairman

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
March 3, 2009

Citizens for Judy Cates
216 West Pointe Dr, ste A
Swansea, IL 62226

S9466

NOTICE TO POLITICAL COMMITTEE

Dear Political Committee Officer/Representative,

Please be advised that your Motion for Reconsideration of a Final Board Order, case number 08 AP 067 will be presented to the Board at its March 2009 meeting. You are welcome to attend the meeting to answer any questions the Board may have, however your presence is not mandatory. The meeting will begin at 10:30 AM on March 16, 2009 and will be held at the State Board of Elections, 1020 S Spring Street, Springfield IL. You may also attend the meeting via Video Conference at our Chicago office, located in the James R Thompson Center, 100 W Randolph, Suite 14, 100.

Any Motions regarding this matter must be made in writing and received by the General Counsel no later than four (4) days before the date of the meeting. If you have any further questions please feel free to contact our office.

Sincerely,

A handwritten signature in black ink, appearing to read "Rupert T. Borgsmiller".

Rupert T. Borgsmiller, Director
Division of Campaign Disclosure

RTB: sm

3. In compliance with Illinois law, the Committee named Lisa Waligorski as its Treasurer. Lisa Waligorski was an individual well-known to Judy Cates. Mrs. Waligorski had been employed by Judy Cates as an accountant;¹ and Mrs. Waligorski represented to Judy Cates that she had experience in filing campaign disclosures in the past. Therefore, Judy Cates was confident in the experience, ability and expertise of Lisa Waligorski to carry on the bookkeeping and disclosure obligations for the Committee.

4. Because of her judicial candidacy and the restraints placed on Judy Cates by Canon 7, Judy Cates entrusted all of the money management and bookkeeping responsibilities to Lisa Waligorski.

5. Occasionally, during the campaign period (from July, 2007 – February 5, 2008), Judy Cates was told by Lisa Waligorski that she had been in contact with John Levin from the Illinois State Board of Elections, as she had some questions regarding designations and filing. Therefore, Judy Cates was further reassured that Lisa Waligorski was exercising due diligence in the performance of her responsibilities as Treasurer of “Citizens For Judy Cates.”

6. The first notice that Judy Cates had of any problem with the filing of campaign disclosure reports was the notification by the State Board of Elections of an irregularity regarding the filing of Schedule A-1 reports in conjunction with the February 5, 2008 election. Upon receipt of this notification, Judy Cates immediately

¹ Lisa Waligorski was the individual in charge of all bookkeeping services while Judy Cates was a member of Carr, Korein Tillery, LLC., a law firm which consisted of 20 lawyers. In 2003 when that law firm dissolved, Mrs. Waligorski continued to perform accounting services for Judy Cates in her own firm – The Cates Law Firm, LLC.

contacted Lisa Waligorski. After reviewing the letter from the State Board, Mrs. Waligorski, for the first time, indicated that there *might* be a couple of issues she did not understand when the A-1 filing was required.

7. An appeal was filed with the Board; Lisa Waligorski filed an affidavit, a copy of which is attached hereto as Exhibit 1.

8. A telephonic hearing regarding the appeal was conducted on December 19, 2008. On that date, Judy Cates was present with Lisa Waligorski, who placed the hearing officer on a speakerphone so that the conversation could be overheard.

9. At that time, during the telephonic hearing, the hearing officer and Mrs. Waligorski identified a couple of items that had been improperly reported. As set forth in the Waligorski Affidavit and as explained by Mrs. Waligorski during that hearing, the errors in reporting were not done in bad faith; she was in constant contact with the State Board of Elections; and any irregularity in reporting was a misunderstanding by her of the applicable time constraints.

10. The hearing officer explained that he would contact the State Board of Elections and attempt to verify the statements of Lisa Waligorski.

11. In the meantime, a second reporting requirement came due on January 20, 2009. In order not to miss that reporting date, a call was made to Lisa Waligorski to remind her of the due date. Thereafter, Lisa Waligorski indicated to the Committee that the report had been filed.

12. Subsequently, on January 22, 2009, contrary to the representations of Lisa Waligorski, the required report had not been filed timely.

13. Upon realizing that Lisa Waligorski had failed to file the report, Judy Cates immediately contacted Jason Gyure, of Gyure and Associates, and requested assistance with the issue. Lisa Waligorski was removed as Treasurer of the Committee on January 22, 2009 and, on that same date, Jason Gyure became the Treasurer of "Citizens For Judy Cates."

14. When Mr. Gyure assumed the responsibilities of Treasurer, he filed the D-1 Statement of Organization with the Illinois State Board of Elections. In doing so, he noticed a disparity between the balance in the bank account for Citizens for Judy Cates and the amount reported by Lisa Waligorski.

15. Mr. Gyure brought this irregularity to the attention of John Levin, from the State Board of Elections. At that time, John Levin agreed to give the committee, Citizens For Judy Cates, the opportunity to review its reporting procedures.

16. On February 13, 2009, because of a death in the family of Judy Cates, Mr. Levin agreed that Citizens For Judy Cates could have until March 13, 2009 to file an amended report.

17. In the meantime, unbeknownst to John Levin, Jason Gyure or any other interested person for "Citizens For Judy Cates," the State Board of Elections had scheduled a hearing for February 17, 2009 on the appeal previously filed.

18. The letter providing Jason Gyure with notice of the hearing was not received until February 17, 2009, the date the hearing had taken place. Mr. Gyure received the notice on the evening of February 17, 2009.

19. The first, oral notice of hearing was not received by Judy Cates until the evening of the 17th (the hearing took place that morning), via a phone call from Jason Gyure notifying Judy Cates of the hearing.

20. Judy Cates actually received the notice in her office on January 20, 2009, as evidenced by the date stamp on the letter received. *See* Exhibit 2 attached hereto.

21. The Illinois Election Code, 10 ILCS 5/9-21 provides, in relevant part:

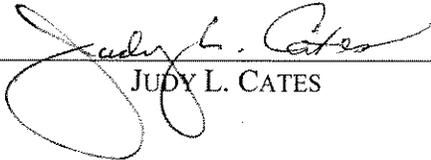
Whenever in the judgment of the Board, after affording due notice and an opportunity for a public hearing, any person has engaged or is about to engage in an act or practice which constitutes or will constitute a violation of any provision of this Article or any regulation or order issued thereunder, the Board shall issue an order ...

22. Contrary to the Illinois Election Code, the Committee, Citizens For Judy Cates, was not given a fair opportunity to be heard on its appeal, as the notice arrived after the Board had concluded its hearing. Moreover, the Committee, and its Treasurer, Jason Gyure, had agreed to work with the state Board of Elections to file an amendment for the Committee, resolving certain discrepancies.

23. In light of the discussions that were ongoing between John Levin and Jason Gyure and the fact that the notice provided by the State Board of Elections did not comply with 10 ILCS 5/9-21 by providing due notice and an opportunity to be heard, this Board should set aside the Final Order and allow the Committee the opportunity to resolve the issues of concern raised by the State Board of Elections.

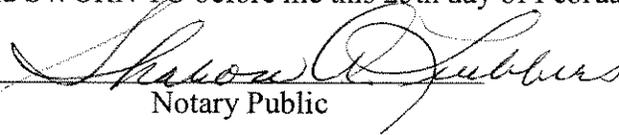
WHEREFORE, the Committee, Citizens For Judy Cates, requests that the Board reconsider its Final Order and set aside the Final Order pending an opportunity to be

heard and an opportunity to work with members of the State Board of Elections to resolve any outstanding issues.



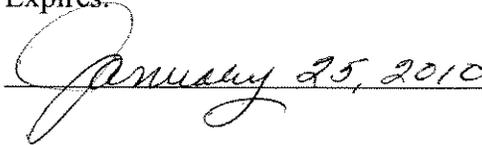
JUDY L. CATES

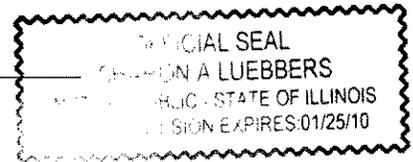
SUBSCRIBED and SWORN TO before me this 25th day of February, 2009.



Notary Public

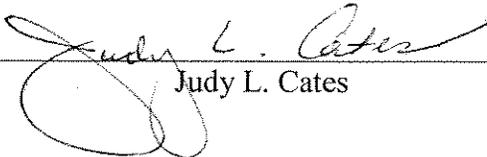
My Commission Expires:





PROOF OF SERVICE

I, Judy L. Cates, hereby certify that the original of the document entitled:
"Motion To Reconsider The "Final Order" Entered February 19, 2009 Pursuant To
125.44066" was served upon the Illinois State Board of Elections at 1020 S. Spring
Street, Springfield, Illinois 62708 on February 25, 2009.



Judy L. Cates

State of Illinois)
)
County of St. Clair)

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;)
)
ILLINOIS STATE BOARD OF ELECTIONS,)
)
Complainant)
)
Vs.) Case No. _____)
)
CITIZENS FOR JUDY CATES,)
Respondent(s).)

APPEAL AFFIDAVIT

I, Lisa Waligorski, the Treasurer of the
(Name) (Chairman/Treasurer)

Citizens for Judy Cates

(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:

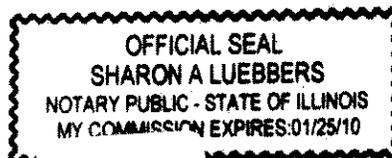
This was my first effort at reporting contributions for this committee. I repeatedly
called the Board of Elections, asking questions, to insure I was complying with the
law. I misunderstood the direction given me. The failure to file was not
intentional, as evidenced by my repeated conversations with John Levin and Sharon
Steward.

Signed and Sworn to by:

Lisa Waligorski
before me this 15th Day of
October, 2008

Sharon A. Luebbers
Notary Public

Lisa A Waligorski
(Signature of Chairman/Treasurer)



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
February 5, 2009

FEB. 2-0 2009

Citizens for Judy Cates
216 West Pointe Dr, ste A
Swansea, IL 62226

S9466

NOTICE TO POLITICAL COMMITTEE

Dear Political Committee Officer/Representative,

Please be advised that your pending appeal of a civil penalty will be presented to the Board at its February 2009 meeting. Attached for your review is as copy of the Hearing Examiner's recommendation in the matter. You are welcome to attend the meeting to answer any questions the Board may have, however your presence is not mandatory. **Please be aware that the enclosed recommendation is the Hearing Examiner's opinion *only*, and will not necessarily be the final decision by the Board.**

The meeting will begin at 10:30 AM on Tuesday, February 17, 2009 and will be held in the James R Thompson Center, 100 W Randolph, Suite 9-040, Chicago IL. You may also attend the meeting via Video Conference at our Springfield office, located at 1020 S. Spring Street, Springfield IL. Any Motions regarding this matter must be made in writing and received by the General Counsel no later than four (4) days before the date of the meeting. If you have any further questions please feel free to contact our office.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert T. Borgsmiller".

Robert T. Borgsmiller, Director
Division of Campaign Disclosure

RTB: sm



STATE OF ILLINOIS
COUNTY OF COOK

BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

Illinois State Board of Elections
Complainant

v.

08 AP 067

Citizens for Judy Cates S9466
Respondent

REPORT OF HEARING EXAMINER

Appeal of Civil Penalty Assessment for Failure to File
Schedule A-1's in conjunction with the 2008 General Primary Election

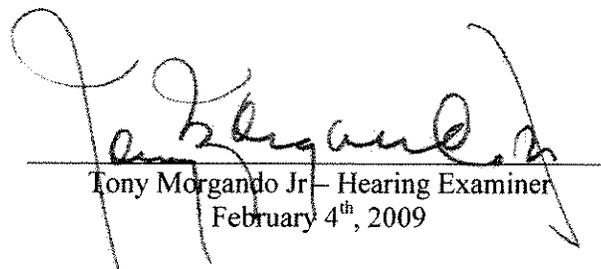
According to the political committee's June 2008 Semi Annual Report, it received contributions during the Schedule A-1 filing period, January 1st, 2008 through February 4th, 2008, which failed to be reported as required by statute: Jack Scoville, dated January 16th, 2008, in the amount of \$500.00; Robin Short, dated January 31st, 2008, in the amount of \$10,000.00, and four (4) donations from Cates Law Firm, all dated January 2nd, 2008 in the amounts of \$500.00, \$24.55, \$25.00 and \$38.84. The political committee is assessed a total penalty of \$11,338.50

Ms. Lisa Waligorski, Treasurer, filed a Request for Hearing and Appeal Affidavit, on October 20th, 2008, indicating: "This was my first effort at reporting contributions for this committee. I repeatedly called the Board of Elections, asking questions, to insure I was complying with the law. I misunderstood the directions given me. The failure to file was not intentional, as evidenced by my repeated conversations with John Levin and Sharon Steward".

Hearing in this matter was set for Friday, December 19th, 2008, to be conducted telephonically via conference call, at 10:00 a.m.

Ms. Waligorski, spoke on behalf of the political committee. Ms. Waligorski indicated the in-kind contribution of Robin Short in the amount of \$10,000.00 was for the services of a campaign worker, paid to Goldenberg Heller Antognoli Rowland & Short. Ms. Waligorski stated she was unaware if such payment was lump sum, or paid periodically. Ms. Waligorski also indicated in-kind contributions provided by the Cates Law Firm, were actually payments charged to the law firm's credit card, which may have been incurred in December 2007, but reported as stated on the January 2008 billing statement. Ms. Waligorski stated this was her first use of the IDIS program, which entailed a 99 page filing. Ms. Waligorski indicated any errors were strictly unintentional.

Based upon a review of the documents/statements submitted in this matter, it is the opinion of the Hearing Examiner, that no reasonable grounds exist for the political committee's failure to file Schedule A-1's, as required by statute. Therefore, it is the recommendation of the Hearing Examiner that the appeal in this matter be denied. Since this is the first delinquent filing of a Schedule A-1 by the political committee, the assessed civil penalty is reduced 10% or \$1134.00 and is now due and owing.


Tony Morgando Jr - Hearing Examiner
February 4th, 2009

**STATE OF ILLINOIS
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS**

Illinois State Board of Elections

Complainant

v.

08 AG 002

Steve Weber for Auditor

L 9657

Respondent

REPORT OF HEARING EXAMINER

Appeal of Civil Penalty Assessment

For Failure to File a Schedule A-1 for the 2008 General Election

This Committee received one contribution of \$7125 on 10/21/08, and listed it on an electronically filed Schedule A-1 on 10/30/08, 5 days late, resulting in a civil penalty assessment of \$7125.

Steve Weber, the Chairman and Treasurer of the Committee, filed a Waiver of Appearance and submitted on the Appeal Affidavit the following:

On the Affidavit, Mr. Weber stated that the Schedule A-1 was faxed on 10/22/08 at 12:18, one day after he received notice of the in-kind details. See the attached activity report. A-1 instructions state filing by either hand, facsimile, or e-file.

The Schedule A-1 was filed first on paper and then electronically on 10/30/08, which the committee was required to do. The committee may only fax its Schedule A-1 forms if they are not required to file electronically. Mr. Weber also stated that the Schedule A-1 was faxed on 10/22/08. The Board has no record of having received that A-1, but Mr. Weber has attached his fax log which shows a successful fax transmission of 1 page to 217-557-5630, one of the Board's fax numbers, at 12:18 on 10/22/08. The log also shows an earlier unsuccessful transmission to that number at 12:11 on that date. Although the Board has no record of having received it, I believe that this Affidavit and the attached log sufficiently demonstrate that the form was faxed to the Board and received by the Board. The fact that it was faxed rather than electronically filed, was remedied when it was electronically filed on 10/30/08. That fax on 10/22/08 would have been accepted, since the Committee had not yet received its official notification letter advising it that paper filings would be unacceptable. I therefore recommend that the appeal be granted.



Sharon Steward – Hearing Examiner

March 2, 2009

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 16, 2008

Steve Weber for Auditor
Steve Weber
11602 W Abbey Rd
Mokena, IL 60448

L9657

Dear Steve Weber for Auditor;

This committee has failed to file the following Schedule A-1's, Report of Campaign contributions of more than \$500.00, within 2 business days of receipt as required by the Illinois Campaign Disclosure Act:

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Fine Assessed</u>	<u>Amount of Contribution</u>	<u>Date A-1 Received</u>	<u>Days Late</u>
The Stonebridge Group	10/21/08	\$7125.00	\$7125.00	10/30/08	5

The committee is fined a **total** of \$7125.00 for delinquently filing Schedule A-1 reports as required by the Illinois Campaign Disclosure Act. This total **does not** reflect any previously assessed fines.

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b-5) of the Election Code, the Board may impose fines for violations not to exceed 100% of the total amount of the contributions that were untimely reported, but in no case when a fine is imposed shall it be less than 10% of the total amount of the contributions that were untimely reported.

Since this is the first delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$713.00, (10% of the total amount reflected above) if you do not choose to file an appeal under the Board's present policy. The total amount due will be imposed with the issuance of a Final Board Order after the 30-day appeal period had expired. If your committee has no other civil penalty assessments and only one delinquent Schedule A-1 amount is listed above, the penalty will be **stayed** as a first violation and would only become due and owing upon any subsequent delinquent filings by the committee.

Enclosed please find Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fines if you believe the civil penalties have been assessed in error. **If you have a legitimate reason for your delinquent filing, it would behoove you to send in the appeal form since the Board has the discretion to take extenuating and other circumstances into account in determining the amount of your penalty.** Notice of Appeal must be filed within 30 days of the mailing of this assessment for it to be considered.

State of Illinois)
County of Will)

STATE BOARD OF ELECTIONS
09 JAN -5 AM 11:33

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;)
ILLINOIS STATE BOARD OF ELECTIONS,)
Complainant)
Vs.)
STEVE WEBER for Auditor)
Respondent(s).)

Case No. 08 AG 002

APPEAL AFFIDAVIT

I, Steve Weber, the Chairman & Treasurer of the
(Name) (Chairman/Treasurer)
Steve Weber for Auditor
(Name of the Committee)

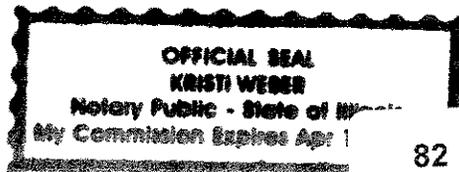
Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

Schedule A-1 was filed on 10/22/08 12:18 one day
after I received notice of the in-kind details. See attached
for activity report. A-1 instructions state filing by either
hand, facsimile, or e-file.

Signed and Sworn to by:

Kristi Weber
before me this 2 Day of
January, 2008-2009
Kristi Weber
Notary Public

Steve Weber
(Signature of Chairman/Treasurer)



State of Illinois)
County of Will)

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;)
ILLINOIS STATE BOARD OF ELECTIONS,)
Complainant)
Vs.)
STEVE WEBER for Auditor)
Respondent(s).)

Case No. _____

WAIVER OF APPEARANCE

I, STEVE WEBER, the Chairman & Treasurer of the
(Name) (Chairman/Treasurer)
Steve Weber for Auditor
(Name of Committee)

Committee, appeals on behalf of the said committee the assessment of civil penalty proposed in this matter and submits in support of that appeal the accompanying affidavit. The said committee waives personal appearance before the State Board of Elections for hearing on this appeal and agrees that the State Board of Elections may enter its order with respect to this appeal in the absence of a representative of the committee.

Steve Weber
(Signature of Chairman/Treasurer)

STEVEN P. WEBER, CPA
19224 SCHOOLHOUSE RD.
MOKENA, IL 60448
815-469-5290

FACSIMILE TRANSMITTAL SHEET

TO: *State Bd of Elections*

FROM: Steve

DATE: 12-18-08

COMPANY:

FAX NUMBER:

PHONE NUMBER:

RE: TOTAL NO. OF PAGES INCLUDING COVER:

SENDER'S REFERENCE NUMBER:

YOUR REFERENCE NUMBER:

URGENT FOR REVIEW PLEASE COMMENT PLEASE REPLY PLEASE RECYCLE

NOTES/COMMENTS:

Please see attached proof of ontime delivery of A-1.
The activity report confirms the dates & corroborated my
signature date. Please remove the penalty from my
Committee. L9657

Steve Weber

19224 SCHOOLHOUSE RD. MOKENA, IL 60448 FAX (815) 469-5290
EMAIL: SPWEBER@MSN.COM

09/07/19 11:09:11
 2008 12 18 14:05:00

*** ACTIVITY REPORT ***

ST. TIME	DESTINATION NUMBER	DESTINATION ID	NO.	MODE	PGS.	RESULT
			5047	AUTO RX	ECM	1 OK 00'29
*05/22 15:02			5048	AUTO RX	ECM	2 OK 00'38
*05/22 15:11			5049	AUTO RX	ECM	2 OK 00'46
*05/22 15:18			5046	AUTO RX	5	NG 00'00
*05/22 15:22					0	#995
			5047	AUTO RX	1	NG 00'00
*05/22 15:26					0	#995
			5048	AUTO RX	2	NG 00'00
*05/22 15:27					0	#995
			5049	AUTO RX	2	NG 00'00
*05/22 15:28					0	#995
			5050	AUTO RX	ECM	1 OK 00'30
*05/27 09:18			5050	AUTO RX	1	NG 00'00
*05/27 09:23					0	#995
*05/28 10:48	7084785439		5051	AUTO RX	ECM	2 NG 00'44
					2	
*06/01 20:55			5052	AUTO RX	G3	0 NG 00'46
					0	#005
*06/01 20:57	7084785439		5053	AUTO RX	ECM	7 OK 02'27
*07/14 21:35			5054	AUTO RX	ECM	3 OK 00'33
*09/10 21:54	18158380205		0059	TRANSMIT	ECM	4 OK 00'47
10/03 12:30	17733948749		0060	TRANSMIT	ECM	2 OK 00'24
10/05 12:23	17084794781		0061	TRANSMIT	ECM	7 OK 02'45
10/17 14:37			5055	AUTO RX	ECM	2 OK 00'25
10/22 12:11	12175575630		0062	TRANSMIT	0	NG 00'38
					0	
10/22 12:16			5055	AUTO RX	2	NG 00'00
					0	#995
10/22 12:18	12175575630		0063	TRANSMIT	ECM	1 OK 00'23

facel

SCHEDULE A-1

REPORT OF CAMPAIGN CONTRIBUTIONS

OF

MORE THAN \$500

FOR OFFICE USE ONLY

POLITICAL COMMITTEE
IDENTIFICATION NO

L-9657

Full name and complete mailing address of Political Committee:

STEVE WEBER FOR Auditor
19224 Schoolhouse Rd.
Mokena, IL 60448

SEE PAMPHLET "A GUIDE TO CAMPAIGN DISCLOSURE" FOR GUIDANCE.

This form must be on file within **TWO** business days of receipt of a contribution in an aggregate of more than \$500 received: a) in the period from January 1st up through and including the day before a General Primary Election or b) in the 30 day period preceding any other election, (up through and including the day before any election) by either:

1. **HAND DELIVERY** - to a state board of elections office (see bottom of form for addresses),
2. **FACSIMILE** - to (217)-557-5630 or (217)-782-5959. Please retain a confirmation transmission for your records, or
3. **ELECTRONIC TRANSMISSION**

Postal service or other mail services may be used. **CAUTION;** such services do not guarantee that the A-1 form will be received by our office prior to the deadline. **A POSTMARK IS NOT USED TO DETERMINE WHETHER AN A-1 FORM HAS BEEN TIMELY FILED.**

This form must be on file with the State Board of Elections within two business days of receipt of a contribution of more than \$500 or penalties will be levied for late filings. Report may be hand delivered or faxed to (217)-557-5630 or (217)-782-5959.

THESE CONTRIBUTIONS MUST ALSO BE REPORTED ON THE NEXT REGULARLY SCHEDULED FORM D-2 REPORT. SCHEDULE

RECEIVED FROM: FULL NAME, MAILING ADDRESS, AND ZIP CODE	DATE	AMOUNT
The Stonridge Group, LLC 554 West Main Street Building A Suite 200 Bedford, GA 30518	10/21/08	\$ 7,125.00
		\$
		\$
		\$
		\$


SIGNATURE OF TREASURER OR CANDIDATE

DATE 10/22/08

THE ILLINOIS STATE BOARD OF ELECTIONS IS REQUESTING DISCLOSURE OF INFORMATION THAT IS NECESSARY IF YOU QUALIFY AS A POLITICAL COMMITTEE AS OUTLINED UNDER PUBLIC ACT 78-1183, DISCLOSURE OF THIS INFORMATION IS REQUIRED, FAILURE TO PROVIDE ANY INFORMATION COULD RESULT IN A FINE UP TO \$3,000. THIS FORM IS IN COMPLIANCE WITH THE FORMS MANAGEMENT PROGRAM ACT.

STATE POLITICAL COMMITTEES RETURN TO:
STATE BOARD OF ELECTIONS OR
1020 S SPRING ST
PO BOX 4187
SPRINGFIELD, IL 62708-4187
(217) 557-5630 FAX, (217) 782-5959 FAX

STATE BOARD OF ELECTIONS
JAMES R. THOMPSON CENTER
100 W RANDOLPH ST, STE 14-100
CHICAGO, IL 60601-3232

LOCAL POLITICAL COMMITTEES AND STATE AND LOCAL POLITICAL COMMITTEES SHALL FILE WITH THE STATE BOARD OF ELECTIONS AND EACH APPROPRIATE COUNTY CLERK.

(THIS FORM MAY BE REPRODUCED)

SEE INSTRUCTIONS ON REVERSE SIDE

**STATE OF ILLINOIS
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS**

Illinois State Board of Elections
Complainant

v.

08 AG 003

23rd Ward Regular Democratic Organization L13083
Respondent

REPORT OF HEARING EXAMINER

Appeal of Civil Penalty Assessment
For Delinquently Filing a Schedule A-1 for the 2008 General Election

This Committee received one contribution of \$1000 on 10/21/08 from Cardinal Fitness of Garfield Ridge LLC, and filed it on a Schedule A-1 On 10/28/08, 3 days late, resulting in a civil penalty of \$1000. In addition, this Committee had previously been assessed \$2425 (not appealed, paid) for delinquently filing the D-1 Statement of Organization; \$50 (not appealed, paid) for delinquently filing a Schedule A-1 for the 2006 General Election; \$40 (not appealed, paid) for delinquently filing a Schedule A-1 for the 2006 General Election; and \$50 (not appealed, paid) for delinquently filing a Schedule A-1 for the 2006 General Election. The total outstanding assessment is \$1000.

Michael Zalewski, the Chairman of the Committee, filed a Waiver of Appearance, and submitted on the Appeal Affidavit the following:

On the Affidavit, he referenced an attachment. On the attachment, he stated that as is their practice, they filed the A-1 in question when they received it. After it was uploaded, they realized they put the wrong date on the contribution. They immediately contacted the Board and were advised that it could not be corrected electronically. They were also advised to file it correctly and send a letter of explanation to the Board. All of this happened on the same day, October 28, 2008. Copies of the two filings, the acceptances and the correspondence they sent the Board are enclosed. This was a clerical error and not willful neglect. They ask that the penalty be abated.

According to the documents attached and a review of their electronic filings, it is clear that the situation is as it was explained in the Affidavit. They inadvertently put in the wrong date, and immediately contacted Board staff to inquire how best to resolve the situation. They did as they were told, filed the report correctly and submitted a letter explaining what had happened. Since there is no way to electronically amend a Schedule A-1, this was their only option and they accomplished it quickly. I therefore recommend that the appeal be granted.



Sharon Steward – Hearing Examiner
February 24, 2009

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 16, 2008

23rd Ward Regular Democratic Organization
Michael Zalewski, James Cacciottolo
5838 S Archer Ave.
Chicago, IL 60638

L13083

Dear 23rd Ward Regular Democratic Organization;

This committee has failed to file the following Schedule A-1's, Report of Campaign contributions of more than \$500.00, within 2 business days of receipt as required by the Illinois Campaign Disclosure Act:

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Fine Assessed</u>	<u>Amount of Contribution</u>	<u>Date A-1 Received</u>	<u>Days Late</u>
Cardinal Fitness of Garfield Ridge LLC	10/21/08	\$1000.00	\$1000.00	10/28/08	3

The committee is fined a **total** of \$1000.00 for delinquently filing Schedule A-1 reports as required by the Illinois Campaign Disclosure Act. This total **does not** reflect any previously assessed fines.

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b-5) of the Election Code, the Board may impose fines for violations not to exceed 100% of the total amount of the contributions that were untimely reported, but in no case when a fine is imposed shall it be less than 10% of the total amount of the contributions that were untimely reported.

Since this is the second delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$500.00, (50% of the total amount reflected above) if you do not choose to file an appeal under the Board's present policy. The total amount due will be imposed with the issuance of a Final Board Order after the 30-day appeal period had expired. This amount must be paid (including any previously assessed fines), within 30 days of the issuance of the Order.

Enclosed please find Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fines if you believe the civil penalties have been assessed in error. ***If you have a legitimate reason for your delinquent filing, it would behoove you to send in the appeal form since the Board has the discretion to take extenuating and other circumstances into account in determining the amount of your penalty.*** Notice of Appeal must be filed within 30 days of the mailing of this assessment for it to be considered.

09 JAN -9 PM 2:05

State of Illinois)
County of Cook)

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;)
ILLINOIS STATE BOARD OF ELECTIONS,)
Complainant)
Vs.)
23rd Ward Regular Democratic Organization)
Respondent(s).)

Case No. 08AG-003

APPEAL AFFIDAVIT

I, Michael Zalewski, the Chairman of the
(Name) (Chairman/Treasurer)
23rd Ward Regular Democratic Organization
(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:

SEE ATTACHMENT

Signed and Sworn to by:
Michael R. Zalewski
before me this 7 Day of
JANUARY, 2008 ~~2009~~
Laura Lee Nieciak
Notary Public

Michael R. Zalewski
(Signature of Chairman/Treasurer)



STATEMENT

As is our practice we filed the A1 in question when we received it. After the acceptance of the filing via the internet it was discovered the wrong date was entered. We immediately called the State Board of Elections and spoke with specialist Andy Nauman. He said it could not be corrected via the internet. His recommendation was to file it correctly and send a letter of explanation to his attention at the State Board of Election. All if this happened on the same day, October 28, 2008. Copies of the two filings, the acceptances and the correspondence we sent him are enclosed for your review.

This was a clerical error and not willful neglect. Upon your review, we respectfully request this penalty be abated.

5210 West 95th Street Suite 200
Oak Lawn, IL 60453-2460

Tel (708) 425-1800
Fax (708) 425-2007

J. Quinn Mucker, Ltd.

Certified Public Accountant

October 28, 2008

State Board of Election
State of Illinois
James R. Thompson Center
100 West Randolph Suite 14-100
Chicago IL 60601

Attn: Andy Nauman

RE: 23rd Ward Regular Democratic Organization

Gentlemen:

An A1 was filed on 10/28/08 for the above named organization which had an incorrect date. They received the check on 10/27/08 and was deposited and reported on 10/28/08 not 10/21/08. Please correct your records for timely filing.

We thank you for your attention to this matter.

Kindly acknowledge receipt of this letter on the copy, which is provided for your convenience.

Sincerely,
J. Quinn Mucker, Ltd.

COPY

J. Quinn Mucker, Ltd.

DISCLOSE -- Illinois Political Financial Disclosure Filing Acknowledgement

This is to acknowledge the receipt and acceptance of your electronic filing via the DISCLOSE protocol.

Your filing was received and accepted by our system at Tue Oct 28 08:48:38 2008, and was assigned the Filing ID of: IL-100103

Please make a note of this, as it will be necessary to refer to this information in the future.

Thank you for using DISCLOSE.

For your reference, the output of the validation check was as follows:

Illinois PDP File Validator Ver: IL-1.00.17

Developed by NIC Technologies, Inc. 1996-2001

=====

Committee ID: FID3423
Committee Name: 23rd Ward Regular Democratic Organization
Filing Type: A-1

>>>----> PDP data file PASSED validation! <----<<<

COPY



SCHEDULE A-1

REPORT OF CAMPAIGN CONTRIBUTIONS OF \$500 OR MORE

1 / 1

Full name and complete mailing address of Political Committee

23rd Ward Regular Democratic Organization

5838 Archer Ave

Chicago IL 60638

**THIS FORM MAY BE
TRANSMITTED BY FAX.**

FOR OFFICE USE ONLY

IDENTIFICATION NO.

INSTRUCTIONS

ANY CONTRIBUTION IN AN AGGREGATE OF \$500.00 OR MORE RECEIVED IN THE THIRTY DAY PERIOD PRECEDING ANY ELECTION MUST BE REPORTED WITHIN TWO BUSINESS DAYS OF RECEIPT.

CONTRIBUTIONS MUST ALSO BE REPORTED ON THE NEXT REGULAR CAMPAIGN CONTRIBUTIONS REPORT - FORM D-2 - SCHEDULE A.

RECEIVED FROM: FULL NAME, MAILING ADDRESS, AND ZIP CODE	RECEIPT TYPE	DATE	AMOUNT
Cardinal Fitness of Garfield Ridge LLC 15010 Ravina Ste10 Orland Park IL 60462	<input checked="" type="checkbox"/> Individual Monetary Contributions <input type="checkbox"/> Transfers In <input type="checkbox"/> Loans Received <input type="checkbox"/> Other Receipts (No In-kind) <input type="checkbox"/> In-kind Contributions	10/21/2008 <i>Correct</i>	1000.00

COPY

Michael Zalewski

SIGNATURE OF TREASURER OR CANDIDATE

10/21/2008

DATE

THE ILLINOIS BOARD OF ELECTIONS IS REQUESTING DISCLOSURE OF INFORMATION THAT IS NECESSARY IF YOU QUALIFY AS A POLITICAL COMMITTEE AS OUTLINED UNDER PUBLIC ACT 78-1183. DISCLOSURE OF THIS INFORMATION IS REQUIRED. FAILURE TO PROVIDE ANY INFORMATION COULD RESULT IN A FINE UP TO \$1,000.00. THIS FORM IS IN COMPLIANCE WITH THE FORMS MANAGEMENT PROGRAM ACT.

STATE POLITICAL COMMITTEE
RETURN TO
STATE BOARD OF ELECTIONS
1020 SOUTH SPRING STREET
P.O BOX 4187
SPRINGFIELD IL 62708

LOCAL POLITICAL COMMITTEES AND
STATE AND LOCAL POLITICAL COMMITTEES
RETURN ORIGINAL TO:
STATE BOARD OF ELECTIONS
AND COPY TO
APPROPRIATE COUNTY CLERK

THIS FORM MAY BE REPRODUCED

Printed on Recycled Paper

DISCLOSE -- Illinois Political Financial Disclosure Filing Acknowledgement

This is to acknowledge the receipt and acceptance of your electronic filing via the DISCLOSE protocol.

Your filing was received and accepted by our system at Tue Oct 28 13:37:24 2008, and was assigned the Filing ID of: IL-100152

Please make a note of this, as it will be necessary to refer to this information in the future.

Thank you for using DISCLOSE.

For your reference, the output of the validation check was as follows:

Illinois PDP File Validator Ver: IL-1.00.17

Developed by NIC Technologies, Inc. 1996-2001

=====
Committee ID: FID3423
Committee Name: 23rd Ward Regular Democratic Organization
Filing Type: A-1

>>>----> PDP data file PASSED validation! <----<<<

COPY



SCHEDULE A-1

REPORT OF CAMPAIGN CONTRIBUTIONS OF \$500 OR MORE

1 / 1

Full name and complete mailing address of Political Committee

23rd Ward Regular Democratic Organization

5838 Archer Ave

Chicago IL 60638

**THIS FORM MAY BE
TRANSMITTED BY FAX.**

FOR OFFICE USE ONLY

IDENTIFICATION NO.

INSTRUCTIONS

ANY CONTRIBUTION IN AN AGGREGATE OF \$500.00 OR MORE RECEIVED IN THE THIRTY DAY PERIOD PRECEDING ANY ELECTION MUST BE REPORTED WITHIN TWO BUSINESS DAYS OF RECEIPT.

CONTRIBUTIONS MUST ALSO BE REPORTED ON THE NEXT REGULAR CAMPAIGN CONTRIBUTIONS REPORT - FORM D-2 - SCHEDULE A.

RECEIVED FROM: FULL NAME, MAILING ADDRESS, AND ZIP CODE	RECEIPT TYPE	DATE	AMOUNT
Joseph Wesslowski 5249 S Merrimac Chicago IL 60638	<input checked="" type="checkbox"/> Individual Monetary Contributions <input type="checkbox"/> Transfers In <input type="checkbox"/> Loans Received <input type="checkbox"/> Other Receipts (No In-kind) <input type="checkbox"/> In-kind Contributions	10/28/2008	600.00
Cardinal Fitness of Garfield Ridge LLC 15010 Ravina Ste 10 Orland Park IL 60462	<input checked="" type="checkbox"/> Individual Monetary Contributions <input type="checkbox"/> Transfers In <input type="checkbox"/> Loans Received <input type="checkbox"/> Other Receipts (No In-kind) <input type="checkbox"/> In-kind Contributions	10/28/2008	1000.00

COPY

Michael Zalewski

SIGNATURE OF TREASURER OR CANDIDATE

10/28/2008

DATE

THE ILLINOIS BOARD OF ELECTIONS IS REQUESTING DISCLOSURE OF INFORMATION THAT IS NECESSARY IF YOU QUALIFY AS A POLITICAL COMMITTEE AS OUTLINED UNDER PUBLIC ACT 78-1183. DISCLOSURE OF THIS INFORMATION IS REQUIRED. FAILURE TO PROVIDE ANY INFORMATION COULD RESULT IN A FINE UP TO \$1,000.00. THIS FORM IS IN COMPLIANCE WITH THE FORMS MANAGEMENT PROGRAM ACT.

STATE POLITICAL COMMITTEE
RETURN TO
STATE BOARD OF ELECTIONS
1020 SOUTH SPRING STREET
P.O. BOX 4187
SPRINGFIELD IL 62768

LOCAL POLITICAL COMMITTEES AND
STATE AND LOCAL POLITICAL COMMITTEES
RETURN ORIGINAL TO:
STATE BOARD OF ELECTIONS
AND COPY TO
APPROPRIATE COUNTY CLERK

**STATE OF ILLINOIS
COUNTY OF COOK**

**BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS**

Illinois State Board of Elections
Complainant

v.

Case No. **08 AP 052**

Citizens to Elect Eddie Washington
Respondent

S8022

REPORT OF HEARING EXAMINER

Appeal of Civil Penalty Assessment for Failure to File a
Schedule A-1 for the 2008 General Primary Election

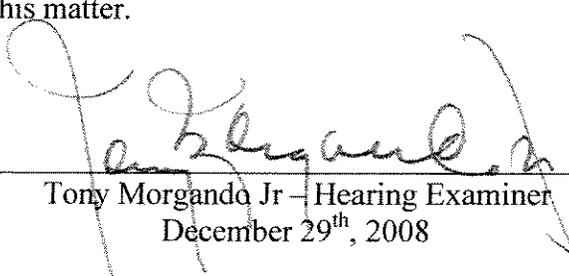
According to the political committee's June 2008 Semi Annual Report, it received a contribution during the Schedule A-1 filing period, January 1st, 2008 through February 4th, 2008, which failed to be reported as required by statute; Committee to Elect Jay Hoffman, dated February 4th, 2008, in the amount of \$1,000. The political committee has been assessed a penalty of \$1,000.00

Mr. Michael J. Kasper, Counsel, filed a Motion for Reconsideration on November 25th, 2008, which motion was granted by the Illinois State Board of Elections on December 9th, 2008.

Hearing in this matter was set for Monday, December 29th, 2008, to be conducted at the Chicago Board office, 100 W. Randolph, 14-100, at 10:00 a.m.

Mr. Michael J. Kasper, Counsel, appeared on behalf of the political committee. Mr. Kasper indicated the political committee inadvertently reported the donation by the date the check was issued, rather than the date of actual receipt. Mr. Kasper tendered to the Hearing Examiner (1) a copy of a check issued by the Committee to Elect Jay Hoffman, paid to the order of the Citizens to Elect Eddie Washington, dated February 4th, 2008, in the amount of \$1,000.00; (2) a copy of the reverse side of such check indicating a deposit at the First Midwest Bank on February 13th, 2008, and (3) a copy of a First Midwest Bank deposit slip, indicating a total deposit of \$1,250.00, dated February 13th, 2008, at 4:00 p.m. Mr. Kasper stated the political committee would file an amended June 2008 Semi-Annual Report to reflect the correct receipt date.

After a review of documents/statements presented in this matter, it is the opinion of the Hearing Examiner that the political committee was not required to file a Schedule A-1, disclosing the contribution received from the Committee to Elect Jay Hoffman. Therefore it is the recommendation of the Hearing Examiner that the appeal be granted in this matter.



Tony Morgando Jr - Hearing Examiner
December 29th, 2008

COMMITTEE TO ELECT 12/87
JAY C. HOFFMAN
P. O. Box 134
Collinsville, IL 62234

6680
70-22667/11

Date 2/4/2008

Pay to the Order of Citizens to Elect Eddie Washington \$ 1,000⁰⁰
Dollars

one thousand & 00/100

REGIONS 
BANK

Maria Taylor Ruth

For _____
⑈006680⑈ ⑆07112266⑆ 00 0013 188⑈

10/10/08 10:10

PAY TO THE ORDER OF
 FIRST MIDWEST BANK
 WALBRIDGE, IL 60087
 071901604
 FOR DEPOSIT ONLY
 CITIZENS TO RE-SELECT
 EDDIE WASHINGTON
 8100173467

FIRST MIDWEST BANK 071901604
 20080219 12080907
 8100173467 -098 005 00
 2008

The following security features and others
 not listed exceed industry standards:

- Absence of recalculation of Optical Security Series
- Document appearance if altered
- Absence of recalculation of Optical Security Series
- Document recolor on back of check
- Absence of any marks or holes on the back of the check
- Color patterns of spots appear with UV light
- Absence of perforation
- Absence of perforation

CHECKS
USD \$

RECORD OF DEPOSITS FOR DEPOSIT
DOLLARS CENTS

ENTER
TOTAL ON
FRONT

FIRST MIDWEST BANK >071901604<
\$ 80080213 12080905
8100173467 098 005 06
8100

TR:122 403-38
TBY

02/13/88 04:00 PM

Chk Deposit

8100173467

1,250.00

CASH COLLECTOR FINANCIAL INSTITUTIONS USE ONLY

	X	100
	X	50
	X	20
	X	10
	X	5
	X	1
TOTAL	\$	

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
October 2, 2008

Citizens to Elect Eddie Washington
Eddie Washington
929 Washington Park
Waukegan, IL 60085

S8022

Dear Citizens to Elect Eddie Washington;

This committee has failed to file the following Schedule A-1's, Report of Campaign contributions of more than \$500.00, within 2 business days of receipt as required by the Illinois Campaign Disclosure Act:

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Fine Assessed</u>	<u>Amount of Contribution</u>	<u>Date A-1 Received</u>	<u>Days Late</u>
Committee to Elect Jay Hoffman	2/4/08	\$1000.00	\$1000.00	*not filed	1

The committee is fined a **total** of \$1000.00 for delinquently filing Schedule A-1 reports as required by the Illinois Campaign Disclosure Act. This total **does not** reflect any previously assessed fines.

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b-5) of the Election Code, the Board may impose fines for violations not to exceed 100% of the total amount of the contributions that were untimely reported, but in no case when a fine is imposed shall it be less than 10% of the total amount of the contributions that were untimely reported.

Since this is the second delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$500.00, (50% of the total amount reflected above) if you do not choose to file an appeal under the Board's present policy. The total amount due will be imposed with the issuance of a Final Board Order after the 30-day appeal period had expired. This amount must be paid (including any previously assessed fines), within 30 days of the issuance of the Order.

Enclosed please find Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fines if you believe the civil penalties have been assessed in error. *If you have a legitimate reason for your delinquent filing, it would behoove you to send in the appeal form since the Board has the discretion to take extenuating and other circumstances into account in determining the amount of your penalty.* Notice of Appeal must be filed within 30 days of the mailing of this assessment for it to be considered.

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

Sincerely,



Robert T. Borgsmiller

Director, Division of Campaign Disclosure

RTB:sm

* This contribution was reported on the June 2008 Semi-Annual Report but should have been reported on a Schedule A-1 Report of Campaign Contributions of more than \$500.00, within 2 business days of receipt.

** This contribution did not, by itself, necessitate filing of a Schedule A-1. No fine was assessed for this contribution – it is listed for informational purposes only. A subsequent contribution, when aggregated with this contribution, exceeded the "more than \$500.00" threshold and was used as the basis for the fine assessment.

State of Illinois)
)
County of Cook)

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;)
)
ILLINOIS STATE BOARD OF ELECTIONS,)
)
Complainant)
)
vs.)
)
Citz. to Elect Eddie Washington)
Respondent(s).)

No. 08 AP 052

APPEAL AFFIDAVIT

I, Michael Kasper, the Counsel of the
(Name) (Chairman/Treasurer)
Citizens to Elect Eddie Washington
(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:

To be presented at the Appeals Hearing

Subscribed and Sworn to Before me
This 16th Day Of February, 2009

Dorene M Egan
NOTARY PUBLIC
Official Seal
Dorene M Egan
Notary Public State of Illinois
My Commission Expires 08/16/2012

Michael Kasper
(Signature of Chairman/Treasurer)
Counsel

State of Illinois)
)
County of Cook)

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

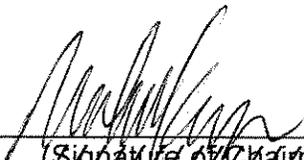
IN THE MATTER OF;)
)
ILLINOIS STATE BOARD OF ELECTIONS,)
)
Complainant)
)
vs.)
)
Citizens to Elect Eddie Washington)
)
Respondent(s).)

No. 08 AP 052

REQUEST FOR HEARING

I, Michael Kasper, the Counsel
(Name) (Chairman/Treasurer)
Citizens to Elect Eddie Washington
(Name of Committee)

Committee, appeals on behalf of the said committee the assessment of civil penalty proposed in this matter and submits in support of that appeal the accompanying affidavit. The said committee requests a public hearing at which it will appear to offer reasons and defenses why the proposed assessment should not be imposed.



(Signature of Chairman/Treasurer)
Counsel

**STATE OF ILLINOIS
COUNTY OF COOK**

**BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS**

Illinois State Board of Elections
Complainant

v.

08 GE 046

Friends for Howland S8930
Respondent

REPORT OF HEARING EXAMINER

Appeal of Civil Penalty Assessment for the Delinquent Filing of the
November 2008 Pre-Election Election Report

According to the Illinois State Board of Elections Disclosure Division, it received a Pre-Election Report for the 2008 November General Election, from the Friends for Howland, on October 21st, 2008, one (1) day late. As such, the political committee has been assessed a fine of \$200.00. In addition, the political committee was previously assessed a penalty of \$100.00 for the delinquent filing of a Schedule A-1 for the November 2006 Pre-Election Report. The total assessment is \$300.00. Since this is a subsequent violation it will be required to be paid by the political committee within thirty (30) days of the issuance of the Final Order of the Board.

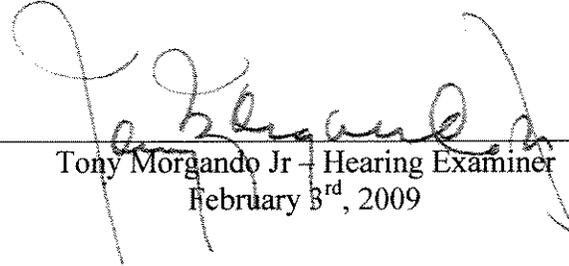
Ms. Amanda D. Howland, Candidate, filed a Request for Hearing and Appeal Affidavit, on January 12th, 2009, indicating in part: "My finance chairman informed me on 10/17 that he was in Washington State pursuing a new job. He assured me his wife would get all the financial records to me. She delivered them on 10/19 at 10:00 p.m. I spent the evening and most of 10/20 working on the report. I tried many times to upload the information but could not get the system to accept it. I telephoned both Springfield and Chicago but did not get an answer. I left voice messages. I sent an email and a fax explaining my problem".

Attached to the Appeal Affidavit, (1) confirmation of an email sent Tuesday, October 21st, 2008, at 12:08 p.m., directed to webmaster@elections.il.gov, indicating being a first time filer, and the difficulty experienced in uploading the report, and (2) an official receipt issued by the State Board of Elections, dated Tuesday, October 21st, 2008, indicating receipt of correspondence related to "Report explanation", (attached), which addresses the candidates difficulty in electronically filing the report.

Hearing in this matter was scheduled for Tuesday, February 3rd, 2009, to be conducted at the Chicago Board office, 100 W. Randolph, 14-100, at 11:00 a.m.

Ms. Amanda Howland, Candidate, appeared on behalf of the Respondent. Aside from reaffirming statements contained in her Appeal Affidavit, Ms. Howland indicated this was her 1st attempt at using the IDIS program to file a document.

Based upon a review of the documents/statements submitted in this matter, and conversations with State Board of Elections staff, it is apparent significant electronic filing concerns were involved in the delinquent filing. It is the opinion of the Hearing Examiner that an electronic issue existed, which is a reasonable defense in this matter. Therefore, it is the recommendation of the Hearing Examiner that the appeal be granted, but notice be served that subsequent electronic issues will not be readily accepted as a defense.



Tony Morgando Jr - Hearing Examiner
February 3rd, 2009

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

1020 South Spring Street
Springfield, Illinois 62704
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 16, 2008

Friends for Howland
Amanda Howland
21707 W Old Barn Ln
Lake Zurich, IL 60047

S8930

Dear Friends for Howland:

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

Report Type: Pre-Election Report of Campaign Contribution and Expenditures
Report Period: July 1, 2008 through October 5, 2008
Filing Period: October 6, 2008 through October 20, 2008

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 October 21, 2008, 1 day(s) late. As such, this committee has been assessed a fine of \$200.00.

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 of the issuance of a Final Board Order:

<u>Reporting Period</u>	<u>Report Type</u>	<u>Previous Fine Amount</u>
10/9/2006 – 11/6/2006	Schedule A-1	\$100.00
TOTAL AMOUNT NOW DUE		\$300.00

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 LAKE)

STATE BOARD OF ELECTIONS
09 JAN 12 PM 2:15

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;)
ILLINOIS STATE BOARD OF ELECTIONS,)
Complainant)
Vs.)
Friends for Howland)
Respondent(s).)

Case No. 08GE046

APPEAL AFFIDAVIT

I, Amanda D. Howland, the CANDIDATE of the
(Name) (Chairman/Treasurer)
Friends for Howland
(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:

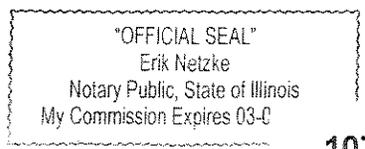
My finance chairman informed me on 10/17 that he was in Washington State pursuing a new job. He assured me his wife would get all the financial records to me. She delivered them on 10/19 at 10:00pm. I spent the evening and most of 10/20 working on the report. I tried many times to upload the information but could not get the system to accept it. My back-up →

over

Signed and Sworn to by:
Amanda D. Howland
before me this 9th Day of January, 2008

Amanda D. Howland
(Signature of Chairman/Treasurer)
Candidate

Erik Netzke
Notary Public



person was in Michigan due to a death in the family and will attest to such (Nancy Shepherdson). Her husband, my website manager, was with her. I telephoned both Springfield & Chicago but did not get an answer. I left voice messages. I sent an e-mail (attached) and a fax explaining my problem.

I spent more than 45 min on the phone on 10/21 trying to get your office to assist me with uploading and finally got the file through.

I had the same problem in November when I tried to file the supplemental report and I spent almost 1 hour on the phone with tech. support.

I did everything I could possibly do and should not incur a fine. My campaign has 20 funds and ¹⁰⁸ over \$28,000.00 in

State of Illinois)
County of Lake)

STATE BOARD OF ELECTIONS

09 JAN -2 AM 11:06

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;)
ILLINOIS STATE BOARD OF ELECTIONS,)
Complainant)
Vs.)
Friends for Howland)
Respondent(s).)

Case No. 58930

REQUEST FOR HEARING

I, Amanda D. Howland, the Candidate
(Name) (Chairman/Treasurer)
Friends for Howland
(Name of Committee)

Committee, appeals on behalf of the said committee the assessment of civil penalty proposed in this matter and submits in support of that appeal the accompanying affidavit. The said committee requests a public hearing at which it will appear to offer reasons and defenses why the proposed assessment should not be imposed.

Amanda D. Howland
(Signature of Chairman/Treasurer)

If you need affidavits, I will provide them from my finance chair, Nancy Shepherdson and my web master



Illinois State Board of Elections
Fax: 217-782-5959
312-814-6485

October 20, 2008

To the Illinois State Elections Board:

I have tried to send my updated campaign information for the past two hours and cannot get it to file electronically. My finance chairman left town this past week because he obtained a job in Seattle. He left me with all the information to straighten out and file last night.

I have tried to print the information and cannot even get it to print. There is nothing more I can do until I can talk with my webmaster and software provider late today. I tried telephoning earlier but no-one answers. It is now 12:15 pm. I don't know what more I can do.

My campaign is a very low-budget and fiscally conservative campaign. I only have about \$4,000 to report. I honestly don't know what else I can do.

Sincerely,


Amanda D. Howland
Candidate for the 51st District State House

COPY



sent-mail: Filing (195 of 833)

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Date: Tue, 21 Oct 2008 12:08:38 -0500 [10/21/2008 12:08:38 PM CST]

From: amanda@amandahowland.com

To: webmaster@elections.il.gov

Subject: Filing

Headers: Show All Headers

To Whom It May Concern:

I tried to send my report last evening and could not get it to upload. I spent more than two hours attempting this. I am waiting for help from a former candidate who can figure out what the problem is. This is the first time I have ever completed a report. Usually my financial officer does them but he left town for a new job and left me without support. I did not receive the records until yesterday and then did not have help getting the report done.

I faxed a message to the Elections office explaining my dilemma. I hope that this will not cause my campaign to incur a fine. I do not have enough funds to pay one.

Amanda D. Howland
Candidate for the 51st District State House

[Delete](#) | [Reply](#) | [Reply to All](#) | [Forward](#) | [Redirect](#) | [View Thread](#) | [Blacklist](#) | [Whitelist](#) | [Message Source](#) | [Save as](#) | [Print](#)

Mark as: Move | Copy This message to Back to sent-mail

10/22/2008

Friends for Howland
21707 W Old Barn Ln
Lake Zurich, IL 60047-1612

State of Illinois
State Board of Elections
Campaign Disclosure Division

1020 South Spring St.
PO Box 4187
Springfield, Illinois 62708

100 West Randolph St.
Suite 14-100
Chicago, Illinois 60601

S 8930 02
Friends for Howland

PLEASE RETAIN THIS RECEIPT FOR YOUR RECORDS

The Illinois State Board of Elections has received the following document(s) from your committee.
If this information is incorrect, notify our office at (217)782-4141 or (312)814-6440.

10/21/2008 8:30:52AM	Received in Chicago	Letter/Correspondence
10/21/2008 9:04:46AM	Received in Springfield Report explanation	Letter/Correspondence

STATE OF ILLINOIS
COUNTY OF COOK

BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

Illinois State Board of Elections
Complainant

v.

08 AP 088

Friends of Eddie Winters
Respondent

S9623

REPORT OF HEARING EXAMINER

Appeal of Civil Penalty Assessment for the Failure to File
Schedule A-1's in conjunction with the February 2008 Primary Election

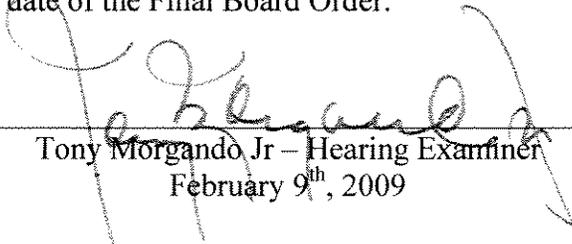
According to the political committee's June 2008 Semi-Annual Report, it received eight (8) contributions during the Schedule A-1 filing period, January 1st, 2008 through and including February 4th, 2008, which failed to be reported as required by statute. The political committee has been assessed a civil penalty of \$34,185.00.

Mr. Eddie Winters, Candidate/Chairman, filed a Request for Hearing and Appeal Affidavit, on January 13th, 2009, indicating: "The committee wasn't aware of these particular services in-kind until documentation was received, which was after the election. We, apparently reported to you dates from the documentation/receipts we received as dates the "services were performed" instead of the dates the documentation was "received on". We, therefore, reported the items on the semi-annual report".

Hearing in this matter was set for Monday, February 2nd, 2009, to be conducted at the Chicago Board office, 100 W. Randolph, 14-100, at 11:00 a.m. The political committee filed a Final report on January 13th, 2009.

Mr. Eddie Winters appeared on behalf of the political committee. Mr. Winters' reaffirmed statements contained in his Appeal Affidavit, and also provided the Hearing Examiner copies of In-Kind Contribution Notification Forms as evidence to service date vs. receipt date.

Based upon a review of the documents/statements submitted in this matter, it is the belief of the Hearing Examiner that the political committee reported receipt of the in-kind contributions on its June 2008 Semi-Annual, as the date the service was provided, rather than the date of actual notification. A review of the In-Kind Notification Forms submitted, strongly indicate receipt did not occur until after the February 2008 Primary Election. Therefore, it is the recommendation of the Hearing Examiner that the appeal be granted in this matter. The Hearing Examiner also recommends that the political committee file an amended 2008 June Semi-Annual Report to reflect date changes to the receipts addressed in this matter within 30 days of the effective date of the Final Board Order.



Tony Morgando, Jr. - Hearing Examiner
February 9th, 2009

IN-KIND CONTRIBUTION NOTIFICATION

SEE PAMPHLET "A GUIDE TO CAMPAIGN DISCLOSURE" FOR GUIDANCE.

The contributor shall notify the committee of donated goods or services of more than \$50 within five (5) business days.

Do not send this form to the State Board of Elections or the County Clerk.

Full Name, Mailing Address, and Zip Code

If the In-Kind was donated by an Individual, and its value exceeded \$500, occupation & employer must be provided.

To: Eddie Winters
P.O. Box 804991
Chicago, IL 60680

From: RFSCME Council 31
615 South Second
Springfield, IL 62705

Occupation & Employer (if applicable)

In-Kind Contribution

Full Name, Mailing Address and Zip Code of Vendor (if applicable)	Date	Value
Strategic Consulting Group 4318 N. Elston, Ste 200 Chicago, IL 60641	1/31/08	\$ 635
Description		
mailing		

The political committee must report these donations on the Form D-2, Report of Campaign Contributions and Expenditures, Part 5.

Nancy Bayer
Signature of Contributor

IN-KIND CONTRIBUTION NOTIFICATION

SEE PAMPHLET "A GUIDE TO CAMPAIGN DISCLOSURE" FOR GUIDANCE.

The contributor shall notify the committee of donated goods or services of more than \$50 within five (5) business days.

Do not send this form to the State Board of Elections or the County Clerk.

Full Name, Mailing Address, and Zip Code

If the In-Kind was donated by an Individual, and its value exceeded \$500, occupation & employer must be provided.

To: Eddie Winners
P.O. BOX 804991
Chicago, IL 60680

From: AFSCME Council 131
1615 South Second
Springfield, IL 62705

Occupation & Employer (if applicable)

In-Kind Contribution

Full Name, Mailing Address and Zip Code of Vendor (if applicable) Delane Adams P.O. BOX 146703 Chicago, IL 60614	Date 1/31/08 \$1,200	Value \$1,200
	Description consultant	

The political committee must report these donations on the Form D-2, Report of Campaign Contributions and Expenditures, Part 5.

Danny Bayley
 Signature of Contributor

IN-KIND CONTRIBUTION NOTIFICATION

SEE PAMPHLET "A GUIDE TO CAMPAIGN DISCLOSURE" FOR GUIDANCE.

The contributor shall notify the committee of donated goods or services of more than \$50 within five (5) business days.

Do not send this form to the State Board of Elections or the County Clerk.

Full Name, Mailing Address, and Zip Code

If the In-Kind was donated by an Individual, and its value exceeded \$500, occupation & employer must be provided.

To: Eddie Winters
P.O. Box 804991
Chicago, IL 60680

From: AFSCME Council 31
615 South Second Street
Springfield, IL 62705

Occupation & Employer (If applicable)

In-Kind Contribution

Full Name, Mailing Address and Zip Code of Vendor (If applicable)	Date	Value
Strategic Consulting Group 4318 N. Elston Ave. Ste 200 Chicago, IL 60641	1/24/08	\$4,300.00
Description Tough on Guns mailing		

The political committee must report these donations on the Form D-2, Report of Campaign Contributions and Expenditures, Part 5.


 Signature of Contributor

IN-KIND CONTRIBUTION NOTIFICATION

SEE PAMPHLET "A GUIDE TO CAMPAIGN DISCLOSURE" FOR GUIDANCE.

The contributor shall notify the committee of donated goods or services of more than \$50 within five (5) business days.

Do not send this form to the State Board of Elections or the County Clerk.

Full Name, Mailing Address, and Zip Code

If the In-Kind was donated by an Individual, and its value exceeded \$500, occupation & employer must be provided.

To: Eddie Winters
P.O. Box 804991
Chicago, IL 60680

From: AFSCME Council 31
615 South Second
Springfield, IL 62705

Occupation & Employer (if applicable)

In-Kind Contribution

Full Name, Mailing Address and Zip Code of Vendor (if applicable)	Date	Value
Michael Carroll 662 Westchester Grosse Pointe Park, MI 48230	1/29/08	\$1,000.00
	Description	
	campaign consulting	

The political committee must report these donations on the Form D-2, Report of Campaign Contributions and Expenditures, Part 5.


 Signature of Contributor

IN-KIND CONTRIBUTION NOTIFICATION

SEE PAMPHLET "A GUIDE TO CAMPAIGN DISCLOSURE" FOR GUIDANCE.

The contributor shall notify the committee of donated goods or services of more than \$50 within five (5) business days.

Do not send this form to the State Board of Elections or the County Clerk.

Full Name, Mailing Address, and Zip Code

If the In-Kind was donated by an individual, and its value exceeded \$500, occupation & employer must be provided.

To:

Eddie Winters
P.O. Box 804991
Chicago, IL 60680

From:

AESCFE Council 31
615 South Second
Springfield, IL 62705

Occupation & Employer (if applicable)

In-Kind Contribution

Full Name, Mailing Address and Zip Code of Vendor (if applicable)	Date	Value
Elizabeth Rincon 2177 Poplar Ave, #36 Memphis, TN 38104	1/29/08	\$3,000.00
	Description	
	consulting	

The political committee must report these donations on the Form D-2, Report of Campaign Contributions and Expenditures, Part 5.



Signature of Contributor

IN-KIND CONTRIBUTION NOTIFICATION

SEE PAMPHLET "A GUIDE TO CAMPAIGN DISCLOSURE" FOR GUIDANCE.

The contributor shall notify the committee of donated goods or services of more than \$50 within five (5) business days.

Do not send this form to the State Board of Elections or the County Clerk.

Full Name, Mailing Address, and Zip Code

If the In-Kind was donated by an individual, and its value exceeded \$500, occupation & employer must be provided.

To:

Eddie Winters
P.O. Box 804991
Chicago, IL 60680

From:

AFSCME Council 31
615 South Second
Springfield, IL 62705

Occupation & Employer (if applicable)

In-Kind Contribution

Full Name, Mailing Address and Zip Code of Vendor (if applicable)	Date	Value
Strategic Consulting Group 4318 N. Elston Ave., Ste 200 Chicago, IL 60641	1/29/08	\$11,850.00
	Description mailings	

The political committee must report these donations on the Form D-2, Report of Campaign Contributions and Expenditures, Part 5.


 Signature of Contributor

IN-KIND CONTRIBUTION NOTIFICATION

SEE PAMPHLET "A GUIDE TO CAMPAIGN DISCLOSURE" FOR GUIDANCE.

The contributor shall notify the committee of donated goods or services of more than \$50 within five (5) business days.

Do not send this form to the State Board of Elections or the County Clerk.

Full Name, Mailing Address, and Zip Code

If the In-Kind was donated by an Individual, and its value exceeded \$500, occupation & employer must be provided.

To: Friends of Eddie Winters
P.O. Box 804991
Chicago, IL 60680-4111

From: Citizen Action/IL Progressive Action Project
28 E. Jackson Blvd. #605
Chicago, IL 60604

Occupation & Employer (if applicable)

In-Kind Contribution

Full Name, Mailing Address and Zip Code of Vendor (if applicable)	Date	Value
Telephone Strategies Group 446 N. Wells #338 Chicago, IL 60610	2/4/08	\$300.00
Description auto calls		

The political committee must report these donations on the Form D-2, Report of Campaign Contributions and Expenditures, Part 5.

Citizen Action/IL Progressive Action Project
Signature of Contributor
Chair: Winters/Keebell

IN-KIND CONTRIBUTION NOTIFICATION

SEE PAMPHLET "A GUIDE TO CAMPAIGN DISCLOSURE" FOR GUIDANCE.

The contributor shall notify the committee of donated goods or services of more than \$50 within five (5) business days.

Do not send this form to the State Board of Elections or the County Clerk.

Full Name, Mailing Address, and Zip Code

If the In-Kind was donated by an individual, and its value exceeded \$500, occupation & employer must be provided.

To: Friends of Eddie Winters From: Citizen Action/Illinois Progressive Action Project
P.O. Box 804991 28 E. Jackson Blvd. Ste. 605
Chicago, IL 60680-4111 Chicago, IL 60604

Occupation & Employer (if applicable)

In-Kind Contribution

Full Name, Mailing Address and Zip Code of Vendor (if applicable)	Date	Value
Strategic Consulting Group 4318 N. Elston Ave. #200 Chicago, IL 60641	2/4/08	\$11,900
Description mail piece design, printing and mailing		

The political committee must report these donations on the Form D-2, Report of Campaign Contributions and Expenditures, Part 5.

Citizen Action/IL Progressive Action Project
 Signature of Contributor
 Chair: [Signature]

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 16, 2008

Friends of Eddie Winters
POB 804991
Chicago, IL 60680

S9623

Dear Friends of Eddie Winters;

This committee has failed to file the following Schedule A-1's, Report of Campaign contributions of more than \$500.00, within 2 business days of receipt as required by the Illinois Campaign Disclosure Act:

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Fine Assessed</u>	<u>Amount of Contribution</u>	<u>Date A-1 Received</u>	<u>Days Late</u>
AFSCME II Council 31	1/31/08	\$1200.00	\$1200.00	*not filed	1
AFSCME II Council 31	1/29/08	\$3000.00	\$3000.00	*not filed	3
AFSCME II Council 31	1/29/08	\$1000.00	\$1000.00	*not filed	3
AFSCME II Council 31	1/24/08	\$4300.00	\$4300.00	*not filed	6
AFSCME II Council 31	1/29/08	\$11850.00	\$11850.00	*not filed	3
AFSCME II Council 31	1/31/08	\$635.00	\$635.00	*not filed	1
Citz Action/Il Progressive Action Project	2/2/08	\$11900.00	\$11900.00	*not filed	1
Citz Action/Il Progressive Action Project	2/4/08	\$300.00	\$300.00	*not filed	1

The committee is fined a **total** of \$34185.00 for delinquently filing Schedule A-1 reports as required by the Illinois Campaign Disclosure Act. This total **does not** reflect any previously assessed fines.

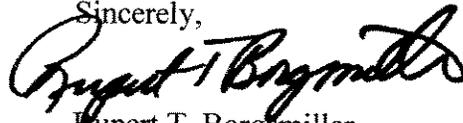
Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b-5) of the Election Code, the Board may impose fines for violations not to exceed 100% of the total amount of the contributions that were untimely reported, but in no case when a fine is imposed shall it be less than 10% of the total amount of the contributions that were untimely reported.

Since this is the first delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$3419.00, (10% of the total amount reflected above) if you do not choose to file an appeal under the Board's present policy. The total amount due will be imposed with the issuance of a Final Board Order after the 30-day appeal period had expired. This amount must be paid (including any previously assessed fines), within 30 days of the issuance of the Order.

Enclosed please find Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fines if you believe the civil penalties have been assessed in error. ***If you have a legitimate reason for your delinquent filing, it would behoove you to send in the appeal form since the Board has the discretion to take extenuating and other circumstances into account in determining the amount of your penalty.*** Notice of Appeal must be filed within 30 days of the mailing of this assessment for it to be considered.

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

Sincerely,



Rupert T. Borgsmiller

Director, Division of Campaign Disclosure

RTB:sm

cc: Officer(s), Candidate(s)

* This contribution was reported on the June 2008 Semi-annual Report but should have been reported on a Schedule A-1 Report of Campaign Contributions of more than \$500.00, within 2 business days of receipt.

** This contribution did not, by itself, necessitate filing of a Schedule A-1. No fine was assessed for this contribution – it is listed for informational purposes only. A subsequent contribution, when aggregated with this contribution, exceeded the "more than \$500.00" threshold and was used as the basis for the fine assessment.

CHICAGO

JAN 13 PM 2:29

State of Illinois)
County of Cook)

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

STATE
BOARD OF ELECTIONS

IN THE MATTER OF;)
ILLINOIS STATE BOARD OF ELECTIONS,)
Complainant)
vs.)
EDDIE WINTERS)
Respondent(s).)

No. 08AP088

APPEAL AFFIDAVIT

I, EDDIE WINTERS, the CHAIRMAN of the
(Name) (Chairman/Treasurer)
FRIENDS OF EDDIE WINTERS
(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:

THE COMMITTEE WASN'T AWARE OF THESE PARTICULAR SERVICES IN-KINDED UNTIL DOCUMENTATION WAS RECEIVED, WHICH WAS AFTER THE ELECTION. WE, APPARENTLY REPORTED TO YOU DATES FROM THE DOCUMENTATION/RECEIPTS WE RECEIVED AS DATES THE "SERVICES WERE PERFORMED" INSTEAD OF THE DATES THE DOCUMENTATION WAS "RECEIVED ON". WE, THEREFORE, REPORTED THE ITEMS ON THE SEMI-ANNUAL REPORT.

Subscribed and Sworn to Before me
This 13 Day Of JAN, 20 09
Wanda Geanes
NOTARY PUBLIC

Eddie Winters
(Signature of Chairman/Treasurer)



**STATE OF ILLINOIS
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS**

Illinois State Board of Elections

Complainant

v.

08 GE 001

Stark County Democratic Central Comm

L 1889

Respondent

REPORT OF HEARING EXAMINER

Appeal of Civil Penalty Assessment

For Failure to File a Pre-election Report for the 2008 General Election

The Report was received on October 22, 2008, 2 days late, resulting in a civil penalty assessment of \$200. In addition, this Committee had previously been assessed a \$175 civil penalty (not appealed, stayed) for delinquently filing the 2007 December Semi-Annual Report. The total assessment is \$375.

Russell D VanDran, the Chairman of the Committee, filed a Waiver of Appearance and submitted on the Appeal Affidavit the following:

On the Affidavit, Mr. VanDran stated that this committee or lack of a committee is not recognized by the State Board because he did not receive 10 write-in votes for precinct committeeman. As this is the case, he states that he cannot appoint anyone to the position of secretary or treasurer or to precinct committeeman. They do not have a committee. The committee is talking of disbanding after the appeal process.

I recommend that the appeal be denied for lack of an adequate defense. The number of votes a committee member received has no bearing upon the filing requirements of the central committee. If this recommendation is accepted by the Board, the stay will be lifted from the previously assessed penalty and the total amount of \$375 will be due and owing.



Sharon Steward – Hearing Examiner

March 2, 2009

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

1020 South Spring Street
Springfield, Illinois 62704
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 16, 2008

Stark County Democratic Central Committee
Russell Van Dran
115 E Greenwood St
Toulon, IL 61483

L1889

Dear Stark County Democratic Central Committee:

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

Report Type: Pre-Election Report of Campaign Contribution and Expenditures
Report Period: July 1, 2008 through October 5, 2008
Filing Period: October 6, 2008 through October 20, 2008

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 October 22, 2008, 2 day(s) late. As such, this committee has been assessed a fine of \$200.00.

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 of the issuance of a Final Board Order:

<u>Reporting Period</u>	<u>Report Type</u>	<u>Previous Fine Amount</u>
7/1/2007 – 12/31/2007	Semi-annual	\$175.00
TOTAL AMOUNT NOW DUE		\$375.00

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 Stark)

STATE BOARD OF ELECTIONS
08 DEC 26 AM 11:07

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;)
ILLINOIS STATE BOARD OF ELECTIONS,)
Complainant)
Vs. Stark County)
Democratic Committee)
Respondent(s).)

Case No. 08GE001

APPEAL AFFIDAVIT

I, Russell D VAN DEAN, the ACT Chairman of the
(Name) (Chairman/Treasurer)
Stark County Democratic Committee
(Name of the Committee)

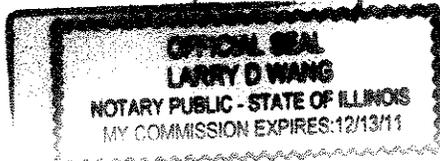
Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

This committee or lack of a committee is
not recognized by the State Board because
I did not receive 10 Write in votes for Precinct Comm.
man. As this is the case I can not appoint
anyone to the position of Sect. or Treasurer, or
to Precinct Comm. man. So we do not have a Comm.

Signed and Sworn to by:
Russell VAN DEAN
before me this 04 Day of
December, 2008
Larry D Wang
Notary Public

Russell Van Dean
(Signature of Chairman/Treasurer)

(over)



The Committee is talking of Distancing after
The appeal Process.



**STATE OF ILLINOIS
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS**

Illinois State Board of Elections

Complainant

v.

08 GE 002

Rock Island County Democratic Womens Club L 2079

Respondent

REPORT OF HEARING EXAMINER

Appeal of Civil Penalty Assessment

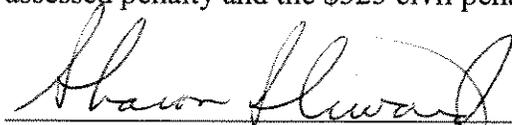
For Delinquently Filing the Pre-Election Report for the 2008 General Election

The Report was received November 2, 2008, 9 days late, resulting in a civil penalty assessment of \$500. In addition, this committee was assessed a \$25 civil penalty (not appealed, stayed) for delinquently filing the 2006 December Semi-Annual Report. The total assessment is \$525.

Maritia Griffith, the Chairwoman of the Committee, filed a Waiver of Appearance and submitted on the Appeal Affidavit the following:

On the Affidavit, Ms. Griffith stated that since their organization was not running for an office, she was unaware that they had to file a pre-election report. She broke her ankle on October 9, 2008, so she did not check the mail. When the Treasurer Meg Hoskins found the oversight, she sent it in electronically. They are very sorry for this inadvertent mistake.

This committee was mailed a notification on 9/3/08 and a reminder notice in regards to this report on 10/14/08, and it met the definition of participation by contributing more than \$500 to a candidate on the ballot. Therefore, I recommend that the appeal be denied for lack of an adequate defense. If this recommendation is accepted by the Board, the stay will be lifted from the previously assessed penalty and the \$525 civil penalty will be due and owing.



Sharon Steward – Hearing Examiner

February 24, 2009

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

1020 South Spring Street
Springfield, Illinois 62704
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 16, 2008

Rock Island County Democratic Womens Club
POB 426
East Moline, IL 61244

L2079

Dear Rock Island County Democratic Womens Club:

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

Report Type: Pre-Election Report of Campaign Contribution and Expenditures
Report Period: July 1, 2008 through October 5, 2008
Filing Period: October 6, 2008 through October 20, 2008

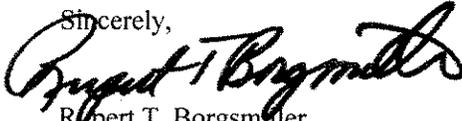
Based upon this committee's failure to comply with the provision of 10 ILCS 5-9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on November 2, 2008, 9 day(s) late. As such, this committee has been assessed a fine of \$500.00.

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 of the issuance of a Final Board Order:

<u>Reporting Period</u>	<u>Report Type</u>	<u>Previous Fine Amount</u>
7/1/2006 – 12/31/2006	Semi-annual	\$25.00
TOTAL AMOUNT NOW DUE		\$525.00

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 Rock Island)

09 JAN -9 PM 2:05

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;)
ILLINOIS STATE BOARD OF ELECTIONS,)
Complainant)
Vs.)
Rock Island County Democratic)
Respondent(s).)
Women's Club)

Case No. 08GE002

APPEAL AFFIDAVIT

I, Maritia Griffith, the President of the
(Name) (Chairman/Treasurer)
Rock Island County Democratic Women's Club
(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:

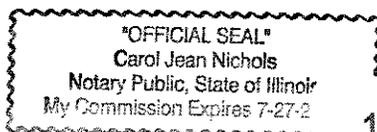
Since our organization was not running for an office, I was unaware that we had to file a pre-election report. I broke my ankle on Oct 9, 2008, so I did not check the mail. When the Treasurer Meg Hoskins found the oversight she sent it in electronically. We are very sorry for this inadvertent mistake

Signed and Sworn to by:

Maritia M. Griffith
before me this 5th Day of
January, 2009

Carol Jean Nichols
Notary Public

Maritia Griffith
(Signature of Chairman/Treasurer)



**STATE OF ILLINOIS
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS**

Illinois State Board of Elections

Complainant

v.

08 JS 248

Committee to Elect Tommy Brewer

L 2122

Respondent

REPORT OF HEARING EXAMINER

Appeal of Civil Penalty Assessment

For Delinquently Filing the 2008 June Semi-Annual Report

The Report was received on November 9, 2008, 76 days late resulting in a civil penalty assessment of \$1900.

Francis X Speh, Jr, the Treasurer of the Committee, filed a Waiver of Appearance and submitted on the Appeal Affidavit the following:

On the Affidavit, Mr. Speh stated that during the campaign, the Committee hired a young woman to work with the candidate and accompany him to fundraisers and other usual political events. This person also accepted campaign contributions at these events and obtained the required disclosure information from the donor. Towards the end of the campaign the Committee ran out of money to pay her, but she continued working on the premise that monies due would be paid. At the end of the campaign, the person returned to her out-of-state home. In what the Committee believes was a totally honest oversight, and not intentional, this person took campaign records with her. The Committee experienced a great deal of difficulty in reaching this person in her home state. However, when she was reached, the records were immediately returned. Upon receipt of the records, the Committee filed the necessary disclosure information, but was late in doing so.

The treasurer of the committee is required to maintain certain records and a person operating as an agent of the committee must also meet certain requirements regarding recordkeeping and providing information to the treasurer. A internal communication problem does not constitute a valid defense. I therefore recommend that the appeal be denied. As a first violation, the penalty is stayed.



Sharon Steward – Hearing Examiner

February 24, 2009

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 16, 2008

Committee to Elect Tommy Brewer
Francis Speh Jr., Tommy Brewer
22775 Sherman Rd.
Steger, IL 60475

L2122

Dear Committee to Elect Tommy Brewer;

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, 2008 through June 30, 2008
Filing Period:	July 1, 2008 through July 21, 2008

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 9, 2008, 76 day(s) late. As such, this committee has been assessed a fine of \$1900.00.

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,

A handwritten signature in black ink, appearing to read "Rupert T. Borgsmiller".

Rupert T. Borgsmiller
Director, Division of Campaign Disclosure

RTB:sm
Enclosure(s): appeal forms

State of Illinois)
County of COOK)

STATE BOARD OF ELECTIONS
09 JUL 14 AM 11:55

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;)
ILLINOIS STATE BOARD OF ELECTIONS,)
Complainant)
Vs.)
COMMITTEE TO ELECT TOMMY BREWER____)
Respondent(s).)

Case No. 08JS248

APPEAL AFFIDAVIT

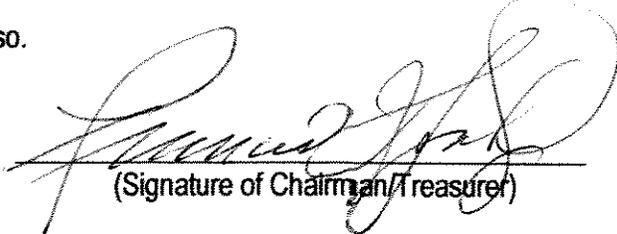
I, FRANCIS X. SPEH, JR. _____, the _____ Treasurer _____ of the
(Name) (Chairman/Treasurer)

Committee to Elect Tommy Brewer _____
Name of the Committee)

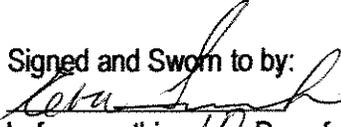
Committee, first being duly sworn deposes and states that he represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

During the campaign, the Committee hired a young woman to work with the candidate and accompany him to fund raisers and other usual political events a candidate for office would attend. An additional job of this person was to accept campaign contributions at these events and to obtain the required disclosure information from the donor. Towards the end of the campaign the Committee ran out of money to pay this person, but she continued working on the premise that monies due would be paid. At the end of the campaign, this person returned to her out-of-state home. In what the Committee believes was a totally honest oversight, and not intentional, this person took campaign records with her. The Committee experienced a great deal of difficulty in reaching this person in her home state. However, when she was

reached the records were immediately returned. Upon receipt of the records, the Committee filed the necessary disclosure information, but was late in doing so.


(Signature of Chairman/Treasurer)

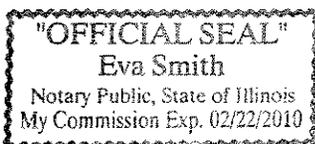
Signed and Sworn to by:



before me this 10 Day of

January 2009

Notary Public



STATE OF ILLINOIS
COUNTY OF SANGAMON

BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

Illinois State Board of Elections

Complainant

v.

08 JS 251

Citizens for Mary Margaret Maule

L 13484

Respondent

REPORT OF HEARING EXAMINER

Appeal of Civil Penalty Assessment
For Delinquently Filing the 2008 June Semi-Annual Report

The Report was received on November 3, 2008, 73 days late, resulting in a civil penalty assessment of \$5000. In addition, this Committee had previously been assessed \$25 (not appealed, paid) for delinquently filing the 2006 December Semi-Annual Report, and \$50 (not appealed, paid) for delinquently filing the 2007 December Semi-Annual Report. The total outstanding assessment is \$5000.

Mary Margaret Maule, the Chairman of the Committee, filed a Waiver of Appearance and submitted on the Appeal Affidavit the following:

On the Affidavit, Ms. Maule stated that she was a candidate for the McHenry County Board in 2006, but lost the election. Although the committee received no contributions and made no expenditures following the 2006 November election, the committee timely filed the required reports in 2007. Believing the final reports had been filed and the matter closed, the committee did not file a 2008 report until November 3, 2008 after receiving notice from the Campaign Disclosure Division in September 2008. The committee's action was not willful and she asks that any penalty should be reduced to 10% of the amount ordered and stayed as a first offense.

Board records indicate that the Committee was mailed a 2008 June semi-annual packet and notification on 5/29/08 and was also mailed a reminder notice on 7/10/08. Notices were sent to the committee address which was the same as that of the candidate and the officers. Therefore, notice was received by the Committee. At this time, the Committee still had a \$250 balance remaining. If there was any question regarding whether the Committee still had a filing obligation, a phone call to the Board would have answered the question, rather than simply ignoring notices sent by the Board. I therefore recommend that the appeal be denied for lack of an adequate defense. The amount of \$5000 is due and owing. However, since this Committee filed a Final Report on 1/26/09, I further recommend that should the Committee remain dissolved for a period of 2 years following the date of the Final Order imposing the penalty, the fine be abated.



Sharon Steward – Hearing Examiner

February 24, 2009

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 16, 2008

Citizens for Mary Margaret Maule
Jack Maule, Mary Margaret Maule
5901 Saddle Ridge
Johnsburg, IL 60050

L13484

Dear Citizens for Mary Margaret Maule;

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, 2008 through June 30, 2008
Filing Period:	July 1, 2008 through July 21, 2008

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 November 3, 2008, 73 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 it will be required to be paid by the committee within 30 days:

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

Sincerely,

A handwritten signature in black ink, appearing to read "Rupert T. Borgsmiller".

Rupert T. Borgsmiller
Director, Division of Campaign Disclosure

RTB:sm
Enclosure(s) appeal documents

State of Illinois)
County of McHenry)

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;)
ILLINOIS STATE BOARD OF ELECTIONS,)
Complainant)
Vs.)
Citizens for Mary Margaret Maule,)
(L13484) Respondent(s).)

Case No. 08 CD 054

STATE BOARD OF ELECTIONS
JAN 15 PM 4: 17
CHICAGO

APPEAL AFFIDAVIT

I, Mary Margaret Maule, the Chairman of the
(Name) (Chairman/Treasurer)
Citizens for Mary Margaret Maule
(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: Mary Margaret Maule was a candidate for the McHenry County Board in 2006, but she lost the election. Although the committee received no contributions and made no expenditures following the 2006 November election, the committee timely filed the required reports in 2007. Believing the final reports had been filed and the matter closed, the committee did not file a 2008 report until November 3, 2008 after receiving notice from the Campaign Disclosure Division in September 2008. The committee's action was not willful. Any penalty should be reduced to 10% of the amount ordered, and stayed as a first offense.

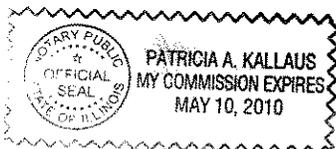
Signed and Sworn to by:

Mary Margaret Maule

before me this 14th Day of
January, 2008 2009

Patricia A. Kallaus
Notary Public

Mary Margaret Maule
(Signature of Chairman/Treasurer)



**STATE OF ILLINOIS
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS**

Illinois State Board of Elections
Complainant

v.

08 JS 257

Friends of the Park District L 14496
Respondent

REPORT OF HEARING EXAMINER
Appeal of Civil Penalty Assessment
For Delinquently Filing the 2008 June Semi-Annual Report

The Final Report, filed in lieu of the 2008 June Semi-Annual Report, was received by the Board on October 20, 2008, 63 days late, resulting in a civil penalty assessment of \$3150. In addition, the Committee had previously been assessed a \$1150 civil penalty (not appealed, stayed) for delinquently filing the 2007 December Semi-Annual Report. The total assessment is \$4300.

Steve Diol, the Treasurer of the Committee, filed a Waiver of Appearance and submitted on the Appeal Affidavit the following:

On the Affidavit, Mr. Diol referenced an attached letter from himself. In it he explained that this Committee was formed to help pass a Park District referendum to build a park district pool in Wauconda. It was an entirely volunteer operation, created by Mr. Diol and later funded by a group of elderly residents of the Wauconda area. He established the committee and received \$2950 from these women. He ordered yard signs, had flyers printed, and generally singlehandedly worked and orchestrated this grass roots effort. The referendum failed and the park district decided to shelve the project. The remaining balance of \$582.65 was returned to the group, and a final report was filed. Mr. Diol is very active in his community, volunteers for many local organizations, and very well intentioned. He realizes that he missed some deadlines, and should have read the materials more closely.

Mr. Diol is obviously a very busy, competent and caring individual to organize and participate in so many community activities. Unfortunately, he did not follow through on the paper work for this political committee. Notices and reminders were sent to Mr. Diol with instructions to contact the Board with any questions. Therefore, I recommend that the appeal be denied for lack of an adequate defense. If this recommendation is accepted, the stay will be lifted from the \$1150 civil penalty and the total of \$4300 would be due and owing. However, since this Committee has filed a Final Report, I further recommend that should the Committee remain dissolved for a period of two years following the date of the Final Order imposing the penalty, the fine be abated.



Sharon Steward, Hearing Examiner
March 3, 2009

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 16, 2008

Friends of the Park District
Steve Diol
532 Meadowview Dr
Wauconda, IL 60084

L14496

Dear Friends of the Park District;

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, 2008 through June 30, 2008
Filing Period:	July 1, 2008 through July 21, 2008

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 October 20, 2008, 63 day(s) late. As such, this committee has been assessed a fine of \$3150.00.

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:

<u>Reporting Period</u>	<u>Report Type</u>	<u>Previous Fine Amount</u>
7/1/07 - 12/31/07	Semi-annual	\$1150.00
TOTAL AMOUNT NOW DUE		\$4300.00

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 LAKE)

STATE BOARD OF ELECTIONS

08 OCT 22 PM 3:05

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;)
ILLINOIS STATE BOARD OF ELECTIONS,)
Complainant)
Vs.)
FRIENDS OF THE PINK DISTRICT)
Respondent(s).)

Case No. 08 JS 257

APPEAL AFFIDAVIT

I, STEVE DIAL, the TREASURER of the
(Name) (Chairman/Treasurer)
FRIENDS OF THE PINK DISTRICT
(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:

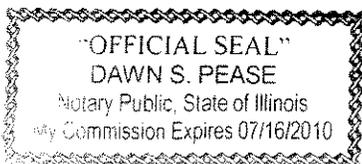
SEE ATTACHED

Signed and Sworn to by:

Dawn S. Pease
before me this 19th Day of
December, 2008

Dawn S. Pease
Notary Public

UCLM
(Signature of Chairman/Treasurer)



Steve Diol
532 Meadowview Drive
Wauconda, IL 60084

STATE BOARD OF ELECTIONS

08 DEC 22 PM 3:05

Friends of the Park District was created to try and help pass a Park District referendum to build a park district pool in Wauconda Illinois.

I volunteered to create the Friends of the Park District committee and it was later funded by a group of elderly residents in the Wauconda area. Believe it or not, these senior adults who grew up in the area, wanted a pool as children, and continued working towards their dream for over 25 years. Their primary source of fundraising has been collecting cans, and turning them in for cash. They thought that one day they could build a pool and donate it to the village, but the costs associated with building a pool far outpaced the money that they have saved.

I was the person who established the committee, and was lucky to receive \$2950 from these women. I ordered yard signs, and had flyers printed. I tried to "get the word out" about the referendum, and would characterize the campaign as a total grass roots effort.

Although many were excited, the referendum failed on the April 2008 ballot. The park district decided to "shelve" the idea based on the economy, and the voter results.

I returned the balance in the committee checkbook to the group - \$582.65 and filled out paperwork with Lake County and The Illinois State Board of Elections to dissolve the committee. I received a letter back from the state acknowledging that the committee was dissolved.

As in other small communities, there are a small number of residents that volunteer for many of the local organizations. Besides the Friends of the Park District committee, I am the treasurer of our local baseball league, coach youth soccer and am a member of the PTO.

Non the less, any reports that were not filed with the state were due to me, a political novice, trying to create a "legal" committee and campaign honestly and with integrity within the states guidelines. I should have read the committee formation materials closer. I thought that once the election was over, the committee was done – or it's useful life over. I didn't realize I needed to continue filing reports. I also didn't realize I needed to formally dissolve the committee.

I sincerely apologize for not meeting the filing deadlines, and would hope that the committee could see fit to drop any and all penalties.

In exchange for doing so, I promise to never waste the States time by volunteering to run a campaign by myself, or have anything to do with the paperwork necessary to help keep a political committee in compliance with the Illinois Board of Elections.

If anyone would like to discuss this with me, I can be reached at 847-533-7620. That number is my wireless number, and I have the phone with me at all times.

Thanks in advance for your consideration,

Steve Diol



December 19th, 2008

10/22/2008

Friends of the Park District
532 Meadowview Dr
Wauconda, IL 60084-2381

State of Illinois
State Board of Elections
Campaign Disclosure Division

1020 South Spring St.
PO Box 4187
Springfield, Illinois 62708

100 West Randolph St.
Suite 14-100
Chicago, Illinois 60601

L 14496 12
Friends of the Park District

PLEASE RETAIN THIS RECEIPT FOR YOUR RECORDS

The Illinois State Board of Elections has received the following document(s) from your committee.
If this information is incorrect, notify our office at (217)782-4141 or (312)814-6440.

10/20/2008 2:02:22PM Received in Springfield D-2 Final Report

**STATE OF ILLINOIS
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS**

Illinois State Board of Elections

Complainant

No. 08 MA 016

**L 14879
Friends of Bob Lutz
1515 Glendale Ave
Pekin, IL 61554-6120**

Respondent

REPORT OF EXAMINER

Appeal of Civil Penalty Assessment

For Delinquently Filing a D-1 Statement of Organization, the December 2007 Semi-Annual Report, the June 2008 Semi-Annual Report, and the October 2008 Pre Election Report

Each of the reports in question was received on November 3, 2008. The breakdown of associated fines is below:

<u>Document</u>	<u>Days Late</u>	<u>Assessment</u>
D-1 Stmtnt of Organization	314	\$5,000.00
Dec 2007 SA Report	198	\$4,960.00
June 2008 SA Report	74	\$5,000.00
Oct 2008 Pre-Election Rpt	10	\$1,000.00

Candidate Robert Lutz appeared in person on behalf of the respondent. He testified that he filed a Final Report on behalf of a precursor committee late and was fined \$675.00 by the board. That final report was received on September 7, 2006. The fine was abated because the committee did not re-form within a two-year period.

Mr. Lutz stated he kept records of all of his transactions related to his run for re-election as Tazewell County recorder in 2008. His campaign reports filed on behalf of the successor committee, Friends of Bob Lutz, indicated a date of creation of July 30, 2007. Mr. Lutz stated he mistakenly believed that, had he filed his D-1 within two years of having closed the precursor committee, the original fine of \$675.00 would have to be paid.

Mr. Lutz stated he has been a public official for 29 years and did not “willfully” fail to file the documents in question. He said he believed, prior to the filing of the complaint against his committee, that he had been in compliance with the Illinois Campaign Finance Act.

While I am sympathetic to Mr. Lutz, I believe it would set a bad precedent to allow his appeal, since he raised and spent money during 2007 and 2008 in support of his successful bid for re-election and did not report the transactions until after the election. I recommend the appeal be denied and the fines (totaling \$15,960.00) be considered due and owing.



JOHN LEVIN
Hearing Examiner
February 9, 2009

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 16, 2008

Friends of Bob Lutz
Robert Lutz, Rosemary Lutz
1515 Glendale Ave
Pekin, IL 61554

L14879

Dear Friends of Bob Lutz;

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 November 3, 2008, 314 day(s) late. As such, this committee has been assessed a fine of \$5000.00.

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

Report Type:	Semiannual Report of Campaign Contribution and Expenditures
Report Period:	July 1, 2007 through December 31, 2007
Filing Period:	January 2, 2008 through January 22, 2008

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 November 3, 2008, 198 day(s) late. As such, this committee has been assessed a fine of \$4950.00.

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

Report Type:	Semiannual Report of Campaign Contribution and Expenditures
Report Period:	January 1, 2008 through June 30, 2008
Filing Period:	July 1, 2008 through July 21, 2008

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 November 3, 2008, 74 day(s) late. As such, this committee has been assessed a fine of \$5000.00.

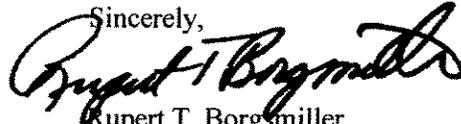
In addition, this committee failed to file the following documents during the requisite filing period:

Report Type:	Pre-Election Report of Campaign Contributions
Report Period:	July 1, 2008 through October 5, 2008
Filing Period:	October 6, 2008 through October 20, 2008

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 November 3, 2008, 10 day(s) late. As such, this committee has been assessed a fine of \$1000.00.

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

09 JAN -8 PM 1:32

State of Illinois)
County of TAZEWELL)

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;)
ILLINOIS STATE BOARD OF ELECTIONS,)
Complainant)
vs.)
ROBERT A. LUTZ)
Respondent(s).)

No. 08MA016

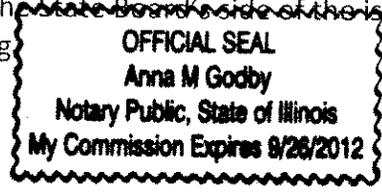
APPEAL AFFIDAVIT

I, ROBERTA LUTZ, the CHAIRMAN of the
(Name) (Chairman/Treasurer)
FRIENDS OF BOB LUTZ
(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:

To avoid violating the Final Board Order of 11-14-06 warning that a \$675 fine would be imposed if I established a political committee before 11-14-08. I did, however, meticulously keep all my receipts and financial records with the intent of filing after that date. Section 5/9 of the Election Code uses the term "willfully failing to file." The word willful means "perversely obstinate or unreasonably headstrong." I am neither of these things. I would never thumb my nose at a rule like this. As an elected official for some 29 years, I have always insisted on complete adherence to rules.

I can, however, see the State Board's side of the issue. I believe it boils down to how I interpreted the ruling.



Subscribed and Sworn to Before me
This 7 Day Of January, 2009

Anna Godby
NOTARY PUBLIC

Robert A. Lutz
(Signature of Chairman/Treasurer)

**STATE OF ILLINOIS
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS**

Illinois State Board of Elections

Complainant

v.

08 GE 028

Jersey County Democratic Central Committee S896

Respondent

REPORT OF HEARING EXAMINER

Appeal of Civil Penalty Assessment

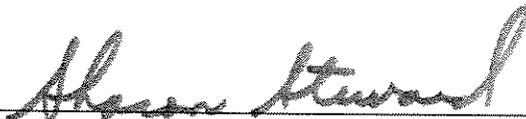
For Delinquently Filing the Pre-Election Report for the 2008 General Election

The Report was received by the Board on October 30, 2008, 8 days late, resulting in a civil penalty of \$500.00. In addition, the Committee had previously been assessed a \$400.00 civil penalty (not appealed, stayed) for delinquently filing the 2007 December Semi-Annual Report. The total assessment is \$900.00.

Byron A. Beierman, the Treasurer of the Committee, filed a Waiver of Appearance and submitted on the Appeal Affidavit the following:

On the Affidavit, Mr. Beierman stated that he was out of the State of Illinois at the time of filing. He was in the city of Dolton, Georgia. He was newly appointed by the committee. He asked what the duties were and was told by a person on the committee who works for the Attorney General that he only needed to file two reports per year. He had no reason to doubt the man's word.

I recommend that the appeal be denied for lack of an adequate defense.



Sharon Steward – Hearing Examiner

February 24, 2009

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

1020 South Spring Street
Springfield, Illinois 62704
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 16, 2008

Jersey County Democratic Central Committee
Byron Beiermann
27554 Kristie Ln
Jerseyville, IL 62052

S896

Dear Jersey County Democratic Central Committee:

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

Report Type: Pre-Election Report of Campaign Contribution and Expenditures
Report Period: July 1, 2008 through October 5, 2008
Filing Period: October 6, 2008 through October 20, 2008

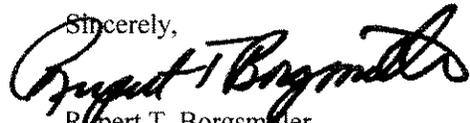
Based upon this committee's failure to comply with the provision of 10 ILCS 5-9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on October 30, 2008, 8 day(s) late. As such, this committee has been assessed a fine of \$500.00.

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 of the issuance of a Final Board Order:

<u>Reporting Period</u>	<u>Report Type</u>	<u>Previous Fine Amount</u>
7/1/2007 – 12/31/2007	Semi-annual	\$400.00
TOTAL AMOUNT NOW DUE		\$900.00

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 JERSEY)

STATE BOARD OF ELECTIONS
09 JAN -6 AM 11:02

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;)
)
ILLINOIS STATE BOARD OF ELECTIONS,)
)
Complainant)
)
Vs.)
)
JERSEY COUNTY DEMOCRAT COMM)
Respondent(s).)

Case No. 08BE028

APPEAL AFFIDAVIT

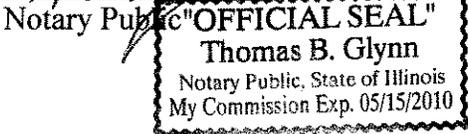
I, BYRON A. BEIERMANN, the TREASURER of the
(Name) (Chairman/Treasurer)
JERSEY COUNTY DEMOCRAT COMM.
(Name of the Committee)

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 was out of the State of Illinois at the time of filing. I was in the city of Dalton Georgia. I was newly appointed by the committee, I asked what the duties were, and was told by one person who works for the Attorneys General (who is on our committee) I only needed to file 2 Reports per year. I had no reason to doubt that the mans word. I got Blind sided. Personal phone number 618-498-2605

Signed and Sworn to by:
Thomas B. Glynn
before me this 4th Day of
Jan, 2008

Byron A. Beiermann
(Signature of Chairman/Treasurer)



**STATE OF ILLINOIS
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS**

Illinois State Board of Elections

Complainant

v.

08 GE 054

The Republican Organization of Elk Grove Township
S 9737

Respondent

REPORT OF HEARING EXAMINER

Appeal of Civil Penalty Assessment

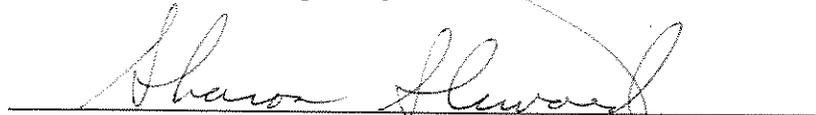
For Delinquently Filing the Pre-Election Report for the 2008 General Election

The Report was received on November 6, 2008, 11 days late, resulting in a civil penalty assessment of \$2200. In addition, the Committee had previously been assessed a \$100 civil penalty (not appealed, stayed) for delinquently filing the 2008 June Semi-Annual Report. The total assessment is \$2300.

Michael Sweeney, the Chairman of the Committee, filed a Waiver of Appearance and submitted on the Appeal Affidavit the following:

On the Affidavit, Mr. Sweeney stated that the organization was started in May of 2008. He states that there are many things to learn when starting a new political organization, and they have made mistakes. He apologizes for the late filing of the 2008 June Semi-Annual Report. He states that in regards to the pre-election report for the 2008 General Election, they were unaware that political organizations such as theirs had to file such a report. They were operating under the belief that only candidates who were running in that election were required to file this report. As soon as the treasurer was notified by mail, the report was prepared as quickly as possible and mailed. They have since thoroughly educated themselves as to their responsibilities and obligations and will file all reports in a timely fashion. They ask that the \$2200 fine be reconsidered and waived.

I recommend that the appeal be denied for lack of an adequate defense. Being unaware of filing requirements is not a valid reason for a delinquent filing. The Committee received proper notification, as the notification packet was mailed to the Chairman's address on 9/3/08, and a reminder was mailed on 10/14/08. If this recommendation is accepted by the Board, the stay will be lifted from the \$100 civil penalty and the entire assessment of \$2300 will be due and owing.



Sharon Steward – Hearing Examiner

March 3, 2009

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

1020 South Spring Street
Springfield, Illinois 62704
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 16, 2008

The Republican Organization of Elk Grove Township
Andrea Koshaba
1124 Lancaster
Elk Grove Village, IL 60007

S9737

Dear The Republican Organization of Elk Grove Township:

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

Report Type: Pre-Election Report of Campaign Contribution and Expenditures
Report Period: July 1, 2008 through October 5, 2008
Filing Period: October 6, 2008 through October 20, 2008

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 November 6, 2008, 11 day(s) late. As such, this committee has been assessed a fine of \$2200.00.

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 of the issuance of a Final Board Order:

<u>Reporting Period</u>	<u>Report Type</u>	<u>Previous Fine Amount</u>
1/1/2008 – 6/30/2008	Semi-annual	\$100.00
TOTAL AMOUNT NOW DUE		\$2300.00

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

Sincerely,

Robert T. Borgsmiller
Director, Division of Campaign Disclosure

RTB:sm
Enclosure(s) appeal documents

State of Illinois)
County of Cook)

09 JAN -9 PM 2:05

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;)
ILLINOIS STATE BOARD OF ELECTIONS,)
Complainant)
Vs.)
The Republican Organization of Elk)
~~Grove Township~~)
Respondent(s).)

Case No. 08GE054

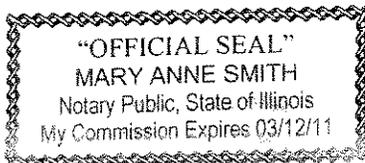
APPEAL AFFIDAVIT

I, Michael Sweeney, the Chairman of the
(Name) (Chairman/Treasurer)
Republican Organization of Elk Grove Township
(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: Our organization was started in May of 2008. There are many things to learn when starting a new political organization and as Chairman and the Treasurer, there has been mistakes. We apologize for the late filing of the semi-annual report (one day late) and are attaching \$100 for that fine. As for the pre-election report for the November 4 General Election, we were unaware that political organizations such as ours had to file such a report. We were operating under the belief that only candidates who were running in that election were required to file this report. As soon as the treasurer was notified by mail, the report was prepared (pre-election report) as quickly as possible and mailed. In order to avoid any violations in the future, we have thoroughly educated ourselves as to our responsibilities and obligations to the State Board of elections, and will file all future reports in a timely fashion. Again, respectfully we apologize for our error and ask that the civil penalty of \$2200 is reconsidered and waived.

Signed and Sworn to by:
MARY ANNE SMITH
before me this 5th Day of
JANUARY, ~~2008~~ 2009
Mary Anne Smith
Notary Public

[Signature] - CHAIRMAN
(Signature of Chairman/Treasurer)
[Signature] - TREASURER



**STATE OF ILLINOIS
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS**

Illinois State Board of Elections

Complainant

v.

08 JS 265

Taxpayers United for Fairness

S 9370

Respondent

REPORT OF HEARING EXAMINER
Appeal of Civil Penalty Assessment
For Delinquently Filing the 2008 June Semi-Annual Report

The Report was received September 13, 2008, 31 days late, resulting in a civil penalty assessment of \$4250. In addition, the Committee was assessed a civil penalty of \$775 (not appealed, stayed) for delinquently filing the 2007 June Semi-Annual Report. The total assessment is \$5025.

David Sipich, the Chairman of the Committee, filed a Waiver of Appearance and submitted on the Appeal Affidavit the following:

On the Affidavit, Mr. Sipich stated that he was hospitalized during the months of August and September 2008, and convalesced through the month of October. His illness prevented him from complying with the reporting deadlines.

I recommend that the appeal be denied for lack of an adequate defense. The filing deadline for the 2008 June Semi-Annual Report was July 21st, at least two weeks prior to Mr. Sipich's hospitalization. If this recommendation is accepted by the Board, the stay will be lifted from the previously assessed penalty and the total amount of \$5025 will be due and owing.



Sharon Steward – Hearing Examiner
February 25, 2009

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 16, 2008

Taxpayers United for Fairness
David Sipich
660 N Dearborn
Chicago, IL 60610

S9370

Dear Taxpayers United for Fairness;

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, 2008 through June 30, 2008
Filing Period: July 1, 2008 through July 21, 2008

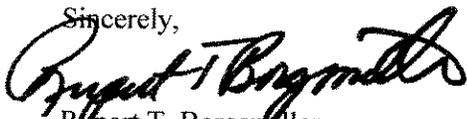
Based upon this committee's failure to comply with the provision of 10 ILCS 5-9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on September 13, 2008, 31 day(s) late. As such, this committee has been assessed a fine of \$4250.00.

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:

<u>Reporting Period</u>	<u>Report Type</u>	<u>Previous Fine Amount</u>
1/1/06 - 6/30/07	Semi-annual	\$775.00
TOTAL AMOUNT NOW DUE		\$5025.00

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 _____)

CHICAGO

JAN 12 PM 1:08

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

STATE
BOARD OF ELECTIONS

IN THE MATTER OF;)
ILLINOIS STATE BOARD OF ELECTIONS,)
Complainant)
Vs.)
Tax Payers United for Fairness)
Respondent(s).)

Case No. 08 JS 265

APPEAL AFFIDAVIT

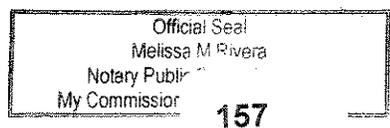
I, David Spich, the Chairman of the
(Name) (Chairman/Treasurer)
Tax Payers United for Fairness
(Name of the Committee)

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 was hospitalized during the months of August and
September, 2008 and convalesced until through the month
of October. My illness prevented me from complying
with the reporting deadline.

Signed and Sworn to by:
David Spich
before me this 13th Day of
January, 2008
Melissa M Rivera
Notary Public

David A. Spich
(Signature of Chairman/Treasurer)



**STATE OF ILLINOIS
COUNTY OF COOK**

**BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS**

Illinois State Board of Elections
Complainant

v.

08 GE 056

Citizens for Diane Shapiro S9783
Respondent

REPORT OF HEARING EXAMINER

Appeal of Civil Penalty Assessment for the Delinquent Filing of the
November 2008 Pre-Election Election Report

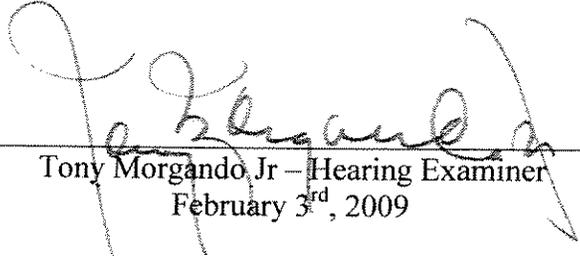
According to the Illinois State Board of Elections Disclosure Division, it received a Pre-Election Report for the 2008 November General Election, from the Citizens for Diane Shapiro, on November 7th, 2008, eleven (11) days late. As such, the political committee has been assessed a fine of \$2,200.00.

Ms. Diane Shapiro, Candidate/Chairman/Treasurer, filed a Request for Hearing and Appeal Affidavit, on January 9th, 2009, indicating in part: "This is the first occasion I have had to run for elective office, and I was not aware that the campaign committee reached the \$3,000.00 threshold by the filing date of October 5, 2008. For this reason these civil penalties should be waived altogether, if only for the fact that the \$2,200.00 amount is excessive".

Hearing in this matter was scheduled for Tuesday, February 3rd, 2009, to be conducted telephonically via conference call.

Ms. Diane Shapiro, Candidate, spoke on behalf of the political committee. Ms. Shapiro reaffirmed statements contained in her Appeal Affidavit.

Based upon a review of the documents/statements submitted in this matter, the Hearing Examiner finds that there are no reasonable grounds for the November 2008 Pre-election Report to have been filed late. Therefore it is the recommendation of the Hearing Examiner that the appeal in this matter be denied. The Hearing Examiner further recommends considering this a first violation, that the assessed fine of \$2,200.00 be STAYED. The Final Order of the Board should note any subsequent violations shall result in the assessment of additional penalties being incorporated with any previous assessments.



Tony Morgando, Jr - Hearing Examiner
February 3rd, 2009

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 16, 2008

Citizens for Diane Shapiro
Diane Shapiro
4170 N Marine Dr, apt 4A
Chicago, IL 60613

S9783

Dear Citizens for Diane Shapiro;

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

Report Type:	Pre-Election Report of Campaign Contributions
Report Period:	July 1, 2008 through October 5, 2008
Filing Period:	October 6, 2008 through October 20, 2008

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 7, 2008, 11 day(s) late. As such, this committee has been assessed a fine of \$2200.00.

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,

A handwritten signature in black ink, appearing to read "Rupert T. Borgsmiller".

Rupert T. Borgsmiller
Director, Campaign Disclosure

RTB:sm
Enclosure(s): appeal packet

State of Illinois)
County of COOK)

STATE BOARD OF ELECTIONS
09 JAN - 8 08:11:16

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;)
ILLINOIS STATE BOARD OF ELECTIONS,)
Complainant)
Vs.)
DIANE SHAPIRO)
Respondent(s).)

Case No. 08GE054

APPEAL AFFIDAVIT

I, DIANE SHAPIRO, the CHAIRMAN/TREASURER of the
(Name) (Chairman/Treasurer)
CITIZENS FOR DIANE SHAPIRO
(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:

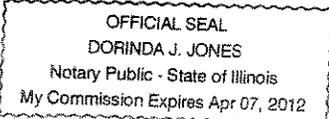
See attached

Signed and Sworn to by:

before me this 6th Day of
January, 2008

Dorinda J. Jones
Notary Public

Marcie Shapiro
(Signature of Chairman/Treasurer)



I am the Chairman/Treasurer of Citizens For Diane Shapiro. This is the first occasion I have had to run for elective office, and I was not aware that the campaign committee reached the \$3,000.00 threshold by the filing date of October 5, 2008. For this reason these civil penalties should be waived altogether, if only for the fact that the \$2,200 amount is excessive. Based on your figures, the most I should be responsible for is a fine of \$275.00. When I checked the records after the above filing date I discovered that the committee had spent \$3,000.00. I basically funded my own campaign, and only received about \$2,500.00 in actual donations from outside sources, all of which were filed with my D2 forms, albeit late. I have now corrected my situation and am appointing an official Treasurer for my campaign account.

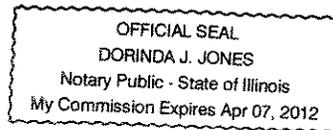
I understand that "ignorance of the law is no excuse", however election laws in our state are confusing at best, and I learned some important lessons along the way. I am seeking the State Board of Election's indulgence in exculpating me of any charges arising from my run for the office of Circuit Court of Cook County. It was not my intention to violate any laws of the State of Illinois, County of Cook or City of Chicago. I look forward to meeting with a representative of your office for a hearing in Chicago at your earliest possible convenience.

Sincerely,



Diane Shapiro

6 January 2009



**STATE OF ILLINOIS
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS**

Illinois State Board of Elections

Complainant

v.

08 GE 057

Citizens Looking at Supporting Schools S 9791

Respondent

REPORT OF HEARING EXAMINER

Appeal of Civil Penalty Assessment

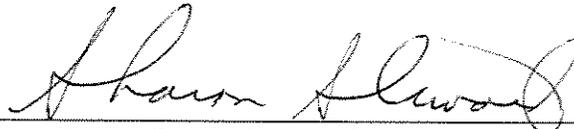
For Delinquently Filing the Pre-Election Report for the 2008 General Election

The Report was received November 6, 2008, 11 days late, resulting in a civil penalty assessment of \$2200.

R. Scott MacAdam, the Treasurer of the Committee, filed a Waiver of Appearance and submitted on the Appeal Affidavit the following:

On the Affidavit, Mr. MacAdam stated that the committee was a group of concerned citizens who worked hard as volunteers to pass a school referendum designed to help the local public school's infrastructure. The fundraising was used to educate local citizens about the necessity of passing said referendum. The committee (including the treasurer) was unaware of the reporting requirements. As soon as they were notified, they filed the form.

The committee address was listed as a post office box. The notification packet was sent to this address on September 3rd and a reminder sent on October 14th. Being unaware of the reporting requirements is not a valid reason for missing a filing deadline. I therefore recommend that the appeal be denied for lack of an adequate defense. As a first violation the penalty is stayed.



Sharon Steward – Hearing Examiner

February 24, 2009

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 16, 2008

Citizens Looking at Supporting Schools
POB 95
Urbana, IL 61803

S9791

Dear Citizens Looking at Supporting Schools;

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

Report Type:	Pre-Election Report of Campaign Contributions
Report Period:	July 1, 2008 through October 5, 2008
Filing Period:	October 6, 2008 through October 20, 2008

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 6, 2008, 11 day(s) late. As such, this committee has been assessed a fine of \$2200.00.

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,

A handwritten signature in black ink, appearing to read "Rupert T. Borgsmiller".

Rupert T. Borgsmiller
Director, Campaign Disclosure

RTB:sm

Enclosure(s): appeal packet

State of Illinois)
County of CHAMPAIGN)

STATE BOARD OF ELECTIONS
08 DEC 19 09 11:02

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;)
ILLINOIS STATE BOARD OF ELECTIONS,)
Complainant)
Vs.)
CITIZENS Looking At Supporting Schools)
Respondent(s).)

Case No. _____

APPEAL AFFIDAVIT

I, R. Scott MacAdam, the TREASURER of the
(Name) (Chairman/Treasurer)
CITIZENS Looking At Supporting Schools
(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:

The CITIZENS Looking At Supporting Schools (CLASS) WAS A group of concerned
CITIZENS who wanted WEN AS VOLUNTEERS TO PASS A school referendum
designed to help the local public schools infra structure. The fund
RAISING WAS USED TO EDUCATE LOCAL CITIZENS ABOUT THE NECESSITY OF
PASSING SAID referendum. The committee (including the TREASURER) were UNAWARE
of the reporting requirements. AS SOON AS we were NOTIFIED, we filed the form

Signed and Sworn to by:

before me this 18th Day of
December, 2008

(Signature of Chairman/Treasurer)

Carol A. Hahn
Notary Public



Thank you

Johnnie Ann Stapp

STATE OF ILLINOIS
COUNTY OF SANGAMON

BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

Illinois State Board of Elections
Complainant

v.

08 AG 008

Citizens for Bill Brady
Respondent

S5138

REPORT OF HEARING EXAMINER
Appeal of Civil Penalty Assessment
For Delinquently Filing Schedule A-1s for the 2008 General Election

This Committee received 16 contributions exceeding \$500 on 10/7/08, and listed them on a Schedule A-1 filed 10/10/08, 1 day late; it received 1 contribution of \$1000 on 10/24/08 and listed it on a Schedule A-1 filed 10/29/08, 1 day late; and it received 1 in-kind contribution valued at \$1400 on 10/7/08 and listed it on a Schedule A-1 filed 10/29/08, 13 days late. The total assessed penalty is \$71,400. Edward P. Brady, the Chairman of the Committee, filed a Request for Hearing and an Appeal Affidavit.

Respondent's Defense

The hearing was held at 10:00 on February 19, 2009, in the Springfield office of the Board of Elections. Appearing on behalf of the Respondent was Dan Egler, a consultant who functions as the staff director for political operations for the political committee. Mr. Egler expounded upon material submitted in the Affidavit. According to both Mr. Egler and the Affidavit, there was a clerical error in entering the date of these contributions.

- (1) There was a fundraiser in Southern Illinois held on October 7, 2008, attended by the candidate and by Mr. Egler. All of the contributions (copies included) were collected by Mr. Egler at the fundraiser the evening of October 7, 2008. Mr. Egler transported them on October 8, 2008, to Carol Aldridge, a temporary contractual employee who sometimes does the clerical entry of the contributions into the software. The contributions were deposited in the bank on October 10, 2008. (Deposit slip attached) As a defense, the Respondent cites the following section of the Rules. Section 100.120(c) states that "a cash contribution to a political committee is deemed to have been received on the date the contribution was actually received by the candidate, Chairman or Treasurer of the committee or the public official." Since neither Mr. Egler nor Mrs. Aldridge is one of the enumerated people, the contribution was erroneously reported as being received on October 7 and should have been entered as received on October 8, which makes the A-1 filing on October 10, 2008 a timely filing. The received date will be corrected on the semi-annual report.
- (2) In regards to the contribution from Charles Adams, listed as received on October 24, 2008, should have been dated as received on October 27, 2008. It was deposited on October 27, 2008. (Check and deposit slip attached) The check is dated October 24, 2008 and Mr. Egler testified that the check was mailed to the Brady campaign.

- (3) In regards to the in-kind contribution from the Illinois Optometric Association, it was entered as the date on the notification of the in-kind contribution, October 7th. However, the notification of an in-kind contribution was not received and entered until October 27, 2008, when Jan Hood, a contractual employee of the office, returned from a vacation. Therefore, the A-1 was filed within two business days of receiving the notice of an in-kind contribution. This in-kind contribution was for a number of flights for the candidate and staff.

Conclusions and Recommendations

- (1) In regards to the checks in question in point (1), I recommend that the appeal be granted. I would assume that rarely in the case of a large campaign does the candidate, chairman or treasurer ever actually come into physical custody of a contribution, but for reporting purposes, a date of receipt must be determined. I think in this case, the contributions were received at the fundraiser by Mr. Egler; they were then transported by Mr. Egler to the office the morning following the fundraiser, to be recorded. The Schedule A-1 was received October 10th, rather than October 9th, one day late if the date of receipt is assumed to be October 7th, the date of the fundraiser, but timely if the date of receipt is considered to be the 8th, when the checks and all information were received in the office. There was clearly no intent to hide any of these contributions or delay the reporting of the same, as they were reported well before the November 4th election.
- (2) In regards to the contribution from Charles Adams, point (2), I recommend that the appeal be granted. Mr. Egler testified that the check was mailed to the Brady campaign. It is logical to assume that a check dated October 24, 2009, might not be received by the committee until October 27, 2009, which would make an A-1 filing on October 29, 2009, timely.
- (3) In regards to the in-kind contribution in point (3) from the Illinois Optometric Association, I recommend that the appeal be denied. The attached in-kind contribution form had no date on when it might have been received. The only date on the form was the date the Association listed as the date of the contribution, October 7th. Since there was no verification as to when the form was received and no testimony other than the fact that the form was on the desk of Jan Hood, a contractual employee, when she returned from vacation on October 27th, there is no basis on which to grant this portion of the appeal.

Therefore, I recommend that the appeal be granted in regards to the contributions listed in point (1), and in regards to the contribution from Charles Adams in point (2). I recommend the appeal be denied in regards to the in-kind contribution discussed in point (3). However, since there is no indication that this violation was anything other than inadvertent and unintentional, as evidenced by the affidavit and by the testimony of Mr. Egler, I also recommend that the penalty be reduced to 10% of the original assessment for that violation or \$140. If this recommendation is accepted by the Board, as a first violation this penalty will be stayed.



Sharon Steward – Hearing Examiner
February 20, 2009

IN-KIND CONTRIBUTION NOTIFICATION

*The contributor shall notify the recipient of donated goods or services of more than \$50 within five (5) business days.
Do not send this form to the State Board of Elections or the County Clerk.*

Full Name, Mailing Address,
and Zip Code

TO: Citizens for Bill Brady

P O Box 5314

Bloomington IL 61702

FROM: Illinois Optometric Association

304 W Washington St.

Springfield, IL 62701

In-Kind Contribution

Full Name, Mailing Address and Zip Code of Vendor (if applicable)	Date	Value
	10-7-08	1,400 ⁰⁰
Description		
Aircraft Transportation Services		

The political committee must report these donations on a Form D-2, Report of Campaign Contributions and Expenditures, Part 5.


Signature of Contributor

HOWELL

Charleston / Mattoon

Rural King

America's Farm and Home Store

- | | | | |
|----------------|-------------------|------------------|-----------------|
| Mattoon, IL | Benton, IL | Angola, IN | Niles, MI |
| Paris, IL | Terre Haute, IN | New Castle, IN | Martin, TN |
| Vandalia, IL | Princeton, IN | Vincennes, IN | Clarksville, TN |
| Litchfield, IL | Columbus, IN | Logansport, IN | McKenzie, TN |
| Effingham, IL | Muncie, IN | Martinsville, IN | Wooster, OH |
| Waterloo, IL | Kokomo, IN | Monticello, IN | Van Wert, OH |
| Charleston, IL | Kendallville, IN | Decatur, IN | |
| Marion, IL | Evansville, IN | Muhlenberg, KY | |
| Carbondale, IL | W. Evansville, IN | Owensboro, KY | |
| Riantoul, IL | Jasper, IN | Henderson, KY | |
| Decatur, IL | Lafayette, IN | Madisonville, KY | |

(Macon County)

CHARLES A ADAMS 05-97
21 SAINT ANDREWS
MATTOON, IL 61938

1905
70-207711
BRANCH 3

DATE: 10/23/2008

PAY TO THE ORDER OF: Citizens for Bill Brady \$1,000.00

One thousand dollars + no/100 DOLLARS

FOR: *[Signature]*

071020761 0008828186 1905

and JR and Kris Hickman are
im. Bill Brady is a successful
o earned 20 percent of the vote.
that can bring respect and

o run a successful business,
if several stores in and around
siness in our state. Bill is a
a seat at the table in

meet him and support him like I
Please join us on

call Julie at 630-369-9070.

Sincerely,

[Signatures]
Gary Melvin, Bruce Speer

Please tear here and return to Gary and Bruce at 4216 Dewitt Avenue, Mattoon, IL 61938

Please respond by Monday, October 27th

- Yes, I will be able to attend the reception. Please accept my contribution of:
- | | |
|-------------------------------|--|
| _____ \$100.00 per person | <input checked="" type="checkbox"/> \$1,000 Cabinet Club |
| _____ \$500.00 Senator's Club | _____ \$2,500 Governor's Club |

No, I am unable to attend. Please accept my contribution of \$1,000 to support Bill's efforts.

Name(s): Charles A Adams

Address: 21 Saint Andrews Place

City: Mattoon State: IL Zip: 61938

Home Phone: _____ Email: cadams@howellco.com

Please make checks payable to: "Citizens for Bill Brady"
PO Box 5314, Bloomington, IL 61702

Paid for by Citizens for Bill Brady. Contributions are not tax deductible for Federal or State Income Taxes. A copy of our report is on file and available for purchase with the State Board of Elections, Springfield, IL

ADDITIONAL CHECK LISTING
 FOR DEPOSIT RECORD COPY
 USE CARBON PAPER FROM BACK
 OF PAD TO MAKE COPIES OF
 ENTRIES ON THIS SIDE
 FOR DEPOSIT RECORD COPY

DEPOSIT RECORD COPY

CITIZENS FOR BILL BRADY
 P.O. BOX 5314
 BLOOMINGTON, ILLINOIS 61702



DATE 10-10-08

DEPOSITS MAY NOT BE AVAILABLE FOR IMMEDIATE WITHDRAWAL

	DOLLARS	CENTS
CURRENCY		
COIN		
CHECKS LIST EACH SEPARATELY		
Const. Co.		
So. Ill.	5,000	00
J. Delze	5,000	00
W. Delze	5,000	00
G. Bernagle	5,000	00
E. Delze	5,000	00
K. Delze	5,000	00
M. Delze	5,000	00
W. Riechman	3,000	00
B. Koester	3,000	00
Citizens for		
Kuechtefeld	5,000	00
D. Glasscock	7,000	00
Lahr Bros.	5,000	00
T.M.W.	4,000	00
So. Ill.		
Transfer	3,500	00
Midwest		
Trans-load	3,500	00
Village		
Bank	3,000	00
SHA Action	4,000	00
TOTAL FROM OTHER SIDE OR ATTACHED LIST	70,000	
PLEASE REENTER TOTAL HERE	69,000	00

40711120681 11511523311 42

69
 70,000
 69,000 00

Checks and other items are received for deposit
 subject to the provisions of the Uniform Commercial
 Code or any applicable collection agreement.

CONSTRUCTION COMPANY OF
SOUTHERN ILLINOIS, LLC

1000 COLUMBIA CENTRE DRIVE
COLUMBIA, ILLINOIS 62236

✓ 1138

DATE Oct. 1, 2008

4-98-810

PAY TO THE ORDER OF

Citizens for Bill Brady

\$5,000.00

Five thousand and no/100

DOLLARS



FOR Contribution

Tom A Koppen

⑈001138⑈ ⑆081000980⑆ 00445⑈86179⑈

Jeffrey Oelze

P.O. BOX 325
NASHVILLE, IL 62263

627
819

3852

DATE 10-8-08

PAY TO THE ORDER OF

Citizens for Brady

\$5000.00

five thousand

DOLLARS



Farmers and Merchants National Bank
120 W. ST. LOUIS ST. PO BOX 309
NASHVILLE, IL 62263-0309

NOW ACCOUNT



MEMO

⑆081906275⑆ 9008365⑈

3852

Jeffrey

✓ WILLIAM OELZE

PO BOX 325
NASHVILLE, IL 62263-0325

70-275/812
8107444682

5565

DATE October 7-08

PAY TO THE ORDER OF

Citizens for Bill Brady

\$5,000.00

Five thousand and 00/100

DOLLARS



Five Star Service Guaranteed

usbank.com

MEMO

⑆081202759⑆ 8107444682⑈5565

William Oelze

9-1 checks

✓ GEORGE W. OBERNAGEL III 01/93
4 COUNTRY LAKES LANE 618-939-4695
WATERLOO, IL 62298

70-1747/810
0170059101

3192

DATE 9/1/08

Pay to the order of

Citizens for Bill Brady

\$5000.00

Five thousand and 00/100

DOLLARS



228 S. Main Street
Waterloo, IL 62298

170

[Signature]

ELMER DEAN OELZE 08/94
11872 CO HWY 27
NASHVILLE, IL 62263

3524
70-627/819

October 7-2008 Date

Pay to the Order of Citizens for Bill Brady \$ 5000. ^{XX}/₁₀₀
five thousand dollars and 00/100 Dollars

Farmers and Merchants National Bank
120 W. ST. LOUIS ST. • P.O. BOX 309
NASHVILLE, ILLINOIS 62263-0309

NOW ACCOUNT

For A. A. Oelze MP

⑆081906275⑆ 9009817⑈ 3524

KIMBERLY L OELZE 04-93
P O BOX 325
NASHVILLE, IL 62263-0325

8951
70-1675/812

10-7-08 DATE

PAY TO THE ORDER OF Citizens for Bill Brady \$ 5000. ^{XX}/₁₀₀
Five thousand DOLLARS

First National Bank of Mt. Vernon
117 N. 2ND ST. P.O. BOX 309 - MT. VERNON, IL
2ND, ILLINOIS - WOODLAWN, ILLINOIS

FOR K. Oelze MP

⑆081216758⑆8951⑈143 161 0⑈

MARION E. OELZE
11872 COUNTY HIGHWAY 27
NASHVILLE, IL 62263
(618)327-3807

627
819

6166

DATE 10/7/08

PAY TO THE ORDER OF Citizens for Bill Brady \$ 5000. ^{XX}/₁₀₀
Five thousand and 00/100 DOLLARS

Farmers and Merchants National Bank
120 W. ST. LOUIS ST. P.O. BOX 309
NASHVILLE, IL 62263-0309

NOW ACCOUNT

MEMO Marion E Oelze MP

⑆081906275⑆ 9001786⑈ 6166

WILLIAM RIECHMANN
PH 618-243-5967 6-83
809 FRONT STREET
OKAWVILLE, IL 62271

7353
70-1818/819

9-30-2008

Printed by Bank-A-Count

Pay to the Order of Citizens for Bill Brady \$ 3000. ^{XX}/₁₀₀
Three thousand and 00/100 DOLLARS

FIRST NATIONAL BANK
OKAWVILLE, ILLINOIS

COUNTRY - 107

FOR William Riechmann MP

⑆081918182⑆ 7353 60009 171

BARBARA A. KOESTER 05-04
4621 BLACKJACK RD.
RED BUD, IL 62278

70-7142/2819
012000182204

1080

DATE 10/01/08

✓

0 DEGREE VALUE ON REVERSE

PAY TO CITIZENS FOR BILL BRADY | \$ 3,000.00
THE ORDER OF
THREE THOUSAND AND NO/100 DOLLARS



Seniors
Checking

Barbara A. Koester

MEMO
⑆ 28 197 14 24 ⑆ 0 12000 18 2204 ⑆ 1080

4881 ✓
70-1507/819

CITIZENS FOR LUECHTEFELD 09/95
C/O ROGER STRICKER, TREAS.
P O BOX 171
OKAWVILLE, IL 62271

DATE Oct 7, 2008

PAY TO THE ORDER OF Citizens for Bill Brady | \$ 5000.⁰⁰
Five thousand and no/100 DOLLARS



THE OLD EXCHANGE
NATIONAL BANK
OKAWVILLE, ILLINOIS 62271

Donna M. Johannes

⑆004881⑆ ⑆081915075⑆ 0100102962⑆

DON OR JAN GLASSCOCK 1-95
705 Rock Hill Dr. Ph. 618-282-3285
Red Bud, IL 62278

6338
80-0942/0810
BRANCH 302

Date 9/25/08

Pay to the Order of Citizens for Bill Brady | \$ 4000.00
Four Thousand and no/100 Dollars



Red Bud
1411 S. Main St.
Red Bud, IL 62278
1-800-760-BANK (2265)
www.firstbanks.com

Medallion Banking

Jan Glasscock

⑆081009428⑆ 2902203770⑆ 6338



LUHR BROS., INC.

P.O. BOX 50
COLUMBIA, IL 62236
(618) 281-4106

REGIONS BANK
ILLINOIS

CHECK DATE

CHECK NO. ✓

09/30/08

173136

70-2266
711

CHECK AMOUNT

\$ *****5,000.00

PAY Five Thousand Dollars and 00 Cents

TO THE ORDER OF
BRADY FOR GOVERNOR

SIGNATURE HAS A COLORED BACKGROUND • BORDER CONTAINS MICROPRINTING

⑈ 173136 ⑈ ⑆ 071122661⑆ 7716754 ⑈

FINANCIAL MANAGEMENT ACCOUNT

VENDOR NUMBER
CIT1120

101 South Main Street
Red Bud, IL 62278-2140

www.associatedbank.com

17-7142/2915 ✓

CHECK NUMBER
020182

CHECK DATE
9/26/2008

THE SUM OF *FOUR THOUSAND AND XX / 100

436
PAY TO THE ORDER OF
CITIZENS FOR BILL BRADY
C/O SENATOR LUECHTEFELD
PO BOX 171
OKAWVILLE, IL 62271

*****4,000.00*

⑈ 020182 ⑈ ⑆ 291571429⑆ 2263144319 ⑈

SOUTHERN ILLINOIS TRANSFER, INC.
1038 STATE STREET
CHESTER, IL 62233



1411 S. MAIN STREET
RED BUD, IL 62278

80-942/810

Oct 7, 2008

4043

PAY TO THE
ORDER OF

Citizens for Bill Brady

Three Thousand Five Hundred and 00/100 Dollars

\$ 3500.00

DOLLARS

Citizens for Bill Brady

MEMO

[Handwritten Signature]

AUTHORIZED SIGNATURE

MP
REGISTERED S.F. CO.
REGISTERED S.F. CO.

⑈004849⑈ ⑆081009428⑆ 9902912828⑈

3854

MIDWEST TRANS-LOAD LLC

1967 PYATT-CUTLER ROAD
CUTLER, IL 62238
PH. 618-497-2515

**FIRST STATE BANK
OF CAMPBELL HILL**

P.O. BOX 190, CAMPBELL HILL, ILLINOIS 62916
70-2052-812

Memo:
PAY

37-1399218

Three Thousand Five Hundred and 00/100 Dollars

Oct 7, 2008

***\$3,500.00

DATE

AMOUNT

Citizens for Bill Brady

TO THE
ORDER
OF:

[Handwritten Signature]

MP

⑈003854⑈ ⑆081220524⑆ ⑈5100180⑈

BANK MONEY ORDER

105791 ✓

REMITTER

Ours

70-1988/819

DATE September 30, 2008

PAY TO THE ORDER OF Citizen for Bill Brady

\$ 3000.00

THE VILLAGE BANK
ST. LIBORY **3000** DOLLARS

DOLLARS

Security Features
Included
Dollars on Back



St. Libory, IL 62282
New Athens, IL 62264
Manassa, IL 62257

Janice Muddendof

⑈ 105791 ⑈ ⑆ 081919880 ⑆

90209000⑈

1	10/27/08	1000.00
2		
3		
4		
5		

FOR DOT FROM...
 USE CARBON PAPER FROM BACK
 OF PAD TO MAKE COPIES OF
 ENTRIES ON THIS SIDE

CITIZENS FOR BILL BRADY
 P.O. BOX 9347
 BLOOMINGTON, ILLINOIS 61702



DATE 10/27/08

DEPOSITS MAY NOT BE AVAILABLE FOR IMMEDIATE WITHDRAWAL

	DOLLARS	CENTS
CURRENCY		
COIN		
CHECKS LIST EACH SEPARATELY		
1 Adams	1000	00
2		
3 Rowland	500	00
4		
5 EXON	500	00
6		
7		
8		
9		
10		
11		
12		
13		
14		
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16		
17		
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19		
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21		
22		
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24		
25		
26		
27		
28		

1071120567 1511523321 42

\$ 2000.00

TOTAL FROM OTHER SIDE
 OR ATTACHED LIST

PLEASE RE-ENTER
 TOTAL HERE

2000.00

Checks and other items are received for deposit
 subject to the provisions of the Uniform Commercial
 Code or any applicable collection agreement.

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 16, 2008

Citizens for Bill Brady
POB 5314
Bloomington, IL 61702

S5138

Dear Citizens for Bill Brady;

This committee has failed to file the following Schedule A-1's, Report of Campaign contributions of more than \$500.00, within 2 business days of receipt as required by the Illinois Campaign Disclosure Act:

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Fine Assessed</u>	<u>Amount of Contribution</u>	<u>Date A-1 Received</u>	<u>Days Late</u>
Southern IL Transfer Inc	10/7/08	\$3500.00	\$3500.00	10/10/08	1
The Material Works LTD	10/7/08	\$4000.00	\$4000.00	10/10/08	1
The Village Bank	10/7/08	\$3000.00	\$3000.00	10/10/08	1
Citz for Luechtefeld	10/7/08	\$5000.00	\$5000.00	10/10/08	1
Elmer Delze	10/7/08	\$5000.00	\$5000.00	10/10/08	1
Jeffrey Delze	10/7/08	\$5000.00	\$5000.00	10/10/08	1
Kim Delze	10/7/08	\$5000.00	\$5000.00	10/10/08	1
Marion Delze	10/7/08	\$5000.00	\$5000.00	10/10/08	1
William Delze	10/7/08	\$5000.00	\$5000.00	10/10/08	1
William Eichmann	10/7/08	\$3000.00	\$3000.00	10/10/08	1
Construction Co of Southern IL LLC	10/7/08	\$5000.00	\$5000.00	10/10/08	1
Don Glasscock	10/7/08	\$4000.00	\$4000.00	10/10/08	1
Barbara Koester	10/7/08	\$3000.00	\$3000.00	10/10/08	1
Luhr Bros, Inc	10/7/08	\$5000.00	\$5000.00	10/10/08	1

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Fine Assessed</u>	<u>Amount of Contribution</u>	<u>Date A-1 Received</u>	<u>Days Late</u>
Midwest Trans-Load LLC	10/7/08	\$3500.00	\$3500.00	10/10/08	1
George Obernagel	10/7/08	\$5000.00	\$5000.00	10/10/08	1
Charles Adams	10/24/08	\$1000.00	\$1000.00	10/29/08	1
IL Optometric Assn	10/7/08	\$1400.00	\$1400.00	10/29/08	13

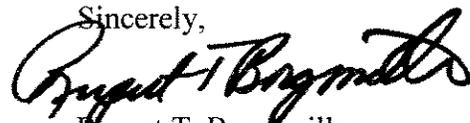
The committee is fined a **total** of \$71400.00 for delinquently filing Schedule A-1 reports as required by the Illinois Campaign Disclosure Act. This total **does not** reflect any previously assessed fines.

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b-5) of the Election Code, the Board may impose fines for violations not to exceed 100% of the total amount of the contributions that were untimely reported, but in no case when a fine is imposed shall it be less than 10% of the total amount of the contributions that were untimely reported.

Since this is the first delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$7140.00, (10% of the total amount reflected above) if you do not choose to file an appeal under the Board's present policy. The total amount due will be imposed with the issuance of a Final Board Order after the 30-day appeal period had expired. This amount must be paid (including any previously assessed fines), within 30 days of the issuance of the Order.

Enclosed please find Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fines if you believe the civil penalties have been assessed in error. ***If you have a legitimate reason for your delinquent filing, it would behoove you to send in the appeal form since the Board has the discretion to take extenuating and other circumstances into account in determining the amount of your penalty.*** Notice of Appeal must be filed within 30 days of the mailing of this assessment for it to be considered.

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

Sincerely,

Rupert T. Borgsmiller
Director, Division of Campaign Disclosure

RTB:sm
cc: Officer(s), Candidate(s)

State of Illinois)
County of Sangamon)

STATE BOARD OF ELECTIONS
09/17/14 PM 2:48

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;)
ILLINOIS STATE BOARD OF ELECTIONS,)
Complainant)
Vs.)
Citizens for Bill Brady)
Respondent(s).)

Case No 08AG008

APPEAL AFFIDAVIT

I, EDWARD P. BRADY the CHAIRMAN of the
(Name) (Chairman/Treasurer)
Citizens for Bill Brady
(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:

There was a clerical error in entering the date of these contributions. All of the October 7, 2008 contributions in question were collected by an agent of the committee, Dan Egler, at a fundraiser in Southern Illinois the evening of October 7, 2008. They were transmitted on the following afternoon, October 8, 2008, to Carol Aldridge, a temporary contractual employee who sometimes does the clerical entry of contributions into our fundraising software in Bloomington. The contributions were deposited in the bank on October 10, 2008. Pursuant to Section 100.120 (c) of the Regulations of the State Board of Elections, "a cash contribution to a political committee is deemed to have been received on the date the contribution was actually received by the candidate, Chairman or Treasurer of the committee or the public official." Since neither Mr. Egler nor Mrs. Aldridge is one of the enumerated people, the contribution was erroneously reported as being received on October 7 and should have been entered as received on October 8, which makes the A-1 filing on October 10, 2008 a timely filing. The received date will be corrected on our semi-annual report.

There was a similar clerical error on the contribution from Charles Adams, listed as received on October 24, 2008, which should have been dated as received on October 27, 2008. It was deposited on October 27, 2008.

The in-kind contribution from the Illinois Optometric Association was entered as the date on the notification of an in-kind contribution from the Illinois Optometric Association. However, the notification of an in-kind contribution was not received and entered until October 27, 2008, when Jan Hood, a contractual employee of the office, returned from a vacation. Therefore, the A-1 was filed within two business days of receiving the notice of an in-kind contribution.

These unfortunate clerical errors will be corrected ~~by the submission of corrected paper copies of the A-1s and~~ by our semi-annual report reflecting the correct days of receipt of these contributions. In addition, contractual workers have been counseled about the importance of accurate recording of all contributions received. Other measures to prevent the recurrence of inaccurate recording and reporting are under consideration and implementation.

Therefore, Citizens for Bill Brady respectfully requests that the Board grant this appeal. In the alternative, Citizens for Bill Brady requests that the Board stay the fines as it is the first alleged violation by the committee.

Signed and Sworn to by:

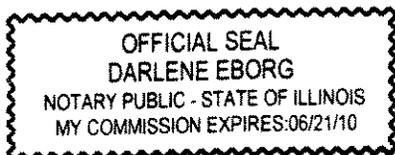
Edward P. Brady

before me this 9th Day of
January 2009

Darlene Eborg
Notary Public

[Signature]

(Signature of Chairman/Treasurer)



*Citizens for Bill Brady
working procedure document*

PRINCIPAL OFFICE
STATE BOARD OF ELECTIONS
09 FEB 20 AM 9:19

Procedures for Entering Contributions to ELECT For Reporting to State Board of Elections

All contributions will be promptly reported and sent to Jan Hood in the Bloomington office.

Contributions and notices of in-kind contributions will be date-stamped (on the envelope if there is no accompanying information) when they are received in the Bloomington office. All checks and notifications of in-kind contributions shall be photocopied, with the copy maintained.

Contributions via the Internet shall be recorded on the date electronic notification of the contribution is received. A copy of the notification shall be maintained.

In the event an A-1 schedule is required (any contribution or in-kind contribution exceeding \$500 received during the 30-day period immediately following the prescribed dates for the Pre-Election report filing and immediately preceding an election), agent receiving the contribution shall immediately report the contribution to Jan Hood in the Bloomington office by e-mail with amount of contribution, name of contributor and his/her address. Contributions then should be immediately sent to Bloomington office via overnight delivery or personal delivery for deposit. Those contributions will be immediately entered into ELECT program and any required A-1 schedule filed with the State Board of Elections. All contributions meeting requirement for A-1 Schedule received in Bloomington office via mail or personal delivery shall be recorded the day they are received and an A-1 filed with the State Board of Elections within the statutory two business day timeframe.

All other contributions shall be recorded in ELECT software program the day they are received in Bloomington office. They shall then be promptly deposited.

These procedures shall take effect immediately. Should new campaign reporting software be purchased pending our current analysis, these procedures may be modified to reflect any new reporting capabilities.

Ed Brady
Chairman, Citizens for Bill Brady
January 12, 2009

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: March 5, 2009

The following committees have made payment of outstanding civil penalties for the period of 2/5/2009 - 3/5/2009:

- § Friends of Judge Clay Clark - \$1800.00
- § Citizens for Lightford - \$1600.00
- § Citizens to Elect LaShawn Ford - \$100.00
- § Phillips for Mayor - \$287.50
- § Friends of Ken Dunkin - \$90.00
- § Citizens for an Independent Judiciary - \$125.00
- § Il Association of Mortgage Brokers PAC - \$2160.00
- § Southern IL Citizens for Equal Justice - \$400.00
- § Citizens to Elect Alvin Parks Jr - \$800.00
- § Citizens for Barkhausen - \$100.77 & \$1099.23
- § Friends of Todd Stroger for President of the Cook County Board of Commissioners - \$50.00
- § Friends of Travis Loyd - \$100.00
- § Kankakee Federation of Labor AFL-CIO COPE - \$600.00
- § Citizens for Karin Norington Reaves - \$250.00
- § Friends for Bill Logan - \$300.00
- § Committee for Election of Gary Webber - \$110.00

Total Amount Paid for this Period- \$9722.50

Year to Date:

1/8/09 – 2/4/09 - \$4305.50

2/5/09 – 3/5/2009 - \$9722.50

4. **Other business.**
5. **Comments from the Chairman and Vice Chairman.**
6. **Comments from the general public.**
7. **Next Board meeting Monday, April 20, 2009 at 10:30 a.m. in Chicago.**
8. **Executive Session.**