STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

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

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

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

EXECUTIVE DIRECTOR
Rupert T. Borgsmiller

AGENDA
STATE BOARD OF ELECTIONS
BOARD MEETING
Friday, July 1, 2011
10:30 a.m.

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

1. Swearing-in ceremony for newly appointed and reappointed Board members by the Honorable Leslie J. Graves, Circuit Judge, 7th Judicial Circuit:
   - Harold D. Byers
   - Betty J. Coffrin
   - Ernest C. Gowen
   - William M. McGuffage
   - Judith C. Rice
   - Charles W. Scholz
   - Bryan A. Schneider
   - Jesse R. Smart

2. Roll call.

3. Recognition of outgoing Chairman, Bryan Schneider.

4. Election of new Board officers for the two-year term beginning July 1, 2011 – June 30, 2013;
   a. Chairman;
   b. Vice-Chairman.

   (Break for Board picture)

5. Report of the General Counsel
   a. Campaign Disclosure;
   Appeals of campaign disclosure fines – new appeals – hearing officer recommendation appeals be granted
   1) *SBE v. Randolph County Republican Central Committee*, 154, 11DS002; (pgs.1-4)
   2) *SBE v. Friends of Tina Jannazzo*, 20245, 11DS101; (pgs.5-7)
   3) *SBE v. Plummer for Illinois*, 22279, 11DS186; (pgs.8-10)
   4) *SBE v. Friends of Sheldon Sherman*, 23108, 11DS263; (pgs.11-16)

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

5) *SBE v. Edwards County Republican Central Committee,* 1148, 11DS018; (pgs.17-19)
6) *SBE v. Ag-Solv,* 1370, 11AM017; (pgs.20-22)
7) *SBE v. Cuba Township Republican Club,* 4880, 11DS024; (pgs.23-26)
8) *SBE v. Friends of Terry Link,* 11959, 10GE014; (pgs.27-30)
9) *SBE v. Friends for Howland,* 19201, 10GE030; (pgs.31-36)
10) *SBE v. Citizens for Mary L. Donner,* 19749, 11DS094; (pgs.37-41)
11) *SBE v. Brady PAC-Illinois,* 22097, 11DS174; (pgs.42-44)
12) *SBE v. Aaron Booker for Sheriff,* 22656, 11DS206; (pgs.45-51)
13) *SBE v. Friends of John F. Argoudelis,* 22782, 11DS222; (pgs.52-55)
14) *SBE v. Friends of Don Gerard,* 22970, 11AM052; (pgs.56-58)

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

15) *SBE v. Citizens for Thaddeus Jones,* 12697, 11MA001; (pgs.59-63)

Other campaign disclosure items

16) Payment of civil penalties – informational; (pg.64)

Complaints following closed preliminary hearing (separate packet)

17) *Zurek v. Friends of Barrett F. Pederson & Democratic Party of Leyden Township,* 11CD025.

6. Report of the Executive Director
   a. New Board Member orientation inquiry; (pg.65)
   b. Report on electronic canvass; (pg.66)
   c. Voting systems certification;
      1) Consideration of use of the AutoMARK in conjunction with the AccuVote; (pgs.67-71)
   d. Legislative update; (pgs.72-85)
   e. IVRS update – informational; (pgs.86-90)
   f. Census data versus registered voters; (pg.91)
   g. Campaign Finance Task Force Reform meeting – informational; (pg.92)
   h. Springfield office facility update; (pg93.)
   i. Two year plan of staff activity for the months of July & August – informational. (pgs.94-96)

7. Follow up
   a. Assessment of civil penalties for exceeding contribution limits; (pgs.97-98)
   b. Delegate selection for the Democratic National Convention. (pgs.99-105)

8. Comments from the general public. (pg.106)

9. Next Board meeting, Tuesday, August 16, 2011 in Chicago. (pg.106)

10. Executive session. (pgs.107-112)

STATE OF ILLINOIS
COUNTY OF SANGAMON

BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

Illinois State Board of Elections

Complainant

v. **11 DS 002**

Randolph County Republican Central Committee ID# 154

Respondent

REPORT OF HEARING OFFICER
Appeal of Civil Penalty Assessment
For Delinquently Filing 2010 December Semi-Annual Report

The Report was received by the Board on January 26, 2011, 4 days late, resulting in a civil penalty assessment of $200.

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

On the Affidavit, Mr. Boyd states that due to a busy schedule, he did not begin working on the Report until January 19. At that time he attempted to use the new version of the Board's electronic filing software but was unable to do so. After consulting with staff on January 20, he learned his computer had insufficient memory to run the software, but Mr. Boyd says he was told he could still file the report using the older version of IDIS. He indicates that he prepared the report and put a filed on date on it, but apparently forgot to actually upload the report to the Board. Mr. Boyd states that he learned of the mistake on January 26, at which time he successfully uploaded the Report.

The older version of the IDIS electronic filing software did require users to first enter a "filed on" date for the report, and then upload the report to the Board. This sometimes led to the situation encountered by this Committee, where the Report appeared to have been uploaded, even though it was not. In order to be consistent with previous Board decisions where an electronic filing defense was raised, and since this Committee has not previously offered such a defense, I recommend the appeal be granted. (As of 3/31/11, this Committee reported a funds available balance of $6454.58.)

Tom Newman – Hearing Officer
June 8, 2011

State of Illinois)
)
County of Randolph)

STATE BOARD OF ELECTIONS
11 APR 11 PM 1:41

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;)
)
ILLINOIS STATE BOARD OF ELECTIONS,)
)
Complainant)
)
Vs.) Case No. 11 DS 002
)
Randolph County Republican Central)
Respondent(s). Committee)

APPEAL AFFIDAVIT

I, Clyde Boyd (Name), the Treasurer (Chairman/Treasurer) of the

Randolph County Republicans Central
(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 had downloaded the new IDS program and thought I was ready to file my year end report. I had been busy with extra duties at work and overtime so when I was finally able to work on the reports January 19 it was evening. Iwas having trouble with the program so I had to wait until I got home from work on

con't on attached page

Signed and Sworn to by:
Clyde Boyd
before me this 11th Day of
April, 2011
Andrea M Schulein
Notary Public

(Signature of Chairman/Treasurer)

OFFICIAL SEAL
ANDREA M. SCHULEIN
Notary Public, State of Illinois
My Commission Expires 09-26-2014

con't

January 20. I took off work early January 20 so I could get the report done and called the state board number, I was directied to tech support department, where I left a message for the technician.

When they called back it was getting late and I was starting to panic. Tech hooked up to my computor and found the problem right away. I didn't have computer memory. He told me I could still file on the old system, so that is what I did. I filled out the forms on the old system and hit file but as you may know after hitting file you have to go back and hit file again to upload the reports. This is the step I omitted, having only used electronic filing for two other reports, I

didn't remember to go back and upload the reports. When the state board rep called me on January 26 I was at work. As we talked she asked me if I had done the second step to upload the reports. I said I didn't remember doing it, but my copy said filed on January 20. She reminded me that although my copy said filed, it wasn't uploaded unless I completed the second step. When I got home at approximately 4:00 - 4:15 p.m. I started my computer and checked the files, that's when I did the second step and uploaded the reports receiving the time stamp of 4:41 p.m.

Clyde Boyd
8751 Michael Rd.
Sparta, IL 62286-3215
618-317-3572

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

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Patrick A. Brady
John R. Keith
William M. McGuffage
Albert S. Porter
Jesse R. Smart
Robert L. Walters

EXECUTIVE DIRECTOR
Rupert T. Borgsmiller

March 9, 2011

Randolph County Republican Central Committee ID# 154
Clyde Boyd
8751 Michael Rd
Sparta, IL 62286

Dear Randolph County Republican Central Committee;

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

Report Type:	Semiannual Report of Campaign Contributions and Expenditures
Report Period:	July 1, 2010 through December 31, 2010
Filing Period:	January 3, 2011 through January 20, 2011

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 January 26, 2011, 4 day(s) late. As such, this committee has been assessed a fine of $200.00.

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 date 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 Jennifer Ronimous at 217-782-1543.

Sincerely,

Sharon Steward
Director, Campaign Disclosure Division

SS: jr
Enclosure(s): appeal forms

STATE OF ILLINOIS
COUNTY OF SANGAMON

BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

Illinois State Board of Elections

Complainant

v. **11 DS 101**

Friends of Tina Jannazzo ID# 20245

Respondent

REPORT OF HEARING OFFICER
Appeal of Civil Penalty Assessment
For Delinquently Filing the 2010 December Semi-Annual Report

The Report was received by the Board on January 30, 2011, 6 days late, resulting in a civil penalty assessment of $150.

Tina Jannazzo, the Candidate of the Committee, filed a Waiver of Appearance, and submitted on the Appeal Affidavit the following:

On the Affidavit, Ms. Jannazzo states that the filing delay was the result of her having trouble accessing the IDIS electronic filing system from the computer on which her Committee's data was stored. She says that computer recently had a new operating system installed, and she was unfamiliar with using it – especially since she normally uses a Mac computer rather than a PC.

In order to be consistent with previous Board decisions in which an electronic filing defense is raised, and since this Committee has not previously offered such a defense, I recommend the appeal be granted. The Committee should be aware however that the Board is not likely to look favorably on a similar defense in the future. (As of 3/31/11, this Committee reported a funds available balance of $214.03.)

Tom Newman – Hearing Officer
June 16, 2011

State of Illinois)
)
County of _____)

STATE BOARD OF ELECTIONS
11 APR -8 PM 3:01

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;)
)
ILLINOIS STATE BOARD OF ELECTIONS,)
)
Complainant)
)
Vs.) Case No. 11 DS 101
)
Friends of Tina Jannazzo)
Respondent(s).)

APPEAL AFFIDAVIT

I, Tina Jannazzo (Name), the candidate (Chairman/Treasurer) of the Friends of Tina Jannazzo (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 had trouble accessing the IDIS system from the computer with my data. The computer had a new operating system installed. I can work a MAC, but My parents' PC got the best of me. Sorry for the delay.

Signed and Sworn to by:
TINA JANNAZZO
before me this 7th Day of
APRIL, 2011
Angela Mizeur
Notary Public

(Signature of Chairman/Treasurer)

OFFICIAL SEAL
ANGELA MIZEUR
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 11-30-2013

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187
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Chicago Illinois 60601
312/814-6440
Fax: 312/814-6485

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

EXECUTIVE DIRECTOR
Rupert T. Borgsmiller

March 9, 2011

Friends of Tina Jannazzo
Steve Dunker
2545 S 4th St
Springfield, IL 62703

ID# 20245

Dear Friends of Tina Jannazzo;

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:	July 1, 2010 through December 31, 2010
Filing Period:	January 3, 2011 through January 20, 2011

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 January 30, 2011, 6 day(s) late. As such, this committee has been assessed a fine of $150.00.

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 date 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 Jennifer Ronimous at 217-782-1543.

Sincerely,

Sharon Steward
Director, Campaign Disclosure Division

SS: jr
Enclosure(s): appeal forms

STATE OF ILLINOIS
COUNTY OF SANGAMON

BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

Illinois State Board of Elections

Complainant

v. **11 DS 186**

Plummer for Illinois ID# 22279

Respondent

REPORT OF HEARING OFFICER
Appeal of Civil Penalty Assessment for Delinquently Filing the
2010 December Semi-Annual Report

The Report was received by the Board on January 21, 2011, 1 day late, resulting in a civil penalty assessment of $50.

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

On the Affidavit, Mr. Slusser states that he attempted to electronically file the Report at 11:50pm on January 20. He believes the system was jammed or overloaded, because he was unable to get the Report uploaded until just 29 seconds after the deadline. Mr. Slusser adds that a reasonable attempt in good faith was made to file before the deadline.

While it is true the filing was received less than a minute late, it was in fact filed after the deadline and is considered late. However, in order to be consistent with previous Board decisions where an electronic filing defense was raised, and since this Committee has not previously used such a defense, I recommend the appeal be granted. The Committee should be aware that the Board is not likely to look favorably on such a defense in the future and that it is advisable to make sure future reports are filed earlier in the filing period. (As of 3/31/11, this Committee reported a funds available balance of $6,038.29.)

Tom Newman – Hearing Officer
June 14, 2011

State of Illinois)
)
County of Madison)

STATE BOARD OF ELECTIONS

11 APR 11 PM 1:41

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;)
)
ILLINOIS STATE BOARD OF ELECTIONS,)
)
Complainant)
)
Vs.) Case No. 11 DS 1866
)
Plummer for Illinois)
Respondent(s).)

APPEAL AFFIDAVIT

I, Christopher Slusser (Name), the Treasurer (Chairman/Treasurer) of the Plummer for Illinois (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 attempted to file the report at 11:50pm on January 20, 2011, however the system appeared to be jammed or overloaded. It didn't finally go through until 12:00.29, just 29 seconds after the deadline. A reasonable attempt in good faith was made to file before the deadline

Signed and Sworn to by:
Christopher Slusser
before me this 8th Day of
April, 2011
Ann E Dietrich
Notary Public

(Signature of Chairman/Treasurer)

"OFFICIAL SEAL"
Ann E Dietrich
Notary Public, State of Illinois
My Commission Expires 11/18/2014

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187
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BOARD MEMBERS
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Patrick A. Brady
John R. Keith
William M. McGuffage
Albert S. Porter
Jesse R. Smart
Robert L. Walters

EXECUTIVE DIRECTOR
Rupert T. Borgsmiller

March 9, 2011

Plummer for Illinois
Christopher Slusser
PO Box 138
Wood River, IL 62024

ID# 22279

Dear Plummer for Illinois;

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:	July 1, 2010 through December 31, 2010
Filing Period:	January 3, 2011 through January 20, 2011

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 January 21, 2011, 1 day(s) late. As such, this committee has been assessed a fine of $50.00.

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 date 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 Jennifer Ronimous at 217-782-1543.

Sincerely,

Sharon Steward
Director, Campaign Disclosure Division

SS: jr
Enclosure(s): appeal forms

STATE OF ILLINOIS
COUNTY OF SANGAMON

BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

Illinois State Board of Elections

Complainant

v. **11 DS 263**

Friends of Sheldon Sherman ID# 23108

Respondent

REPORT OF HEARING OFFICER
Appeal of Civil Penalty Assessment
For Delinquently Filing 2010 December Semi-Annual Report

The Report was received by the Board on February 25, 2011, 24 days late, resulting in a civil penalty assessment of $600.

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

On the Affidavit, Mr. Ramsey states that the Committee originally filed its Report with the Board on paper, but was subsequently notified that the Report would have to be re-filed electronically. He says the Committee attempted to comply, but encountered several problems in installing and using the new version of the Board's electronic filing software. As a result, the deadline for re-filing the Report electronically was missed.

A review of internal records shows this Committee did file two service requests with the Board, one on 1/25/11 and one on 2/10/11. (Service requests are entered by Campaign Disclosure staff when a Committee needs assistance from the Board's IT staff, typically due to technical issues with the IDIS software.) In this case, the Committee apparently had a problem installing the software and then later with understanding how to use the software to recreate the Report that had previously been filed on paper. While both issues appear to have been resolved in sufficient time to meet the re-filing deadline, in order to be consistent with previous Board decision when an electronic filing defense is raised and since this Committee has not previously used such a defense, I recommend the appeal be granted. The Committee should be aware however, that a similar defense raised in the future may not be looked upon favorably by the Board. (As of 3/31/11, this Committee reported a funds available balance of $2081.90.)

Tom Newman – Hearing Officer
June 8, 2011

State of Illinois)
)
County of Cook)

CHICAGO
11 APR -7 PM 2:19
STATE BOARD OF ELECTIONS

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;)
)
ILLINOIS STATE BOARD OF ELECTIONS,)
)
Complainant)
)
Vs.) Case No. 11 DS 263
)
Friends of Sheldon Sheeman)
Respondent(s).)

APPEAL AFFIDAVIT

I, Darron Ramsey, the Treasurer of the
(Name) (Chairman/Treasurer)
Friends of Sheldon Sheeman
(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:

Please see attached letter.

Signed and Sworn to by:
Malikha K. Muhammad
before me this 7 Day of
April, 2011
Malikha K. Muhammad
Notary Public

Dan Ramsey
(Signature of Chairman/Treasurer)

OFFICIAL SEAL
MALIKHA K. MUHAMMAD
Notary Public - State of Illinois
My Commission Expires Apr 21, 2013

CHICAGO

11 APR -7 PM 2:19

STATE BOARD OF ELECTIONS

Friends of Sheldon Sherman ID#23108

Re: Appeal Request

Our committee originally filed our Semiannual Report of Campaign Contribution and Expenditures for the reporting period of July 1, 2010 through December 31, 2010 on paper and hand deliver it to the State Board of Elections Chicago office. We then received a letter dated January 25, 2011, stating we must file our reports electronically. As we began to comply with the letter, we had many problems using the IDIS software. Our committee had to make several calls to the IDIS help desk, which resulted into someone contacting us days after the initial calls were made. This caused us to be a day late reporting electronically. The Friends of Sheldon Sherman humbly request that the State Board of Elections reconsider accessing this first time violation due to the problems we had with the IDIS software. We thank you in advance for reviewing our appeal and look forward to complying with all rules and regulations of the State Board of Elections State of Illinois in the future. If there are questions, please feel free to call me at 847 769 5278.

Regards,

Darron Ramsey, Treasury

Friends of Sheldon Sherman

Campaign Disclosure ▸ IDIS Service Requests: Amendment not generating

Tags & Notes

The content of this item will be sent as an e-mail message to the person or group assigned to the item.

Short Description	Amendment not generating
Details	user enters a ttransaction from a prior reporting period and it does not trigger an amendment
Assigned To	SBE\KalpanaK
Request Status	Complete
First Name	Duran
Last Name	Ramsey
Contact Number	847.769.5278
Contact Email	
System	IDIS
Committee	
Date Call Taken	2/10/2011
Resolution	User had filed the last half of 5emi of 2010 on paper. He had all transactions on paper. Then he got a letter saying he needs to file electronically. He created the committee using new IDIS in Jan. Did not have any of the transactions related to the semi. So, I told him to enter all the transactions into the new IDIS and it will generate the report for him and he can file it and it will go in as amendment since the semi has been filed already on paper.
Resolution Date	2/10/2011
Priority	(2) Normal
Comments	SBE\KalpanaK (2/15/2011 9:40 AM): Pitchford, Erick (2/10/2011 1:26 PM): SBE\JasonM (2/10/2011 1:24 PM):
Full Name	Duran Ramsey
Related Issues	

Version: 3.0
Created at 2/10/2011 1:24 PM by SBE\JasonM
Last modified at 2/15/2011 9:40 AM by SBE\KalpanaK

Close

Campaign Disclosure ▸ IDIS Service Requests: Error running set up

Tags & Notes

The content of this item will be sent as an e-mail message to the person or group assigned to the item.

Short Description	Error running set up
Details	He is getting an error when running the setup. ERROR 1306 another application has exclusive access to the file C:/SBE/IDISv20/ididsdd.mdf. He can retry or cancel and when he clicks retry he gets the same error.
Assigned To	SBE\KimM
Request Status	Complete
First Name	Darron
Last Name	Ramsey
Contact Number	
Contact Email	847/ 769-5278
System	IDIS
Committee	
Date Call Taken	1/25/2011
Resolution	Needed his ldf (from a prior install) deleted. Then the createIDISUser ran. IDIS working correctly. He entered his comittee.
Resolution Date	1/27/2011
Priority	(2) Normal
Comments	SBE\KimM (1/27/2011 11:52 AM): SBE\KimM (1/27/2011 9:35 AM): Called and left a message. SBE\TaraC (1/25/2011 3:38 PM):
Full Name	Darron Ramsey
Related Issues	

Version: 3.0
Created at 1/25/2011 3:38 PM by SBE\TaraC
Last modified at 1/27/2011 11:52 AM by SBE\KimM

Close

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

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Albert S. Porter
Jesse R. Smart
Robert L. Walters

EXECUTIVE DIRECTOR
Rupert T. Borgsmiller

March 9, 2011

Friends of Sheldon Sherman
Darron Ramsey
8806 S Talman
Evergreen, IL 60805

ID# 23108

Dear Friends of Sheldon Sherman;

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:	July 1, 2010 through December 31, 2010
Filing Period:	January 3, 2011 through January 20, 2011

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 February 25, 2011, 24 day(s) late. As such, this committee has been assessed a fine of $600.00.

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 date 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 Jennifer Ronimous at 217-782-1543.

Sincerely,

Sharon Steward
Director, Campaign Disclosure Division

SS: jr
Enclosure(s): appeal forms

STATE OF ILLINOIS
COUNTY OF SANGAMON

BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

Illinois State Board of Elections

Complainant

v. **11 DS 018**

Edwards County Republican Central Committee ID# 1148

Respondent

REPORT OF HEARING OFFICER

Appeal of Civil Penalty Assessment for Delinquently Filing the
2010 December Semi-Annual Report

The Report was received by the Board on February 8, 2011, 13 days late, resulting in a civil penalty assessment of $975. Additionally, the Committee had previously been assessed a $1000 civil penalty (not appealed, unpaid) for delinquently filing the 2010 June Semi-Annual Report, and a $100 civil penalty (not appealed, unpaid) for delinquently filing the 2009 June Semi-Annual Report. The total assessment is $2075.

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

On the Affidavit, Ms. Beuligmann states that she had believed the Committee only needed to file reports once a year, but she now knows differently. She adds that the Committee had previously only received Board mailings on occasion, but she believes the address has been successfully changed.

It appears the Committee's mailing address was changed in August of 2010, at the time an amended Statement of Organization was filed listing Ms. Beuligmann as the new Committee Treasurer. She therefore should have received Board mailings, which included information about required reports and reporting dates. I recommend the appeal be denied for lack of an adequate defense. If this recommendation is accepted by the Board, the total assessment of $2075 would be due and owing. (As of 3/31/11, this Committee reported a funds available balance of $433.34.)

Tom Newman – Hearing Officer
June 15, 2011

State of Illinois)
)
County of Edwards)

STATE BOARD OF ELECTIONS

11 APR -8 PM 1:02

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;)
)
ILLINOIS STATE BOARD OF ELECTIONS,)
)
Complainant)
)
Vs.) Case No. 11 DS 018
)
Edwards Co. Republican)
Respondent(s). Central)
Committee)

APPEAL AFFIDAVIT

I, Tracy Beuligmann, the Treasurer of the
(Name) (Chairman/Treasurer)

Edwards Co Republican Central 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:

Was under the understanding this report was filed once a year, now know different. U had sent in for address to be changed, U would get some mail on occasion as did former treasurer. U believe U am getting correspondence now and understand the reporting. Thank you. Also also mail is now coming to me.

Signed and Sworn to by:
Sheila M. Schnepper
before me this 14th Day of
March, 2011
Sheila M Schnepper
Notary Public

Tracy Beuligmann
(Signature of Chairman/Treasurer)

"OFFICIAL SEAL"
SHEILA SCHNEPPER
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 12-4-2012

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
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Patrick A. Brady
John R. Keith
William M. McGuffage
Albert S. Porter
Jesse R. Smart
Robert J. Walters

EXECUTIVE DIRECTOR
Rupert T. Borgsmiller

March 9, 2010

Edwards County Republican Central Committee
Jeffrey Bradham
108 N Main, PO Box 84
West Salem, IL 62476

ID# 1148

Dear Edwards County Republican Central Committee;

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

Report Type:	Semiannual Report of Campaign Contribution and Expenditures
Report Period:	July 1, 2010 through December 31, 2010
Filing Period:	January 3, 2011 through January 20, 2011

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 February 8, 2011, 13 day(s) late. As such, this committee has been assessed a fine of $975.

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 date of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.***

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

Reporting Period	Report Type	Previous Fine Amount
January 1, 2009 to June 30, 2009	Semi-Annual Report	$100
January 1, 2010 to June 30, 2010	Semi-Annual Report	$1000
TOTAL AMOUNT NOW DUE		**$2075**

If you have any questions regarding the appeal process, please call Jennifer Ronimous at 217-782-1543.

Sincerely,

Sharon Steward
Director, Campaign Disclosure Division r

SS: jr
Enclosure(s) appeal documents

STATE OF ILLINOIS
COUNTY OF SANGAMON

BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

Illinois State Board of Elections

Complainant

v. **11 AM 017**

Ag-Solve ID# 1370

Respondent

REPORT OF HEARING OFFICER
Appeal of Civil Penalty Assessment
For Delinquently Filing Schedule A-1 Reports

The Committee received a $2413.41 contribution on 2/6/11 and a $1000 contribution on 3/3/11 and reported both on a Schedule A-1 received by the Board on 4/5/11, 18 and 36 days late, respectively. The total assessment is $3413.41.

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

On the Affidavit, Mr. Wells states that as a result of changes to disclosure law this year, the Committee was focused on issues such as the new electronic filing software and new reporting deadlines and was unaware of the changes to Schedule A-1 reporting. This led to the late filing of the Schedule A-1.

I recommend the appeal be denied for lack of an adequate defense. However, since there is no indication the violations were anything other than inadvertent and unintentional, I also recommend the civil penalty be reduced to 5% of the original assessment, or $171. If these recommendations are accepted by the Board, the $171 civil penalty would be due and owing. (As of 3/31/11, this Committee reported a funds available balance of $3539.15.)

Tom Newman – Hearing Officer
June 20, 2011

State of Illinois)
)
County of _____)

STATE BOARD OF ELECTIONS
11 JUN 13 AM 9:32

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;)
)
ILLINOIS STATE BOARD OF ELECTIONS,)
)
Complainant)
)
Vs.) Case No. 11 AM 017
)
Ag-Solve)
Respondent(s).)

APPEAL AFFIDAVIT

I, Bob Wells (Name), the Chairman/Treasurer (Chairman/Treasurer) of the Ag-Solve (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:

At a time when we were focused on the down load of new IDIS software for reporting, coupled with a change in the time tables for campaign disclosure, we were unaware of the changes of why and when Schedule A-1 should be filed. This is a result of unfamiliarity of all adaptation of the law, and a one-time occurrence. We have since obtained the new A-1.

Signed and Sworn to by:
Dianne Turner
before me this 08 Day of
June, 2011
Dianne Turner
Notary Public

Bob Wells
(Signature of Chairman/Treasurer)

"OFFICIAL SEAL"
DIANNE L. TURNER
Notary Public, State of Illinois
My Commission Expires 06/13/2013

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

EXECUTIVE DIRECTOR
Rupert T. Borgsmiller

June 3, 2011

Ag-Solve ID# 1370
Bob Wells
748 S Champaign St
Bement, IL 61813-1521

Dear Ag-Solve:

This committee has failed to file the following Schedule A-1's, Report of Campaign contributions of $1000 or more as required by the Illinois Campaign Disclosure Act:

Contributed By	Date of Contribution	Fine Assessed	Amount of Contribution	Date A-1 Received	Days Late
IL Agricultural Aviation Assoc.	3/3/11	$1000	$1000	4/5/11	18
IL Fertilizer & Chemical Assn.	2/6/11	$2413.41	$2413.41	4/5/11	36

The committee is fined a **total** of $3413.41 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(c) of the Election Code, the Board may impose fines for violations not to exceed 50% of the total amount of the contribution(s) 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 $171, (5% of the total amount of contribution(s) 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 has 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 fine if you believe the civil penalty has been assessed in error. ***Notice of Appeal must be filed within 30 days of the date 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 do not appeal this assessment, you must pay your fine within 30 days of the Final Board Order. However, you may also elect to pay the fine at this time. You may mail or deliver payments to the State Board of Elections, Attn: Campaign Disclosure, 1020 S Spring Street, Springfield, IL 62704.

STATE OF ILLINOIS
COUNTY OF SANGAMON

BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

Illinois State Board of Elections

Complainant

v. **11 DS 024**

Cuba Township Republican Club ID# 4880

Respondent

REPORT OF HEARING OFFICER
Appeal of Civil Penalty Assessment
For Delinquently Filing the 2010 December Semi-Annual Report

The Report was received by the Board on February 22, 2011, 21 days late, resulting in a civil penalty assessment of $2100. Additionally, the Committee had previously been assessed a $200 civil penalty (not appealed, unpaid) for delinquently filing the 2008 December Semi-Annual Report, a $5000 civil penalty (appealed, appeal granted) for delinquently filing the 2008 June Semi-Annual Report, and a $925 civil penalty (not appealed, unpaid) for delinquently filing the 2007 June Semi-Annual Report. The total assessment is $3225

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

On the Affidavit, Ms. Blake states that when she became Treasurer of the Committee in August of 2010 she was given no information about filing reports. She says she was told the Report in question was due at the end of January, but when she went to file the Report the weekend of January 29th she was unable to download or install the Board's electronic filing software. Ms. Blake that she finally made contact with Board staff on February 3 and was given the Committee's filer account number and password for electronic filing, but she was still unable to download the software. She says at this point she was forced to file the Report on paper, which she then did. Ms. Blake adds that she was unaware of the previous fines assessed against the Committee or how important the filing deadlines were.

Ignorance of previous fines or disclosure rules is not an excuse for a delinquent filing. The Committee clearly did have problems with downloading and installing the electronic filing software, but Ms. Blake admits that the first attempt to electronically file the Report did not take place until January 29, more than a week after the filing deadline. Therefore an electronic filing defense is not applicable in this situation, so I recommend the appeal be denied. However, I would further recommend the Committee be given credit for attempting to file on the 29th. This would make the Report 7 days late, resulting in a civil penalty of $700. If these recommendations are accepted by the Board, the total civil penalty of $1825 would be due and owing. (As of 3/31/11, this Committee reported a funds available balance of $1345.45.)

Tom Newman – Hearing Officer
June 20, 2011

State of Illinois)
)
County of _____)

STATE BOARD OF ELECTIONS
11 APR -8 PM 1:01

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;)
)
ILLINOIS STATE BOARD OF ELECTIONS,)
)
Complainant)
)
Vs.) Case No. 11 DS 024
)
Cuba Township Republican Club)
Respondent(s).)

APPEAL AFFIDAVIT

I, Janet M. Blake, the treasurer of the
(Name) (Chairman/Treasurer)

Cuba Township Republican 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:

See attached letter

Signed and Sworn to by:

before me this 4 Day of
April, 2011

Janet M Blake
(Signature of Chairman/Treasurer)

Ramon Reyna
(Notary Public)

OFFICIAL SEAL
RAMON REYNA
Notary Public - State of Illinois
My Commission Expires Jul 01

April 6, 2011

Dear Sir/Madam,

I became treasurer of the Cuba Township Republican Club on August 6, 2010. I did so at the urging of our president since the previous treasurer (who was there for many years) was no longer capable of handling the books/records. I was literally handed the club checkbook and no other documentation. Most of what I have learned about this position has been obtained on my own.

The president of our organization asked me on January 12, 2011 to fill out the State Board of Elections D-2 forms. I had never done this before. When I asked when they were due, I was told at the end of the month. I was not presented with any paperwork but was advised to go to the website. As best as I can recall, I went onto the computer during the weekend of January 29th and attempted to download the IDIS software and was unsuccessful. I called the Springfield office on the afternoon of February 1, 2011 but was unable to reach anyone since the office was closed. I was able to reach Mike on February 3, 2011 who advised me to change the password and gave me the filer account number. I did so and it still wouldn't download completely to my computer, therefore, I couldn't upload electronically. It was at this point that I was forced to file the paperwork manually and did so.

I am appealing your decision and ask that you consider eliminating the $2100.00 fine for the following reasons:

1. I was completely unaware of the previous $200.00 civil penalty assessment. I realize this makes it appear that we have two outstanding penalties, but no one disclosed this one to me.

2. I could not download the software to electronically file the D-2 forms.

3. I am a new, first time treasurer for a political party, I was unaware of how important the deadline dates were and I did not know that there were any fines assessed. In fact, at no time during my conversation with Mike did he advise that we were already accruing penalties. I just did not know. I now understand and will have everything filed correctly and on time.

Thank you for considering my appeal. If you need to discuss any items, please feel free to contact me at 847-212-6484.

Sincerely,

Janet M. Blake

Janet M. Blake

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 A. Brady
John R. Keith
William M. McGuffage
Albert S. Porter
Jesse R. Smart
Robert J. Walters

EXECUTIVE DIRECTOR
Rupert T. Borgsmiller

March 9, 2010

Cuba Township Republican Club
PO Box 246
Barrington, IL 60011-0246

ID# 4880

Dear Cuba Township Republican Club;

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:	July 1, 2010 through December 31, 2010
Filing Period:	January 3, 2011 through January 20, 2011

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 February 22, 2011, 21 day(s) late. As such, this committee has been assessed a fine of $2100.

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 date of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.***

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

Reporting Period	Report Type	Previous Fine Amount
July 1, 2008 to December 31, 2008	Semi-Annual Report	$200
TOTAL AMOUNT NOW DUE		**$2300**

If you have any questions regarding the appeal process, please call Jennifer Ronimous at 217-782-1543.

Sincerely,

Sharon Steward
Director, Campaign Disclosure Division r

SS: jr
Enclosure(s) appeal documents

STATE OF ILLINOIS
COUNTY OF SANGAMON

BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

Illinois State Board of Elections

Complainant

v. **10 GE 014**

Friends of Terry Link ID# 11959

Respondent

REPORT OF HEARING OFFICER
Appeal of Civil Penalty Assessment
For Delinquently Filing the Pre Election Report for the 2010 General Election

The Committee initially filed a Statement of Non-Participation, subsequently made three $250 contributions to candidates on the General Election ballot, but failed to file a Pre-Election Report. The Committee was therefore considered to be two days delinquent in filing the Report, resulting in a civil penalty assessment of $400. In addition, the Committee had previously been assessed civil penalties totaling $200 (not appealed, paid) for failure to file two Schedule A-1 reports for the 2008 General Election. The total assessment is $400.

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

On the Affidavit, Mr. Link states that the Committee did not file a Pre-Election Report as a result of a misunderstanding of disclosure law. After filing a Statement of Non-Participation, he says the Committee contacted Board staff and was told that contributions could be made to other committees as long as they did not exceed $500. Mr. Link says the Committee thought that meant contributions of $500 per recipient committee, rather than an aggregate of $500 for all the contributions. He describes the failure to file a Pre-Election Report as an honest mistake.

Section 100.70(e) of the Board's Rules and Regulations states, *"A committee that, having filed a Statement of Non-Participation, makes an expenditure in excess of $500 or expends or has expended an aggregate amount in excess of $500 on behalf of or in opposition to a candidate or on behalf of a question of public policy that will appear on the ballot at the next election shall file a pre-election report within five days after making the expenditure, or if the expenditure that triggers the requirement to file a pre-election report is made during the five days immediately prior to the election, within 24 hours after making the expenditure..."* While it seems clear that this Committee did not deliberately fail to file a Pre-Election Report, the fact remains that a Pre-Election Report was required because of the Committee's aggregate contributions to candidates on the ballot. I recommend the appeal be denied for lack of an adequate defense. If this recommendation is accepted, the $400 civil penalty will be due and owing. (As of 3/31/11, this Committee reported a funds available balance of $17,632.16.)

Tom Newman – Hearing Officer
June 20, 2011

State of Illinois)
)
County of LAKE)

STATE BOARD OF ELECTIONS
11 APR -8 PM 1:02

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;)
)
ILLINOIS STATE BOARD OF ELECTIONS,)
)
Complainant)
)
Vs.) Case No. 10 GE 014
)
FRIENDS OF TERRY LINK)
Respondent(s).)

APPEAL AFFIDAVIT

I, TERRY LINK (Name), the CHAIRMAN & TREASURER (Chairman/Treasurer) of the FRIENDS OF TERRY LINK (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 8th Day of April, 2011
Bobbie Decatoire
Notary Public

(Signature of Chairman/Treasurer)

OFFICIAL SEAL
BOBBIE DECATOIRE
NOTARY PUBLIC, STATE
MY COMMISSION EXPIR

Friends of Terry Link did file a Non-Participation Report for the November 2010 General Election cycle and the Committee did later authorize the transfer of three separate contributions of $250 each to political committees; however, these contributions were made during the Non-Participation under a misunderstanding of the law. A person assisting the Committee called the State Board of Elections and asked whether the Committee could make contributions to another committee even though the Committee filed a Non-Participation Report; according to the person the employee at the Board stated that contributions could be made so long as the committee did not make contributions in excess of $500. The person calling on behalf of the Committee misunderstood the Board employee's explanation and informed me that contributions could be made to a committee so long as the contributions did not exceed $500 per committee from the transferring committee; when in actuality the law prohibits contributions of $500 in the aggregate to all committees from the transferring committee. The Committee should have been aware of the law; however, this is the first time the Committee has filed a Non-Participation Report during a General Election cycle, thus we were unclear of the rules and made an honest mistake.

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

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

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

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

EXECUTIVE DIRECTOR
Rupert T. Borgsmiller

March 9, 2011

Friends of Terry Link
Terry Link
22 Edgewood Rd
Vernon Hills, IL 60061

Committee ID: 11959

Dear Friends of Terry Link;

A review of your committee records has indicated that the Non-Participation Report filed for the November 2010 General Election should have in fact been a Pre-election Report. Section 100.70(d) of the Rules and Regulations reads as follows:

> A committee which, having filed a Statement of Non-Participation, makes a subsequent contribution to a candidate who will appear on the ballot at the next election shall file a Pre-Election Report within five days after making the contribution, or if the contribution is made during the five days immediately prior to the election, within 24 hours after making the contribution.

The 2010 Semi-Annual Report filed on behalf of this committee, covering the last half of 2010 lists the following contributions to candidates who appeared on the ballot at the 2010 General Election.

Candidate Name	Date of Contribution	Amount of Contribution
Friends of Carol Sente	10/29/2010	$250
Friends of Doug Roberts	10/14/2010	$250
Friends of Rita Mayfield	10/14/2010	$250

Consequently, this committee is deemed to have participated in this Election, and was therefore not eligible to file a Non-Participation Statement, but instead, should have filed a Pre-Election Report. Pursuant to Rule 100.70(d), this Report should have been filed no later than five business days following the issuance of the above referenced contribution. A civil penalty in the amount of $400 has therefore been assessed, based on the number of business days between the due date of the Report and the date of the Election.

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.

If you have questions regarding the appeal process, please call Jennifer Ronimous at 217-782-1543.

Sincerely,

Sharon Steward
Director, Campaign Disclosure

SS: jr
Enclosure(s): appeal packet

STATE OF ILLINOIS
COUNTY OF SANGAMON

BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

Illinois State Board of Elections

Complainant

v. **10 GE 030**

Friends for Howland ID# 19201

Respondent

REPORT OF HEARING OFFICER
Appeal of Civil Penalty Assessment
For Delinquently Filing the Pre-Election Report for the 2010 General Election

The Report was received by the Board on January 12, 2011, 11 days late, resulting in a civil penalty assessment of $1100. Additionally, the Committee had previously been assessed a $200 civil penalty (appealed, appeal granted) for delinquently filing the Pre-Election Report for the 2008 General Election. The total assessment is $1100.

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

On the Affidavit, Ms. Howland states that she has had continuous trouble filing reports electronically. She adds that her Committee has had no activity, and the only reason she has kept the Committee open is because of the possibility that she will run for re-election in the future.

The Committee originally filed the Report on paper, on 10/28/10. However, it had been warned previously that electronic filing was required, and future paper reports would be considered as non-filings. Based on the past history of this Committee, it is apparent that electronic filing of reports has been a problem. However, this does not appear to have prompted the Committee to take steps earlier in the filing process to ensure that its reports are able to be successfully uploaded to the Board. In this instance, the paper Report was filed late, and the required electronic version of the Report was not filed until nearly three months after the deadline. Additionally, when the Committee's appeal of the earlier penalty for delinquent filing was granted (based on electronic filing issues), it was cautioned that, "...subsequent electronic issues will not be readily accepted as a defense." I therefore recommend the appeal be denied. As a first violation, the penalty is stayed. (As of 3/31/11, this Committee reported a funds available balance of $-61.66.)

Tom Newman – Hearing Officer
June 3, 2011

State of Illinois)
)
County of Lake)

STATE BOARD OF ELECTIONS
11 APR 11 AM 11:42

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;)
)
ILLINOIS STATE BOARD OF ELECTIONS,)
)
Complainant)
)
Vs.) Case No. 10 GE 030
)
Friends for Howland)
Respondent(s).)

APPEAL AFFIDAVIT

I, Amanda D. Howland the Chairman 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:

Please see attached explanation

Signed and Sworn to by:
Emily Olsm
before me this 6 Day of
April, 2011
Notary Public

Amanda D Howland
(Signature of Chairman/Treasurer)

"OFFICIAL SEAL"
Emily Olson
Notary Public, State of Illinois
My Commission Expires Mar. 3, 20

AMANDA D. HOWLAND-LANE, M.A., M.S., J.D.

21707 Old Barn Lane
Lake Zurich, IL 60047
Office: (312)543-2332

635 North Dearborn, Unit 1805
Chicago, IL 60654
Fax: (847)438-9337

e-mail:aahowland@earthlink.net

December 10, 2010

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

To Whom it may Concern:

I recently returned from more than one month overseas and found this letter in mail that was forwarded to my house. The Chicago address is not valid and Philip Lane is not Chairman. It is now past the thirty (30) day appeal period; however, I just received this notice two days ago. I am assuming your Board will take some type of action against my account.

Please be aware that I am not currently running for any office. I hold a Trustee position at College of Lake County for four more years. I did not raise any funds during this cycle and I did not spend any funds during this cycle (other than assessed bank fees). The account has a current balance of $34.14. (statement attached)

I still have more than $20,000 in outstanding debt from my prior campaigns. The only reason I have the account at this point is so that I do not have to get new checks, new account numbers and re-open everything if I decide to run for office again at some point in the future.

I have continuous trouble filing electronically. I have worked with your office and walked through the set up many times and I continue to not be able to upload properly.

Sincerely,

Amanda D. Howland

Amanda D. Howland, M.A., M.S., J.D.

Bcg:AH
Enc.

AMANDA D. HOWLAND-LANE, M.A., M.S., J.D.

21707 Old Barn Lane
Lake Zurich, IL 60047
Office: (312)543-2332

635 North Dearborn, Unit 1805
Chicago, IL 60654
Fax: (847)438-9337

e-mail:aahowland@earthlink.net

March 18, 2011

Illinois State Board of Elections
Campaign Disclosure division
Attn: Ms. Sharon Steward

Dear Ms. Steward:

Enclosed are all the documents pertaining to my problems filing my 2010 Pre-Election Report. I realize that the penalty is stayed. However, I wanted to make sure that the Committee had all relevant information pertaining to my situation.

I continue to have problems with the electronic filing and worked with the Chicago office to file my first report this year. I will be calling Tara Cachur next week to work with her again to get the next report uploaded and corrected.

Please be aware that I am not currently running for any office. The only reason I have the account at this point is so that I do not have to get new checks, new account numbers and re-open everything if I decide to run for office again in 2012.

I filled out the paperwork that is enclosed and do not require a hearing. Thank you for your time and attention to this matter.

Sincerely,

Amanda D. Howland, M.A., M.S., J.D.

Bcg:AH
Enc.

12/17/2010

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

Committee ID: 19201 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.

12/10/2010 2:38:49PM Received in Springfield Letter/Correspondence

COPY

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

EXECUTIVE DIRECTOR
Rupert T. Borgsmiller

March 9, 2011

Friends for Howland
Amanda Howland
21707 W Old Barn Ln
Lake Zurich, IL 60047-1312

ID# 19201

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 Contributions
Report Period:	July 1, 2010 through October 3, 2010
Filing Period:	October 4, 2010 through October 18, 2010

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 or until the date of the general election. According to Board records, this report was electronically received by the Board on January 12, 2011 - 11 days late. As such, this committee has been assessed a fine of $1100.00.

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 date 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 Jennifer Ronimous at 217-782-1543.

Sincerely,

Sharon Steward
Director, Campaign Disclosure Division

SS:jr
Enclosure(s): appeal packet

STATE OF ILLINOIS
COUNTY OF SANGAMON

BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

Illinois State Board of Elections

Complainant

v. **11 DS 094**

Citizens for Mary L Donner ID# 19749

Respondent

REPORT OF HEARING OFFICER
Appeal of Civil Penalty Assessment
For Delinquently Filing the 2010 December Semi-Annual Report

The Report was received by the Board on February 10, 2011, 15 days late, resulting in a civil penalty assessment of $375.

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

On the Affidavit, Mr. Daniel states that as an accountant, he was concentrating on other end of the year financial matters and inadvertently forgot to file the Report.

I recommend the appeal be denied for lack of an adequate defense. As a first violation, the penalty is stayed. (As of 3/31/11, this Committee reported a funds available balance of $420.54.)

Tom Newman – Hearing Officer
June 16, 2011

State of Illinois)
)
County of McHENRY)

STATE BOARD OF ELECTIONS

BEFORE THE STATE BOARD OF ELECTIONS 11 APR -8 PM 1:02
OF THE STATE OF ILLINOIS

IN THE MATTER OF;)
)
ILLINOIS STATE BOARD OF ELECTIONS,)
)
Complainant)
)
Vs.) Case No. 11 DS 094
)
CITIZENS FOR MARY L. DONNER)
Respondent(s).)

APPEAL AFFIDAVIT

I, MARK DANIEL, the TREASURER of the
(Name) (Chairman/Treasurer)

CITIZENS FOR MARY L. DONNER
(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 am requesting an abatement of the $350 penalty. As an accountant, I was concentrating on filing W-2's, W-3's, preparing 4th quarter payroll returns, filing sales tax returns etc. There was not any intent not to file. This is the first time in 4 years this has occured. I am truly sorry.

Signed and Sworn to by:
Gregory Lee
before me this 7 Day of
April, 2011
Notary Public

Mark Daniel, Treasurer
(Signature of Chairman/Treasurer)

OFFICIAL SEAL
GREGORY N LEE
Notary Public - State of Illinois
My Commission Expires Feb 23, 2013

2/12/2011

Citizens for Mary L Donner
c/o Mark Daniel
7231 Greathill Rd
Crystal Lake, IL 60012-1636

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

Candidate 19749 06
Citizens for Mary L Donner

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.

2/10/2011 12:08:42PM Received in Springfield D-2 Semiannual Report
Postmarked 2/8/11

333

State of Illinois)
)
County of HENRY)

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;)
)
ILLINOIS STATE BOARD OF ELECTIONS,)
Complainant)
)
Vs.) Case No. 11 DS 094
CITIZENS FOR MARY L. DONNER)
Respondent(s).)

WAIVER OF APPEARANCE

I, MARK DANIEL (Name), the TREASURER (Chairman/Treasurer) of the COMMITTEE - CITIZENS FOR MARY L. DONNER (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.

Mark Daniel, Treasurer
(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
Bryan A. Schneider, Chairman
Wanda L. Rednour, Vice Chairman
Patrick A. Brady
John R. Keith
William M. McGuffage
Albert S. Porter
Jesse R. Smart
Robert L. Walters

EXECUTIVE DIRECTOR
Rupert T. Borgsmiller

March 9, 2011

Citizens for Mary L Donner
Mary Donner
7350 Greathill Rd
Crystal Lake, IL 60012

ID# 19749

Dear Citizens for Mary L Donner;

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:	July 1, 2010 through December 31, 2010
Filing Period:	January 3, 2011 through January 20, 2011

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 February 10, 2011, 15 day(s) late. As such, this committee has been assessed a fine of $375.00.

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 date 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 Jennifer Ronimous at 217-782-1543.

Sincerely,

Sharon Steward
Director, Campaign Disclosure Division

SS: jr
Enclosure(s): appeal forms

STATE OF ILLINOIS
COUNTY OF SANGAMON

BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

Illinois State Board of Elections

Complainant

v. **11 DS 174**

Brady PAC - Illinois ID# 22097

Respondent

REPORT OF HEARING OFFICER
Appeal of Civil Penalty Assessment for Delinquently Filing the
2010 December Semi-Annual Report

The Report was received by the Board on February 10, 2011, 15 days late, resulting in a civil penalty assessment of $1,500. Additionally, the Committee had previously been assessed a $200 civil penalty (not appealed, paid) for delinquently filing the June 2010 Semi-Annual Report; a $500 civil penalty (appealed, denied, paid) for delinquently filing the Pre-Election Report for the 2010 General Election; and a total of $3,250 in civil penalties (appealed, denied, paid) for delinquently filing Schedule A-1s for the 2010 General Election. The total assessment is $1500.

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

On the Affidavit, Mr. Carr states that his organization underwent a significant downsizing, and the person responsible for filing disclosure reports left at the end of January without completing the Report. He says once the oversight was discovered, the Report was filed immediately.

I recommend the appeal be denied for lack of an adequate defense. If this recommendation is accepted by the Board, the total assessment of $1,500 would be due and owing. (As of 3/31/11, this Committee reported a funds available balance of $45,203.)

Tom Newman – Hearing Officer
June 14, 2011

STATE BOARD OF ELECTIONS
11 APR 11 PM 1:41

State of Illinois)
)
County of _____)

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;)
)
ILLINOIS STATE BOARD OF ELECTIONS,)
)
Complainant)
)
Vs.) Case No. 11 DS 174
)
Brady PAC - Illinois)
Respondent(s).)

APPEAL AFFIDAVIT

I, Christopher Carr, the Treasurer of the
(Name) (Chairman/Treasurer)

Brady PAC - Illinois
(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 organization went through a significant downsizing and the person responsible left the organization at the end of January without completing the Report. When this oversight was discovered, the report was filed immediately

Signed and Sworn to by:

before me this 4th Day of
April, 2011

Notary Public

(Signature of Chairman/Treasurer)

SEUNG K. AHN
Notary Public
Montgomery Co., MD
My Comm. Expires Oct. 28, 2012

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

EXECUTIVE DIRECTOR
Rupert T. Borgsmiller

March 9, 2010

Brady PAC - Illinois
Tom Vanden Berk
22 W Washington, Ste 15000
Chicago, IL 60602

ID# 22097

Dear Brady PAC - Illinois;

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:	July 1, 2010 through December 31, 2010
Filing Period:	January 3, 2011 through January 20, 2011

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 February 10, 2011, 15 day(s) late. As such, this committee has been assessed a fine of $1500.

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 date of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.***

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

Reporting Period	Report Type	Previous Fine Amount
January 1, 2009 to June 30, 2009	Semi-Annual Report	$200
July 1 to October 3, 2010	Pre-Election	Appeal Pending
October 4, 2010 to November 1, 2010	Schedule A-1	Appeal Pending
TOTAL AMOUNT NOW DUE		**$1700**

If you have any questions regarding the appeal process, please call Jennifer Ronimous at 217-782-1543.

Sincerely,

Sharon Steward
Director, Campaign Disclosure Division r

SS: jr
Enclosure(s) appeal documents

STATE OF ILLINOIS
COUNTY OF SANGAMON

BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

Illinois State Board of Elections

Complainant

v. **11 DS 206**

Aaron Booker for Sheriff ID# 22656

Respondent

REPORT OF HEARING OFFICER
Appeal of Civil Penalty Assessment for Delinquently Filing the
2010 December Semi-Annual Report

The Report was received by the Board on February 25, 2011, 24 days late, resulting in a civil penalty assessment of $1200. Additionally, the Committee had previously been assessed a $125 civil penalty (not appealed, stayed) for delinquently filing a Schedule A-1 for the 2010 General Primary Election and a $50 civil penalty (appealed, granted) for delinquently filing the 2010 June Semi-Annual Report. The total assessment is $1325.

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

On the Affidavit, Mr. Landon states that he attempted to electronically file the Report on the last date of the filing period, but his password was rejected several times so he instead filed via fax. After subsequently receiving a letter from the Board informing the Committee that its Report must be re-filed electronically within 30 days, Mr. Landon says he contacted the Board to reset the password (on 2/18/11) but was told the employee responsible for password issues was out of the office. He again contacted the Board on February 24, which was the last day of the 30 day re-filing period, indicated he had a password problem and secured a working password. However, Mr. Landon says when he attempted to use the password, he discovered his IDIS account was locked out and he was unable to have it unlocked until the following day – resulting in the Committee missing the deadline for electronically re-filing the Report.

There are several items in the Committee's case which are troubling: first, Mr. Landon states that when he first called the Board he was told the employee responsible for password issues was out of the office. There are in fact several Board staff members who can deal with password issues, and one of them would have been available on that date to assist the Committee. Additionally, there is no indication of why Mr. Landon then waited for another six days to again contact the Board about the password. Finally, Mr. Landon states that he secured a working password on February 24, but later found his IDIS account was locked out. The Board's IDIS management software does not allow a new password to be issued to an account while it is locked out, so the account would have to have been unlocked before the password was

given to the Committee. The Board's Rules and Regulations do allow Committees to submit electronic filing issues as a one-time defense – however, this Committee previously used such a defense in its successful appeal of a civil penalty for late filing of the previous Semi-Annual Report. For these reasons, I recommend the appeal be denied. If this recommendation is accepted by the Board, the stay would be lifted from the earlier civil penalty, and the total assessment of $1325 would be due and owing. (As of 3/31/11, this Committee reported a funds available balance of $351.62.)

Tom Newman – Hearing Officer
June 15, 2011

STATE BOARD OF ELECTIONS

11 APR 12 AM 9:59

State of Illinois)
)
County of Winnebago)

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;)
ILLINOIS STATE BOARD OF ELECTIONS,)
Complainant)
Vs.) Case No. IL DS 2010
)
Aaron Booker for Sheriff)
Respondent.)

APPEAL AFFIDAVIT

I, Luther Landon (Treasurer) of the Aaron Booker for Sheriff 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 as follows:

1. Treasurer prepared, on behalf of said Committee, the Semiannual Report of Campaign Contributions and Expenditures for the reporting period of July 1, 2010 through December 31, 2010 (Report). Because his password was rejected several times, the data file could not be properly uploaded to the Board. This Report was submitted timely to the Board via fax on 01/20/2011 at 11:00:00 PM (See Exhibit A).

2. Subsequently, the Committee received a letter dated 01/25/2011 from the Board, which indicated that said Report must be filed electronically within 30 days; i.e., no later than 02/24/2011, to avoid nullification of the faxed submission.

3. Treasurer contacted the Board on 02/18/2011 to secure a password reset; however the Board employee responsible for password issues was out of the office.

4. Treasurer contacted the Board on 02/24/2011, indicated that he had a password problem and secure a working password. Upon attempting to electronically file the Report, Treasurer discovered the IDIS account was 'locked out' (See Exhibit B).

5. 02/25/2011 at 3:25 PM, Treasurer spoke with Mr. Tom Nelson and the account was subsequently "unlocked". The Report was filed electronically on 2/25/2011 at 3:34 PM.

Conclusions

A. When the password issue was resolved, Treasurer did not know or think to ask if the Committee's IDIS account needed to be unlocked.

B. The Board did not automatically unlock the IDIS account when the password issue was resolved on 02/18/2011.

The Committee prays for the following Relief and Final Ruling:

1. Grant this appeal on the basis of Section 100.150(c)(5) of the Board's Rules and Regulations.
2. That the Board DISMISS this complaint against the Committee.

Signed and Sworn to by:
Luther Landon
Before me this 7TH Day of
April 5, 2011

Notary Public

4/7/11

Luther Landon, Treasurer
Aaron Booker for Sheriff
815-986-6859

OFFICIAL SEAL
PATRICIA W HINKLE
Notary Public - State of Illinois
My Commission Expires Jun 4, 2012

Exhibit A

FILED
State Board of Elections
SPRINGFIELD, ILLINOIS
JAN 20 2011
AM 7 8 9 10 11 12 1 2 3 4 5 6 PM

- Fax Transmission

To:	ISBOE	**From:**	Luther Landon
Fax:	+1 (217) 7825959	**Date:**	1/20/2011
RE:	on paper; Password error	**Pages:**	7

22656-6

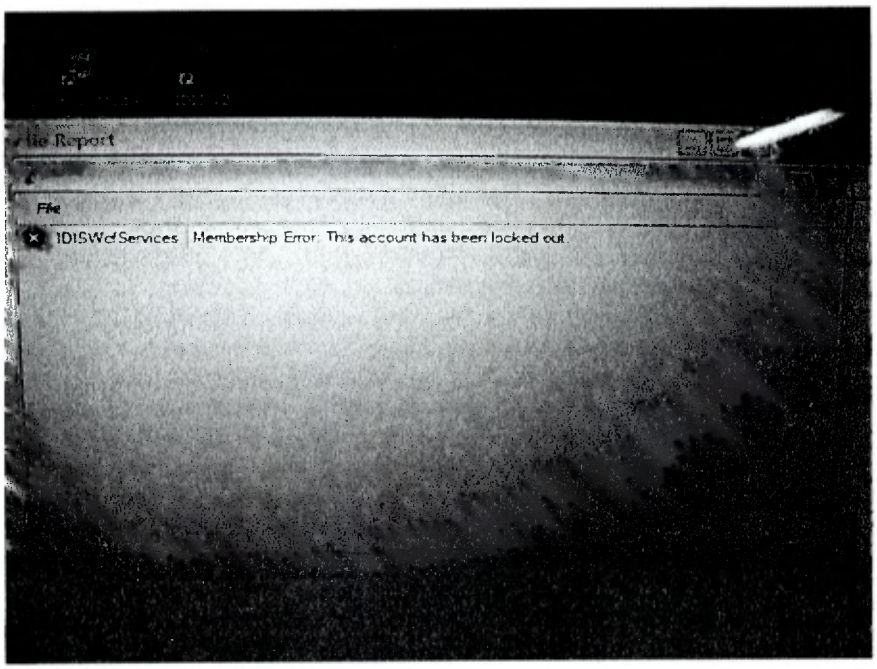
Comments:

This Semi-annual Report is being filed on paper because I was unable to upload the validated report. My password was rejected several times.

I will call in the morning to see what further action is required.

Sincerely,
Luther Landon, Treasurer
Aaron Booker for Sheriff
24-Hour phone: (815) 986-6859
FAX: (815) 986-2082
email: lutherlandon@yahoo.com

EXHIBIT B



Screenshot indicating Committee IDIS account is locked out.
Photo No. 100_964: Thursday, February 24, 2011, 8:22:10 PM

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

EXECUTIVE DIRECTOR
Rupert T. Borgsmiller

March 9, 2010

Aaron Booker for Sheriff
4759 Terrang Trail
Machesney Park, IL 61115

ID# 22656

Dear Aaron Booker for Sheriff;

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:	July 1, 2010 through December 31, 2010
Filing Period:	January 3, 2011 through January 20, 2011

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 February 25, 2011, 24 day(s) late. As such, this committee has been assessed a fine of $1200.

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 date of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.***

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

Reporting Period	Report Type	Previous Fine Amount
January 1, 2010 to June 30, 2010	Semi-Annual Report	$1250
TOTAL AMOUNT NOW DUE		**$2450**

If you have any questions regarding the appeal process, please call Jennifer Ronimous at 217-782-1543.

Sincerely,

Sharon Steward
Director, Campaign Disclosure Division r

SS: jr
Enclosure(s) appeal documents

STATE OF ILLINOIS
COUNTY OF SANGAMON

BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

Illinois State Board of Elections

Complainant

v. **11 DS 222**

Friends of John F Argoudelis ID# 22782

Respondent

REPORT OF HEARING OFFICER

Appeal of Civil Penalty Assessment
For Delinquently Filing the 2010 December Semi-Annual Report

The Report was received by the Board on February 10, 2011, 15 days late, resulting in a civil penalty assessment of $750. Additionally, the Committee had previously been assessed a $100 civil penalty (not appealed, stayed) for delinquently filing the Pre-Election Report for the 2010 General Election. The total assessment is $850

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

On the Affidavit, Mr. Fremarek states that the Committee's bookkeeper believed she had filed the Report on January 24, using the Board's older version of the IDIS electronic filing system. When the Committee later received a notice stating that the Report had not been filed, she contacted Board staff and learned that she had left out a step in the filing process. This resulted in the Report appearing on the Committee's computer as if it had been filed, when in fact it was never actually uploaded to the Board.

The situation described in the Committee's affidavit is one that affected a number of committees using the older version of the IDIS software. (This can no longer occur under the newer IDIS version 2.0.) While this might normally give the Committee grounds to utilize a one-time electronic filing defense, it is clear that the Committee's first attempt to file the Report was on January 24, after the filing deadline. I therefore recommend the appeal be denied, but also recommend the Committee be given credit for attempting to file the Report on January 24, 2 days late. This would make the civil penalty $100. If these recommendations are accepted by the Board, the stay would be lifted from the earlier penalty and the total assessment of $200 would be due and owing. (As of 3/31/11, this Committee reported a funds available balance of $445.09.)

Tom Newman – Hearing Officer
June 16, 2011

State of Illinois)
)
County of Will)

STATE BOARD OF ELECTIONS

11 APR -6 PM 12:53

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF:

ILLINOIS STATE BOARD OF ELECTIONS,
Complainant

Case No. 11 DS222

Vs.

FRIENDS OF JOHN F. ARGOUDELIS
Respondent(s).

APPEAL AFFIDAVIT

I, Anthony Fremarek, the Treasurer of the Friends of John F. Argoudelis 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:

We are a newly formed committee and our bookkeeper, Michelle Danajka has had no prior experience or knowledge of managing a committee. Our bookkeeper, **Michelle Danajka**, electronically filed the Semi-Annual Report on 1/24/11 using the old IDIS system version. She was unaware of the new version (2.0) and continued using the old version. She assumed it went through and was received by the State Board of Elections. The attached printout is a screenshot that shows the Semi-Annual Report was filed on 1/24/11 for the Semi-Annual Report. Note, immediately upon Ms. Danajka receiving your letter dated January 28, 2011, she contacted Sharon Steward to inquire why she received the letter. For the first time, Ms. Danajka was informed that her filing had not gone through on January 24th. Ms. Steward was very helpful and instructed Ms. Danajka to download the new version (2.0), at which time she did, and then Ms. Danajka proceeded to go through the steps with Ms. Steward to re-file the Semi-Annual Report.

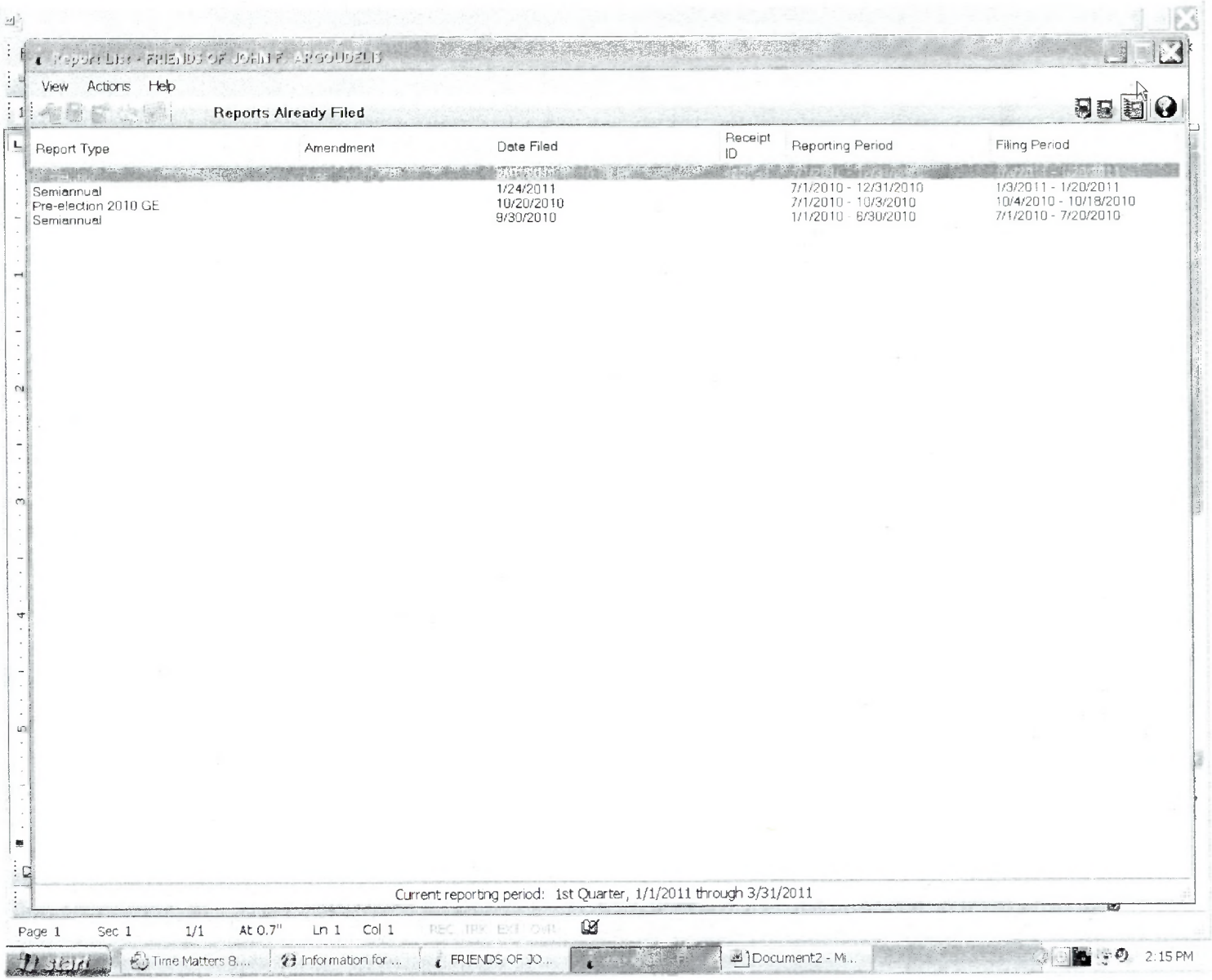
(Signature of Chairman/Treasurer)

Signed and Sworn to by:

Before me this 24th day of March, 2011.

Michelle R. Danajka
Notary Public

OFFICIAL SEAL
MICHELLE R DANAJKA
Notary Public - State of Illinois
ommission Expires Aug 20, 2014


Report List - FRIENDS OF JOHN F. ARGOUDELIS
View Actions Help
Reports Already Filed
Report Type
Amendment
Date Filed
Receipt ID
Reporting Period
Filing Period
Semiannual 1/24/2011 7/1/2010 - 12/31/2010 1/3/2011 - 1/20/2011
Pre-election 2010 GE 10/20/2010 7/1/2010 - 10/3/2010 10/4/2010 - 10/18/2010
Semiannual 9/30/2010 1/1/2010 - 6/30/2010 7/1/2010 - 7/20/2010
Current reporting period: 1st Quarter, 1/1/2011 through 3/31/2011
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Information for ...
FRIENDS OF JO...
Document2 - Mi...
2:15 PM

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

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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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EXECUTIVE DIRECTOR
Rupert T. Borgsmiller

March 9, 2010

Friends of John F Argoudelis
Michelle Danajka
15133 S Rte 59
Plainfield, IL 60544-2822

ID# 22782

Dear Friends of John F Argoudelis;

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:	July 1, 2010 through December 31, 2010
Filing Period:	January 3, 2011 through January 20, 2011

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 February 10, 2011, 15 day(s) late. As such, this committee has been assessed a fine of $750.

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 date of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.***

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

Reporting Period	Report Type	Previous Fine Amount
July 1, 2010 to October 3, 2010	Pre-Election Report	$100
TOTAL AMOUNT NOW DUE		**$850**

If you have any questions regarding the appeal process, please call Jennifer Ronimous at 217-782-1543.

Sincerely,

Sharon Steward
Director, Campaign Disclosure Division r

SS: jr
Enclosure(s) appeal documents

STATE OF ILLINOIS
COUNTY OF SANGAMON

BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

Illinois State Board of Elections
Complainant

v. **11 AM 052**

Friends of Don Gerard Cmte ID: 22970
Respondent

REPORT OF HEARING OFFICER
Appeal of Civil Penalty Assessment
For Delinquently Filing Schedule A-1 Reports

The Reports were received March 28, 2011, with respect to two contributions: one, dated February 3, 2011, in the amount of $4000.00; the other, dated March 1, 2011, in the amount of $6000.00. The A-1s were 29 and 13 days late, respectively.

Laurie Andrews, the Treasurer of the Committee, filed a Waiver of Appearance and an Appeal Affidavit in this matter.

On the Affidavit, Ms. Andrews stated that, as a novice treasurer, she mistakenly relied on the A-1 requirements in the Act that existed prior to changes that became effective January 1, 2011. Accordingly, since the donations in questions occurred more than 30 days before an election, she did not initially realize A-1 filings were required.

I recommend the appeal be denied for lack of an adequate defense. I believe Ms. Andrews' statement that the delinquent filings were unintentional. However, she became the Committee's Treasurer upon its creation in September, 2010. Board staff sent correspondence to all Committees notifying them of changes in the Act, including those affecting the filing of A-1s. The documentation sent the Committee in this matter erroneously calculated the total contribution level involved as $8,000. In fact, it is $10,000. Since these are the first delinquent Schedule A-1 filings by the Committee, the civil penalty is automatically reduced to $500.00 (5% of the total amount of contributions listed above). As of March 31, 2011, the Committee's cash balance was reported as $2,168.13

John Levin – Hearing Officer
June 21, 2011

State of Illinois)
)
County of Champaign)

STATE BOARD OF ELECTIONS
11 JUN 13 AM 11:37

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;)
)
ILLINOIS STATE BOARD OF ELECTIONS,)
)
Complainant)
)
Vs.) Case No. 11 AM 052
)
Friends of Dan Gerard)
22970 Respondent(s).)

APPEAL AFFIDAVIT

I, Laurie Andrews, the Treasurer of the
(Name) (Chairman/Treasurer)

Friends of Dan Gerard
(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:

As a novice treasurer, I was using the published "2011 Campaign Disclosure Calendar" as a guide. As stated on the calendar, contributions of $1000 or more should be filed within 2 days in the 30 days preceding the election (March 7- April 4). The contributions in question were before that 30 day period. I missed that those should be reported within 5 days at all other times. The error was neither obstinate nor intentional.

Signed and Sworn to by:
Laurie Andrews
before me this 10 Day of
June, 2011
Becky S. Sweeney
Notary Public

"OFFICIAL SEAL"
BECKY S. SWEENEY
Notary Public, State of Illinois
My commission expires 06/11/13

Laurie Andrews
(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
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Patrick A. Brady
John R. Keith
William M. McGuffage
Albert S. Porter
Jesse R. Smart
Robert J. Walters

EXECUTIVE DIRECTOR
Rupert T. Borgsmiller

June 3, 2011

Friends of Don Gerard
Don Gerard
1403 W Green St
Champaign, IL

ID# 22970

Dear Friends of Don Gerard:

This committee has failed to file the following Schedule A-1's, Report of Campaign contributions of $1000 or more as required by the Illinois Campaign Disclosure Act:

Contributed By	Date of Contribution	Fine Assessed	Amount of Contribution	Date A-1 Received	Days Late
Joe's Brewery	2/3/11	$4000	$4000	3/28/11	29
Joe's Brewery	3/1/11	$6000	$6000	3/28/11	13

The committee is fined a **total** of $8000 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(c) of the Election Code, the Board may impose fines for violations not to exceed 50% of the total amount of the contribution(s) 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 $400, (5% of the total amount of contribution(s) 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 has 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 fine if you believe the civil penalty has been assessed in error. ***Notice of Appeal must be filed within 30 days of the date 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.***

STATE OF ILLINOIS
COUNTY OF SANGAMON

BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

Illinois State Board of Elections

Complainant

v. **11 MA 001**

Citizens for Thaddeus Jones ID# 12697

Respondent

REPORT OF HEARING OFFICER
Appeal of Civil Penalty Assessment for Delinquently Filing the Pre-Election Report and a Schedule A-1 for the 2010 General Election

The Pre-Election Report was received by the Board on October 22, 2010, 4 days late, resulting in a civil penalty assessment of $500. The Committee also received a $2500 contribution and a $1914.65 in-kind contribution on 10/12/10, and listed them on a Schedule A-1 received by the Board on 10/18/10, 2 days late. The total assessment is $4414.65.

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

On the Affidavit, Ms. McKinley states that she encountered computer problems in trying to file the A-1 report. She says she immediately arranged to take off work and seek assistance at the Board's Chicago office, where she was able to complete the filings.

The initial recommendation was that the appeal be denied for both the Pre-Election and A-1 Reports. The matter was remanded back to the Hearing Officer by the Board, to obtain additional information regarding the electronic filing problems encountered.

The appeal hearing was held via telephone on June 13, with Ms. McKinley and the Committee's attorney, Mike Kasper. At the hearing, Ms. McKinley reiterated that computer problems prevented her from electronically filing the Schedule A-1 the first time she tried, although she could not remember specifically what caused the problem. The Committee did file the A-1 on paper on 10/13/10, but this was considered a non-filing because the Committee had previously been warned about the need for its reports to be filed electronically. Ms. McKinley stated that her failed attempt to file electronically then followed on 10/14, a Thursday. She was unable to take time of work to get filing assistance until the following Monday, October 18, at which time the A-1 was filed electronically at the Board's Chicago office.

It is apparent the Committee did make a good faith effort to file the Schedule A-1 electronically as soon as possible. Moreover, in order to be consistent with previous Board decisions in which an electronic filing defense is presented, and since this Committee has not previously offered such a defense, I recommend the appeal in regards to the delinquent filing of

the Schedule A-1 be granted. However, I further recommend the appeal be denied in regards to the delinquent filing of the Pre-Election Report. The Committee has offered no defense as to why this Report was filed late, and why it was not filed on the deadline date of October 18 when the Committee received assistance on its other filing. If these recommendations are accepted by the Board, the $500 civil penalty for delinquently filing the Pre-Election Report would be stayed as a first violation. (As of 3/31/11, this Committee reported a funds available balance of $9648.70.)

Tom Newman – Hearing Officer
June 14, 2011

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

In the Matter Of:	)	
Illinois State Board of Elections	)	
Complainant(s),	)	
Vs.	)	11 MA 001
	)	
Citizens for Thaddeus Jones	)	
Respondent(s).	)	

ORDER

TO: Citizens for Thaddeus Jones ID# 12697
289 Paxton Ave.
Calumet City, IL 60409-1748

This matter coming to be heard this 19th day of April, 2011, as an appeal of the 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 having read the report of the Hearing Officer and reading the recommendation of the General Counsel and now being fully advised in the premises,

THE BOARD FINDS:

1. In case number 11 MA 001, a $500.00 civil penalty was initially assessed against the Respondent for the delinquent filing of the November 2011 Pre-election report; appeal was taken from this assessment, and
2. In case number 11 MA 001, a $4414.65 civil penalty was initially assessed against the Respondent for failing to file Schedule A-1 reports in conjunction with the November 2010 election; appeal was taken from this assessment, and
3. The recommendation of the Hearing Officer, in which the General Counsel concurs, is that the appeals be denied for lack of an adequate defense, but that pursuant to section 9-10 of the Code, the Schedule A-1 assessment be reduced to $442.00 (10% of the value of the delinquently reported contributions).

IT IS ORDERED:

1. That the matter be remanded back to the Hearing Officer in order to obtain additional information regarding the problems encountered during the attempted electronic filing of the report at issue: and
2. The effective date of this Order is April 21, 2011.

DATED: 4/21/2011

Bryan A. Schneider, Chairman

State of Illinois)
)
County of Cook)

CHICAGO
11 FEB 16 AM 8:32
STATE BOARD OF ELECTIONS

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;)
)
ILLINOIS STATE BOARD OF ELECTIONS,)
)
Complainant)
)
Vs.) Case No. 11MA001
)
Citizen for Thaddeus Jones)
Respondent(s).)

APPEAL AFFIDAVIT

I, Alesia McKinley (Name), the Treasurer (Chairman/Treasurer) of the Citizens for Thaddeus Jones (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 Alesia McKinley encountered computer problems during the dates of the listed A-1 reports. I immediately arranged to take off work to seek assistance at the Chicago location. The representative there assisted me in filing the A-1's from the Chicago office. This is the first offense, beyond my control, asking for leniency.

Signed and Sworn to by:

Alesia McKinley
(Signature of Chairman/Treasurer)

before me this 17th Day of February 2011

Amanda Holbert
Notary Public

CASSANDRA HOLBERT
OFFICIAL SEAL
Notary Public, State of Illinois
My Commission Expires
May

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

1020 South Spring Street
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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
Albert Porter
Jesse Smart
Robert Walters

EXECUTIVE DIRECTOR
Rupert T. Borgsmiller

January 20, 2011

Citizens for Thaddeus Jones
Alesia McKinney
338 Crandon Ave.
Calumet City, IL 60409

12697

Dear Citizens for Thaddeus Jones;

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, 2010 through October 3, 2010
Filing Period:	October 4, 2010 through October 18, 2010

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 October 22, 2010, 4 day(s) late. As such, this committee has been assessed a fine of $500.00.

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

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:

Contributed By	Date of Contribution	Fine Assessed	Amount of Contribution	Date A-1 Received	Days Late
IBEW	10/12/2010	$2500	$2500	10/18/2010	2
Democratic Party of Illinois	10/12/2010	$1914.65	$1914.65	10/18/2010	2

The committee is fined a **total** of $4414.65 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.

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

To: Rupert T. Borgsmiller, Executive Director, Members of the Board
Re: Payment of Civil Penalties - Informational
Date: 6/20/2011

The following committees have made payment of outstanding civil penalties for the period of 6/3/11 – 6/20/11.

Cmte ID	Cmte Name	Amt of Check
	Woodford County Democratic Central Committee	$200.00
	Campaign to Elect Dave Bartley	$125.00
	Planned Parenthood Illinois Action PAC	$150.00
	Friends of Jehan Gordon	$359.00
	Citizens for Peter Poulos	$150.00
	34th Ward Regular Democratic Organization	$1,250.00
	Citizens for William M Beavers for Cook County Board	$225.00
	Illinois Pork Producers Assn PAC	$138.00
	Citizens for Onayemi	$175.00
	Friends of Bob Pilmer	$100.00
	Citizens for Jim Watson	$150.00
	Citizens To Elect Anthony Beale	$450.00
	PCI Political Account	$1,010.00
	Citizens Organized for Public Safety	$700.00
	IL Machinists Non-partisan Political League	$1,070.00
	Citizens for Jesus Garcia	$250.00
	Citizens for William Mueller	$825.00
	Bernard L Stone Campaign Comm	$125.00
	Friends of Linda Chapa LaVia	$300.00
	DeKalb County Republican Central Committee	$100.00
	Citizens to Elect Ashby	$100.00
	Illinois State Conference of IBEW PAC	$179.00
4253	ICA PAC	$350.00
	Total Amount Paid for this Period:	$8,481.00

Year to Date Totals:
1/8/11 – 2/10/11: $8511
2/11/11 – 3/10/11: $7592
3/10/11 – 4/6/11: $3100
4/7/11 – 5/11/11: $22506.63
6/3/11 – 6/20/11: $8481

Payment Plan update
No committees are currently under payment plans.

STATE BOARD OF ELECTIONS

MEMORANDUM

From the desk of:
Rupert T. Borgsmiller, Executive Director

TO: Chairman Schneider
Vice Chairman Rednour
Members of the Board

SUBJECT: New Board Members

DATE: June 22, 2011

Recently, all new Board Members were sent via UPS a packet of material regarding their recent appointment to the State Board of Elections. In addition to these materials, the staff thought it might be helpful to conduct a series of short discussions with the incoming Members of past Board practices and policies, as well as providing a brief description of the several divisions within the agency and their respective duties and responsibilities. These discussions could be conducted in conjunction with a regularly scheduled Board meeting, or if the Members would prefer, a special meeting convenient to all. By discussing these topics with the new Members, it is the staff's desire that any questions regarding the State Board of Elections' duties and responsibilities would be addressed.

In addition, or as an alternative to these discussions, the staff is always available to answer any individual Member's questions that may arise.

INTEROFFICE MEMORANDUM

To: Mark Mossman

From: Brent Davis

Subject: June Monthly Report

Date: 6/23/2011

Updates for the eCanvass:

- Received data samples from Hart Voting Systems and from the in-house system in DuPage County.
- Met with representatives from vendor Platinum Technology Resource, LLC, to discuss the capabilities of their system and the data requirements that we have for the eCanvass. We will be working with them to determine if ballot style level data can be generated from their jurisdictions.
- Concluded that all existing data exports among all tabulation systems fall short of the requirements of the eCanvass. We are working to gain an understanding of what it will take to get all necessary data elements from each system.
- We have identified 13 points for the canvass intelligence system to check for data anomalies. We will continue to fine tune this list as the project planning and development continues.
- Devised a standard set of data/data tree to reflect the data elements that we would like to collect from each jurisdiction through the eCanvass to meet our goals.
- Attended the Voting Information and Technology Summit in Redmond, Washington, hosted by PEW Center on the States. The conference included discussion of electronic reporting in many states which have completed or are in the process of developing their own electronic reporting systems. This event offered an invaluable opportunity to take useful ideas from other states, as well as make contacts relating to the developing national standards for tabulation data exports. Being involved in Pew's Voting Information Project provides a unique opportunity to help insure that Illinois can meet the long term needs of the eCanvass project.

Goals for July:

- Establish the requirements for additional data exports among vendors.
- Create master list of reporting requirements.
- Follow up with Wisconsin, Minnesota, Oregon and Washington with regard to the way they report precinct splits, based upon conversations held at the Voting Information and Technology Summit.

INTEROFFICE MEMORANDUM

To: Rupert T. Borgsmiller, Executive Director

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

Subject: Auto-MARK used in conjunction with Accu-Vote

Date: June 22, 2011

ES&S has requested final approval for the use of the Auto-MARK in conjunction with the Accu-Vote tabulator. Only three jurisdictions currently use this combination of voting system in Illinois: Franklin, Jackson and Vermilion counties. VOSS staff will be testing in Vermilion county on June 28th. A report will be forthcoming after the test.

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www.essvote.com

June 2011

AutoMARK Voter Assist Terminal (VAT) Final Report

AutoMARK VAT Equipment Description

The ES&S AutoMARK VAT (v. 1.1.2258) is a breakthrough ballot marking technology that allows voters with disabilities and other special needs to mark a ballot privately and independently when using an optical scan voting system. The AutoMARK does not tally or store votes, rather, it is a ballot marking system designed to provide privacy and accessibility to voters who are blind, vision impaired, or have a disability or condition that would make it difficult or impossible to mark a ballot in the usual way. In addition the AutoMARK provides language assistance to those who are more comfortable speaking a different language or who need help to better understand written instructions. The AutoMARK was originally certified on September 13th, 2005

AutoMARK VAT Deployment

The following Illinois jurisdictions use the AutoMARK VAT as its accessibility compliant voting device 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 4600 registered voters
- Effingham County - 37 precincts, approximately 21,700 registered voters
- Franklin County* - 35 precincts, approximately 30,400 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
- Jackson County* - 61 precincts, approximately 32,300 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

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www.essvote.com

- 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
- 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
- Vermilion Count*y - 60 precincts, approximately 31,700 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

* Used as ADA component with GEMS 1.18.24

AutoMARK VAT Performance

The AutoMARK VAT has been successfully used in the following elections with no major issues reported to ES&S:

- Adams County
  - All General, Primary, and Consolidated General Elections since 2006
- Alexander County
  - All General, Primary, and Consolidated General Elections since 2006
- City of Bloomington
  - All General, Primary, and Consolidated General Elections since 2006
- Brown County
  - All General, Primary, and Consolidated General Elections since 2006
- Calhoun County
  - All General, Primary, and Consolidated General Elections since 2006
- Champaign County
  - All General, Primary, and Consolidated General Elections since 2006
- Clay County
  - All General, Primary, and Consolidated General Elections since 2006
- Danville Election Commission

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- All General, Primary, and Consolidated General Elections since 2006

- De Kalb County
  - All General, Primary, and Consolidated General Elections since 2006
- East St. Louis Election Commission
  - All General, Primary, and Consolidated General Elections since 2006
- Edwards County
  - All General, Primary, and Consolidated General Elections since 2006
- Effingham County
  - All General, Primary, and Consolidated General Elections since 2006
- City of Galesburg
  - All General, Primary, and Consolidated General Elections since 2006
- Gallatin County
  - All General, Primary, and Consolidated General Elections since 2006
- Hamilton County
  - All General, Primary, and Consolidated General Elections since 2006
- Hancock County
  - All General, Primary, and Consolidated General Elections since 2006
- Henderson County
  - All General, Primary, and Consolidated General Elections since 2006
- Henry County
  - All General, Primary, and Consolidated General Elections since 2006
- Jefferson County
  - All General, Primary, and Consolidated General Elections since 2006
- Jersey County
  - All General, Primary, and Consolidated General Elections since 2006
- Jo Daviess County
  - All General, Primary, and Consolidated General Elections since 2006
- Kendall County
  - All General, Primary, and Consolidated General Elections since 2006
- La Salle County
  - All General, Primary, and Consolidated General Elections since 2006
- Lake County
  - All General, Primary, and Consolidated General Elections since 2006
- Lawrence County
  - All General, Primary, and Consolidated General Elections since 2006
- Logan County
  - All General, Primary, and Consolidated General Elections since 2006
- Madison County
  - All General, Primary, and Consolidated General Elections since 2006
- Marshall County
  - All General, Primary, and Consolidated General Elections since 2006
- Massac County
  - All General, Primary, and Consolidated General Elections since 2006
- Menard County
  - All General, Primary, and Consolidated General Elections since 2006

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- Mercer County
  - All General, Primary, and Consolidated General Elections since 2006
- Montgomery County
  - All General, Primary, and Consolidated General Elections since 2006
- Ogle County
  - All General, Primary, and Consolidated General Elections since 2006
- Rockford Election Commission
  - All General, Primary, and Consolidated General Elections since 2006
- Saline County
  - All General, Primary, and Consolidated General Elections since 2006
- Sangamon County
  - All General, Primary, and Consolidated General Elections since 2008
- Stark County
  - All General, Primary, and Consolidated General Elections since 2006
- Stephenson County
  - All General, Primary, and Consolidated General Elections since 2006
- Wabash County
  - All General, Primary, and Consolidated General Elections since 2006
- Will County
  - All General, Primary, and Consolidated General Elections since 2006
- Williamson County
  - All General, Primary, and Consolidated General Elections since 2006
- Woodford County
  - All General, Primary, and Consolidated General Elections since 2006

AutoMARK VAT Reported Issues: In 2008 Vermilion county reported ballot marking errors during the General Election, it was determined that the AutoMARK VATs in question were not calibrated correctly.

AutoMARK VAT Future Deployment: No current of future sales or lease contracts are forecasted.

Memorandum

From the desk of....Cristina Cray, Director of Legislation
Phone: 217-782-1577
Email address: ccray@elections.il.gov

To: Executive Director Rupert Borgsmiller
Subject: Legislative Update
Date: June 22, 2011

Please be advised that today the Illinois General Assembly passed two pieces of legislation which affect the State Board of Elections. Both bills will now head to the Governor's desk.

1. Senate Bill 1586

This is the omnibus elections bill for 2011. As this is a comprehensive bill, I have attached the complete analysis.

Passed the House by a vote of 82-22
Passed the Senate by a vote of 53-0

2. Senate Bill 266

This bill prohibits COLA's in FY12 for members of the General Assembly, State's attorneys, elected executive branch constitutional officers... and board and commission members.

"Sec. 5.8. FY12 COLAs prohibited. Notwithstanding any former or current provision of this Act, any other law, any report of the Compensation Review Board, or any resolution of the General Assembly to the contrary, members of the General Assembly, State's attorneys, other than the county supplement, elected executive branch constitutional officers of State government, and persons in certain appointed offices of State government, including the membership of State departments, agencies, boards, and commissions, whose annual compensation previously was recommended or determined by the Compensation Review Board, are prohibited from receiving and shall not receive any increase in compensation that would otherwise apply based on a cost of living adjustment, as authorized by Senate Joint Resolution 192 of the 86th General Assembly, for or during the fiscal year beginning July 1, 2011. That cost of living adjustment shall apply again in the fiscal year beginning July 1, 2012 and thereafter."

Passed the House by a vote of 117-0
Passed the Senate by a vote of 48-4

Please let me know if you are in need of any additional information.

Thank you.

Attachment

State Board of Elections Analysis

BILL: **Senate Bill 1586** **DATE:** 06.21.11

SENATE SPONSOR: **Harmon** **COMMITTEE:** **Executive** subject matter only HFA #3

HOUSE SPONSOR: **Zalewski** **COMMITTEE:** **HFA#3** (straight to the floor)

EFFECTIVE DATE: **HFA #3 Immediate**

HOUSE THIRD READING VOTE: **82-22 (06.22.11)**

SENATE THIRD READING VOTE: **53-0 (06.22.11)**

COMMENTS: **Omnibus Elections Bill 2011 – House Floor Amendment #3**

EFFECT AS INTRODUCED:

EFFECT AS PASSED COMMITTEE:

DETAIL:

The IL constitutional Amendment Act 5 ILCS 20/6

Mailing of abstract of votes for constitutional amendments shall now be mailed to the State Board of Elections (currently, the Secretary of State)

Comments: The Constitutional Amendment Act requires county clerks to send canvasses of results for Constitutional Amendment questions to the secretary of state. The Election Code requires the county clerks to send the Constitutional Amendment question results to the State Board of Elections to canvass the votes. The proposed amendment amends the Constitutional Amendment act to delete the requirement to send canvasses to the secretary of state.

At the request of the Secretary of State – see SB 1927

The Statute on Statutes 5 ILCS 70/1.25

A petition shall not be considered filed until it is received by the political subdivision, election authority or the State Board of Elections as applicable.

The Election Code is amended

5/4-6.2

Deletes provision stating that, "the election authority shall appoint as deputy registrars a reasonable number of employees of the Secretary of State located at driver's license examination stations and designated to the election authority by the SOS who may accept the registration of any qualified residents of the state at any such driver's license examination stations."

Comments: Simply codifying current practice; the SOS has not had deputy registrars in their facilities for approximately 10 years. Some of the clerks had concerns that if SOS employees are not deputy registrars the local election authorities might have to treat voter registration applications that come from that office the same as applications that are mailed in – resulting in the voter having to show ID the first time he or she votes. Note, SOS is not changing current procedure and doesn't see how removing this language from the Codes would change anything the clerks have been doing with regard to applications they receive from SOS. They are simply making the law conform to what they've been doing for ten years, not to mention the concessions they made to the local election authorities re: HAVA.

At the request of the Secretary of State – See original language of SB 1586 and SB 90

5/4-6.2 (c)

Completed registration materials under the control of a deputy registrar shall be returned to the appointing election authority by first class mail within 2 business days or personal delivery within 7 days after receipt thereof.

Comments: See Rep. Rose legislation HB 368 (2009), HB 5119 (2008), HB 621 (2007), HB 814 (2005) and HB 443(2005).

5/5-7.03

Completed registration materials under the control of a deputy registrar shall be returned to the appointing election authority by first class mail within 2 business days or personal delivery within 7 days after receipt thereof.

Comments: See Rep. Rose legislation HB 368 (2009), HB 5119 (2008), HB 621 (2007), HB 814 (2005) and HB 443(2005).

5/5-16.2

Deletes provision stating that, "the election authority shall appoint as deputy registrars a reasonable number of employees of the Secretary of State located at driver's license examination stations and designated to the election authority by the SOS who may accept the registration of any qualified residents of the state at any such driver's license examination stations."

Comments: Simply codifying current practice; the SOS has not had deputy registrars in their facilities for approximately 10 years. Some of the clerks had concerns that if SOS employees are not deputy registrars the local election authorities might have to treat voter registration applications that come from that office the same as applications that are mailed in – resulting in the voter having to show ID the first time he or she votes. Note, SOS is not changing current procedure and doesn't see how removing this language from the Codes would change anything the clerks have been doing with regard to applications they receive from SOS. They are simply making the law conform to what they've been doing for ten years, not to mention the concessions they made to the local election authorities re: HAVA.

At the request of the Secretary of State – See original language of SB 1586 and SB 90

5/5-16.2 (c)

Completed registration materials under the control of a deputy registrar shall be returned to the appointing election authority by first class mail within 2 business days or personal delivery within 7 days after receipt thereof.

Comments: See Rep. Rose legislation HB 368 (2009), HB 5119 (2008), HB 621 (2007), HB 814 (2005) and HB 443(2005).

5/6-50.2

Deletes provision stating that, "the election authority shall appoint as deputy registrars a reasonable number of employees of the Secretary of State located at driver's license examination stations and designated to the election authority by the SOS who may accept the registration of any qualified residents of the state at any such driver's license examination stations."

Comments: Simply codifying current practice; the SOS has not had deputy registrars in their facilities for approximately 10 years. Some of the clerks had concerns that if SOS employees are not deputy registrars the local election authorities might have to treat voter registration applications that come from that office the same as applications that are mailed in – resulting in the voter having to show ID the first time he or she votes. Note, SOS is not changing current procedure and doesn't see how removing this language from the Codes would change anything the clerks have been doing with regard to applications they receive from SOS. They are simply making the law conform to what they've been doing for ten years, not to mention the concessions they made to the local election authorities re: HAVA.

At the request of the Secretary of State – See original language of SB 1586 and SB 90

5/6-50.2 (c)

Completed registration materials under the control of a deputy registrar shall be returned to the appointing election authority by first class mail within 2 business days or personal delivery within 7 days after receipt thereof.

Comments: See Rep. Rose legislation HB 368 (2009), HB 5119 (2008), HB 621 (2007), HB 814 (2005) and HB 443(2005).

5/7-10

Increases the signatures to be "in no event less than 1,000 signatures in circuits and subcircuits located in the First Judicial District or 500 signatures in every other Judicial District" (currently 500 signatures).

5/7-11

Adds language regarding presidential preference filing period. Directs the State Board to file petitions "in accordance with the delegate selection plan adopted by the state central committee of such national political party."

Comments: Public Act 96-1008 changed filing periods for Presidential Preference candidates to 113-106 days prior to the general primary. There is a proviso that if party rules conflict with that date an alternate filing period is provided. Current statute left the alternate filing period as 69-62 days prior to the election. This amendment removes that filing period (69-62).

See SB 1927, Floor Amendment #1. At the request of the DNC. In 2012, democrat presidential delegates will need to file during the calendar year when the primary will be held.

5/7-12

Adds language regarding the delegate and alternate delegate filing period. Directs the State Board to file petitions "in accordance with the delegate selection plan adopted by the state central committee of such national political party."

Comments: Public Act 96-1008 changed the filing period for delegates and alternate delegates to 113-106 days prior to the general primary. The alternate filing period was changed to 83-76 days before the election. This deadline conflicts with Democratic Party rules which require delegates to file in the same year as they are elected.

5/7-12

A candidate for judicial office may file petitions for only one vacancy in a subcircuit and only one vacancy in a circuit in any one filing period.

SBE Note: We need to make sure that when a candidate files multiple petitions, we have a way to determine which petition was filed first. This may be a problem for those that file at the 8:00 a.m. filing.

The proposed new language should be modified to allow the judicial candidates to file for "only one vacancy in a judicial subcircuit **OR** only one vacancy in a judicial circuit".

The current proposed language says "and" instead of "or" such that if this becomes a standalone rule for judicial candidates, we might see them file for a full circuit and a subcircuit, arguing that they ought to be able to run for one of each under the new language proposed.

5/8-8

All petitions for nomination for the office of State Senator shall be signed by at least 1,000 but not more than 3,000 (currently 1% or 1,000, whichever is greater) of the qualified electors of the candidate's party.

Removes language regarding the first primary following redistricting.

All petitions for nomination for the office of Representative in the General Assembly shall be signed by at least 500 but not more than 1,500 (currently 1% or 500, whichever is greater) of the qualified electors of the candidate's party.

Removes language regarding the first primary following redistricting.

5/8-10

Certification Dates. Changed for uniformity.

Comments: Public Act 96-1008 changed SBE's primary certification date to 68 days prior to the election for the general primary. The Legislative Article (Article 8) still requires the Board to certify no later than 61 days prior to the general primary. For uniformity, all sections should be changed to the same date (68 days).

Public Act 96-1008 changed the date to 62 days before the election in 5/7-14. Other sections were changed to 69 days while some were left at 55 days. For uniformity, all sections should be changed to the same date (62 days).

See SB 1927

5/10-1

Local Filing Deadlines.

Comments: Public Act 96-1008 changed most filing deadlines to 113-106 days prior to the election. The dates for filing municipal and township caucus certificates were left at 78-71 days prior to the election and the dates for multi-township caucus certificates was left at 78-71 days in the Township Code, although they were changed to 113-106 days prior to the election in the Election Code. For uniformity and because certification is set at 68 days prior to the election (in the middle of withdrawal, objections under 78-71 day calendar), all dates should be uniform (113 – 106 days). Changing the filing deadlines for caucus certificates requires the deadlines to be changed for municipal, township and multi-township caucuses also (same sections). This section changes that date to the first Monday in December (municipal).

See SB 1927

5/16-5.01

Provides that election authorities have a sufficient number of ballots available for military personnel at least 46 days prior to the date of any election at which federal officers are elected.

At the request of the State Board of Elections

5/19-2

Absentee ballot application. An application shall be secured separately for each election.

SBE Note: This would eliminate sending an absentee ballot automatically and indefinitely. This may affect the Lake County Clerk's snow bird absentee program.

5/19A-15

An election authority may close an early voting polling place if the building in which the polling place is located has been closed by the State or unit of local government in response to a severe weather emergency. Additional hours shall be added. Reasonable efforts to provide notice to the public shall be made.

At the request of Rep. Chapin Rose, please see House Bill 210(2011).

5/20-1b new

Exempt military e-mails addresses from the freedom of information act.

At the request of the State Board of Elections

5/24A-15

In those jurisdictions where in-precinct counting equipment is utilized, the election authority shall retabulate the total number of votes cast in 5% of the precincts within the election jurisdiction, "as well as 5% of the voting devices used in early voting."

SBE Note: This could be a real problem since it refers to "voting devices" as opposed to precincts. How does the SBE identify individual "voting devices" within a given election authority's jurisdiction?

5/24B-15

In those jurisdictions where in-precinct counting equipment is utilized, the election authority shall retabulate the total number of votes cast in 5% of the precincts within the election jurisdiction, "as well as 5% of the voting devices used in early voting."

SBE Note: This could be a real problem since it refers to "voting devices" as opposed to precincts. How does the SBE identify individual "voting devices" within a given election authority's jurisdiction?

5/24C-15

In those jurisdictions where in-precinct counting equipment is utilized, the election authority shall retabulate the total number of votes cast in 5% of the precincts within the election jurisdiction, "as well as 5% of the voting devices used in early voting."

SBE Note: This could be a real problem since it refers to "voting devices" as opposed to precincts. How does the SBE identify individual "voting devices" within a given election authority's jurisdiction?

5/25-6

Deletes language stating that the legislative committee shall declare that a vacancy exists and notification is given to the appropriate state offices.

SBE Note: Not sure why this provision was deleted. The default provision in Section 25-2 basically says the same thing; that is, the officer or board charged with filling a vacancy, also has the power to determine if and when a vacancy exists. The managing committee still has the power under 25-6 to fill legislative vacancies, so we would presume that they have the power under 25-2 to determine such a vacancy.

5/28-5

Certification Dates.

Comments: Public Act 96-1008 changed the certification date for local election officials to the election authority to 68 days prior to the election (5/10-15), but the section for certification of public questions by local officials and the circuit court were left at 61 days. For uniformity, all sections should reflect the same date (68 days).

Public Act 96-1008 changed the SBE's general election certification date to 74 days prior to the election but the section of certification for statewide questions was left at 67 days. For uniformity, all sections should be changed to the same date (74 days).

5/28-6

Changes the signature requirement for public questions from 11% of total ballots cast in prior election to 8% of total ballots cast for Governor.

SBE Note: Currently the signature requirements for referenda on based on the number of votes cast at the most recent election when that jurisdiction elected candidates, not the number of votes for governor. Calculating the votes for governor in certain taxing districts is a virtual impossibility because their boundaries cut across political jurisdictions, in some cases splitting precincts. When the general election is conducted (so as to generate the vote for governor) city and school district lines don't follow precinct lines. The election authorities can only estimate the signature requirement for cities/villages and school districts. It is not possible to determine a precise number for a signature requirement – the best that can be done is a reasonable estimate.

The legislature is going back to the old formula (that isn't possible to precisely calculate for municipalities and school districts) which is why the formula was changed just a few years ago.

5/28-7

Changes the signature requirement for public questions from 10% of number of registered voters in the government unit to 8% of total ballots cast for Governor.

5/28-9

Eliminates requirement of segregating petitions by election jurisdictions for petitions filed in accordance with Article XIV, Section 3.

5/28-10

Removes "constitutional amendment" from examination process.

5/28-11

The Board shall design a standard and scientific method for signature verification for statewide advisory referenda and constitutional amendments.

(Eliminates segregating in 28-9; designing new method here.)

5/28-12

Adds reference to resolution of objections.

5/28-13

Removes "constitutional amendment" references.

The Township Code is amended

1/45-10

Local filing deadlines.

Comments: Changing the filing deadlines for caucus certificates requires the deadlines to be changed for municipal, township and multi-township caucuses (same sections); to the first Tuesday in December (for townships).

1/45-20

Local filing deadlines.

Comments: Public Act 96-1008 changed most filing deadlines to 113-106 days prior to the election. The dates for filing municipal and township caucus certificates were left at 78-71 days prior to the election and the dates for multi-township caucus certificates was left at 78-71 days in the Township Code, although they were changed to 113-106 days prior to the election in the Election Code. For uniformity and because certification is set at 68 days prior to the election (in the middle of withdrawal, objections under 78-71 day calendar), all dates should be uniform (113 – 106 days).

1/45-25

Local filing deadlines.

Comments: Changing the filing deadlines for caucus certificates requires the deadlines to be changed for municipal, township and multi-township caucuses (same sections); to the first Wednesday in December (for multi-township).

The Illinois Municipal Code is amended

5/3.1-20-45

SBE Note: check page 101 think 61st day needs to be changes to 68th day

Provides for candidates in non-partisan consolidated elections to be determined by the highest number of votes received during the general consolidated primary.

- ✓ **States that if one officer is to be elected, then the two candidates with the highest number of votes shall be placed on the general consolidated election ballot.**
- ✓ **States that if two aldermen are to be elected, then the four candidates with the highest number of votes shall be placed on the general consolidated election ballot.**
- ✓ **States that if three aldermen are to be elected, then the six candidates with the highest number of votes shall be placed on the general consolidated election ballot.**

Requires a write-in candidate to obtain either (1) a number of votes equal to or greater than the number of signatures required for nominated or (2) a number of votes that exceed the number of votes received by a candidate who was placed on the primary ballot for nomination in order to be placed on the general consolidated election ballot.

Comments: Senate Bill 662 in 2007 (Public Act 95-699) amended the Municipal Code to read: 10 ILCS 5/3.1-20-45 – nonpartisan primary elections – for the purposes of this Section, an office is uncontested when not more than 4 (now 2) persons to be nominated for each office have filed valid nominating papers.
If the write-in candidate becomes the 4th candidate, a primary ballot must be prepared and a primary must be held for the office.

See House Bill 217/Poe (2011) and House Bill 5727/Jakobsson (2010)

SBE Note: The proposed Municipal Code amendment at Section 3.1-20-45 would affect City elections. Is it the legislature's intention to have Village elections run under a different rule? 65 ILCS 5/3.1-25-40 would still have the top 4 primary vote getters move on to the consolidated election. I think it would cause confusion to have a City move the top 2 on while a Village moves the top 4 on.

The Illinois School Code is amended

5/9-1.5 new

Provides that the school board may authorize an advisory question of public policy to be placed on the ballot at the next regularly scheduled election in the school district. Provides that the question must be submitted at an election in accordance with the Election Code, but may not be submitted at a consolidated primary election.

At the request of Rep. Mike Tyron – please see House Bill 3096

The Illinois Vehicle Code is amended

5/2-105

Deletes provision stating that, "the election authority shall appoint as deputy registrars a reasonable number of employees of the Secretary of State located at driver's license examination stations and designated to the election authority by the SOS who may accept the registration of any qualified residents of the state at any such driver's license examination stations."

Comments: Simply codifying current practice; the SOS has not had deputy registrars in their facilities for approximately 10 years. Some of the clerks had concerns that if SOS employees are not deputy registrars the local election authorities might have to treat voter registration applications that come from that office the same as applications that are mailed in – resulting in the voter having to show ID the first time he or she votes. Note, SOS is not changing current procedure and doesn't see how removing this language from the Codes would change anything the clerks have been doing with regard to applications they receive from SOS. They are simply making the law conform to what they've been doing for ten years, not to mention the concessions they made to the local election authorities re: HAVA.

At the request of the Secretary of State – See original language of SB 1586 and SB 90

The Circuit Courts Act is amended

35/2f-10 and 2f-11

If and only if SB 63 becomes law…

- ✓ **Adds language regarding the 2012 general election and the 16h circuit judge**
- ✓ **The resident judgeship for Kendall County is to be filled by at the 2012 general election**

CURRENT LAW:

REASON FOR CHANGE:

PROPONENTS:

NEUTRAL: **Mike Hoffman – IL Clerk's and Recorders**

OPPONENTS:

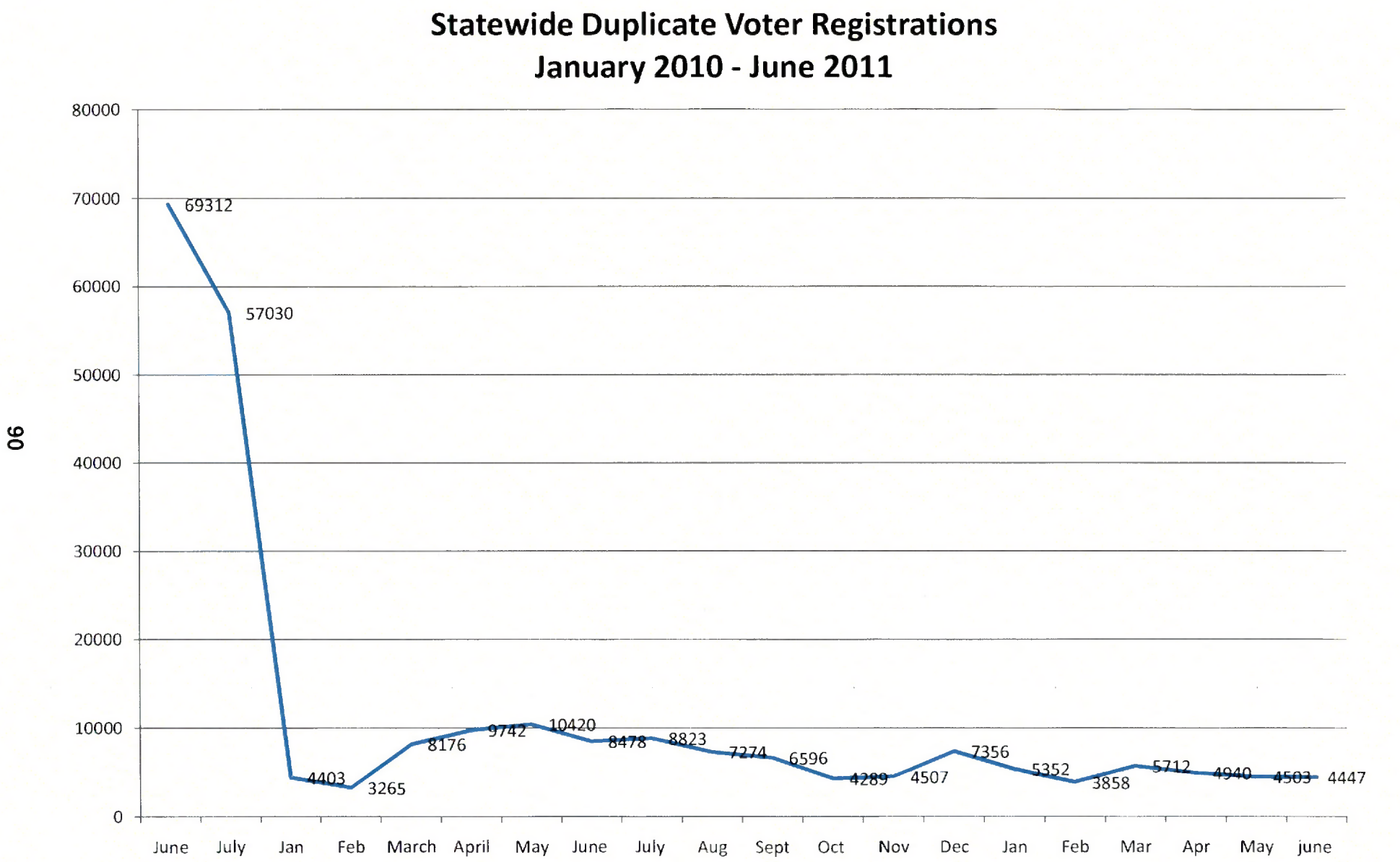
Jurisdiction	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	Oldest Match Date
Adams County	0	0	5	4	7	7	8	5	8	7	8	6	8/9/2010
Alexander County	41	41	40	41	5	3	3	4	7	5	5	6	2/6/2009
Bond County	3	3	5	1	5	6	1	1	2	8	9	8	8/3/2009
Boone County	12	11	14	5	6	5	9	4	5	3	8	6	2/6/2009
Brown County	0	1	1	0	0	0	0	0	0	0	0	1	6/3/2011
Bureau County	11	5	3	4	0	2	6	0	0	5	0	0	n/a
Calhoun County	0	0	0	1	0	1	1	1	0	0	0	0	n/a
Carroll County	2	3	2	0	3	1	0	0	5	1	1	1	4/18/2011
Cass County	16	16	19	0	0	5	8	0	3	1	1	0	n/a
Champaign County	39	24	42	13	43	129	12	10	88	110	16	17	8/3/2009
Christian County	0	0	3	13	7	13	3	3	3	2	2	3	2/6/2009
Clark County	6	6	6	6	7	8	5	5	6	6	5	5	2/6/2009
Clay County	69	79	58	60	60	62	52	52	58	65	62	67	2/6/2009
Clinton County	50	50	30	28	16	20	15	16	17	16	21	11	2/6/2009
Coles County	38	34	29	31	18	16	14	14	14	5	4	4	2/6/2009
Cook County	3,231	2,477	2,277	1,271	1,446	2,357	1,770	1,393	1,988	1,773	1,679	1,717	2/6/2009
Crawford County	48	49	43	47	17	22	19	18	11	11	11	13	2/6/2009
Cumberland County	4	4	5	8	4	1	0	0	1	0	0	1	6/17/2011
DeKalb County	66	43	35	31	22	29	20	19	23	4	4	4	2/6/2009
DeWitt County	66	61	2	4	2	4	3	2	2	2	2	6	2/6/2009
Douglas County	1	1	1	0	1	2	404	0	1	1	0	0	n/a
DuPage County	328	135	69	41	183	368	0	34	51	25	47	29	2/6/2009
Edgar County	12	12	1	1	0	0	0	0	0	0	0	0	n/a
Edwards County	3	4	2	5	2	2	2	2	2	4	4	4	2/6/2009
Effingham County	6	6	6	2	0	1	1	1	0	0	0	1	6/17/2011
Fayette County	18	15	15	13	12	11	11	10	11	11	9	14	2/6/2009
Ford County	2	4	8	3	4	22	1	1	1	2	1	1	10/29/2010
Franklin County	69	68	73	82	65	70	60	59	62	60	58	60	2/6/2009
Fulton County	11	11	15	7	5	9	7	4	7	7	4	4	2/6/2009
Gallatin County	0	0	0	1	2	2	1	1	1	1	1	1	9/24/2010
Greene County	7	2	1	1	4	4	3	4	1	1	4	3	3/18/2011
Grundy County	19	15	19	9	30	42	25	27	52	0	2	3	5/31/2011
Hamilton County	0	1	1	0	0	0	0	0	0	0	0	0	n/a
Hancock County	1	1	2	1	3	3	1	1	1	2	2	1	2/6/2009
Hardin County	6	4	0	0	1	1	0	0	0	1	2	1	5/13/2011

Jurisdiction	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	Oldest Match Date
Henderson County	0	0	0	0	0	0	0	0	1	0	0	0	n/a
Henry County	27	25	22	17	17	20	17	17	19	17	13	5	2/6/2009
Iroquois County	14	20	24	28	7	15	5	5	1	2	1	2	2/6/2009
Jackson County	26	24	24	28	16	28	15	14	20	22	17	20	2/6/2009
Jasper County	5	6	7	10	5	3	4	0	0	0	1	2	5/31/2011
Jefferson County	6	6	1	0	0	0	0	0	1	0	0	1	6/17/2011
Jersey County	6	6	6	8	11	9	13	12	15	15	17	17	2/4/2010
JoDaviess County	0	0	0	0	1	0	0	0	0	0	0	0	n/a
Johnson County	13	11	8	7	1	2	1	1	1	0	0	1	6/10/2011
Kane County	117	50	37	51	44	92	32	19	35	17	21	16	2/4/2010
Kankakee County	41	44	45	55	67	93	9	5	21	8	12	18	2/4/2010
Kendall County	50	23	18	9	15	12	6	4	5	0	4	2	5/20/2011
Knox County	13	15	16	18	1	5	7	7	0	1	1	5	4/29/2011
Lake County	157	118	152	47	44	214	193	18	51	23	54	32	2/6/2009
LaSalle County	106	82	17	10	10	21	14	6	22	11	16	9	9/3/2010
Lawrence County	2	2	2	2	1	2	1	0	1	0	1	1	6/17/2011
Lee County	4	3	2	1	4	3	0	0	1	0	0	0	n/a
Livingston County	4	8	9	6	8	12	1	1	3	5	4	1	5/13/2011
Logan County	13	13	4	2	6	5	4	5	12	5	5	4	2/6/2009
Macon County	4	5	8	21	7	25	8	4	8	3	3	1	6/3/2011
Macoupin County	4	6	5	11	4	12	5	6	8	3	1	0	n/a
Madison County	30	26	46	27	29	35	18	17	34	16	27	20	2/6/2009
Marion County	53	64	35	39	26	27	18	18	29	24	29	22	2/6/2009
Marshall County	2	2	1	1	1	0	3	2	0	1	2	6	4/22/2011
Mason County	1	0	0	0	1	1	0	3	1	0	0	0	n/a
Massac County	6	6	6	9	4	4	3	3	5	3	3	3	2/6/2009
McDonough County	3	3	6	6	9	9	6	2	5	2	2	2	2/6/2009
McHenry County	31	15	50	92	35	125	50	4	7	34	69	74	10/8/2010
McLean County	39	30	3	3	6	44	7	4	20	21	9	13	2/6/2009
Menard County	38	5	5	8	2	3	3	2	2	1	1	1	2/6/2009
Mercer County	139	141	142	142	146	148	150	148	149	131	113	12	2/6/2009
Monroe County	1	5	5	6	8	6	2	2	2	2	6	7	9/3/2010
Montgomery County	0	4	2	2	4	13	4	3	9	10	13	7	3/18/2011
Morgan County	19	16	16	12	3	11	4	3	6	3	2	0	n/a
Moultrie County	0	0	1	0	3	0	0	0	0	0	0	1	6/17/2011

Jurisdiction	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	Oldest Match Date
Ogle County	1	3	0	1	2	7	10	0	1	0	1	1	6/3/2011
Peoria County	7	4	4	0	4	19	1	2	2	2	4	0	n/a
Perry County	0	3	6	5	1	4	0	0	1	0	0	0	n/a
Piatt County	6	2	2	6	1	4	2	2	1	2	2	2	2/6/2009
Pike County	7	7	7	9	9	12	10	10	9	11	12	13	3/12/2010
Pope County	5	1	1	1	1	2	0	0	1	2	1	1	3/18/2011
Pulaski County	20	20	16	20	4	4	0	0	2	2	1	1	3/18/2011
Putnam County	2	2	1	2	0	2	0	0	2	0	0	0	n/a
Randolph County	2	4	3	3	2	3	0	0	3	0	1	3	5/20/2011
Richland County	20	22	15	20	11	13	7	6	5	6	5	6	2/6/2009
Rock Island County	135	138	151	154	163	178	180	188	124	182	177	75	2/6/2009
Saline County	1	0	1	1	1	2	4	4	2	1	7	8	12/3/2010
Sangamon County	60	29	37	42	21	63	15	20	42	16	15	21	2/6/2009
Schuyler County	2	1	4	2	4	9	9	0	4	1	2	0	n/a
Scott County	3	2	6	1	0	5	2	2	3	3	2	3	12/10/2010
Shelby County	1	1	1	3	1	2	0	0	0	1	1	1	4/18/2011
Stark County	0	0	0	1	0	0	0	0	0	0	1	2	5/13/2011
St. Clair County	47	41	46	43	50	77	26	28	43	29	46	38	2/6/2009
Stephenson County	0	1	3	2	1	2	2	2	12	2	3	2	10/22/2010
Tazewell County	17	14	37	19	17	81	19	24	16	29	39	29	2/6/2009
Union County	32	35	30	33	24	33	17	17	28	29	24	22	2/6/2009
Vermilion County	6	6	6	3	3	3	3	3	4	3	4	3	8/27/2009
Wabash County	0	1	1	0	0	2	1	0	0	0	1	1	5/31/2011
Warren County	8	9	9	3	5	7	2	0	2	1	1	2	3/18/2011
Washington County	11	13	14	16	7	7	5	4	4	4	6	6	2/6/2009
Wayne County	34	41	30	35	34	31	28	28	31	33	34	37	2/6/2009
White County	1	2	0	0	1	3	2	2	1	3	3	3	11/8/2010
Whiteside County	6	9	9	8	7	11	7	6	9	5	6	2	6/18/2010
Will County	380	265	357	340	420	578	437	412	596	586	193	138	2/6/2009
Williamson County	93	95	94	102	57	65	43	42	45	43	45	46	2/6/2009
Winnebago County	28	19	14	46	35	39	25	8	10	7	10	5	2/6/2009
Woodford County	1	1	1	0	0	4	0	0	0	0	0	0	n/a
City of Aurora	27	14	19	7	17	6	12	14	3	14	2	3	2/4/2010
City of Bloomington	9	9	9	14	11	15	5	6	6	4	5	8	2/6/2009
City of Chicago	2,620	2,449	2,056	899	1,037	1,755	1,382	985	1,714	1,346	1,383	1,626	2/6/2009

Jurisdiction	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	Oldest Match Date
City of Danville	2	2	3	2	3	7	3	2	6	3	8	3	2/6/2009
City of East St. Louis	45	18	9	5	3	12	5	5	10	8	6	11	2/6/2009
City of Galesburg	5	8	8	7	2	6	10	4	3	3	3	3	3/29/2010
City of Peoria	6	2	13	2	4	39	2	2	23	35	20	9	2/6/2009
City of Rockford	14	11	16	20	18	17	8	4	19	5	10	10	2/6/2009
	8,823	7,274	6,596	4,289	4,507	7,356	5,352	3,858	5,712	4,940	4,503	4,447	

Statewide Duplicate Voter Registrations
June 2009 - April 2011



County	Total Voters Registered as of 6/21/2011	Census Total Pop.	% Reg. Vs. Total Population	18 years and over #	Prior % Reg. vs 18 and over	% Reg. vs. 18 and Over as of 6/1/2011	% Reg. vs. 18 and Over as of 6/21/2011
ALEXANDER	7,903	8,238	95.93%	6,353	122.87%	125.12%	***124.40%***
CLARK	12,888	16,335	78.90%	12,617	102.35%	102.26%	**102.15%**
CLINTON	26,142	37,762	69.23%	29,180	110.22%	89.34%	**89.59%**
HARDIN	3,186	4,320	73.75%	3,444	111.30%	94.54%	**92.51%**
JASPER	7,458	9,698	76.90%	7,494	101.23%	99.36%	**99.52%**
MASSAC	12,499	15,429	81.01%	11,911	103.69%	104.81%	***104.94%***
MENARD	8,630	12,705	67.93%	9,704	100.41%	89.09%	**88.93%**
MERCER	13,966	16,434	84.98%	12,714	112.44%	111.50%	**109.85%**
OGLE	40,920	53,497	76.49%	40,253	101.79%	101.82%	***101.66%***
PULASKI	5,789	6,161	93.96%	4,756	125.34%	121.43%	**121.72%**
RICHLAND	13,504	16,233	83.19%	12,625	109.51%	107.02%	**106.96%**
ROCK ISLAND	85,950	147,546	58.25%	114,359	110.07%	90.38%	**75.16%**
STARK	4,762	5,994	79.45%	4,583	103.69%	103.71%	**103.91%**
UNION	15,062	17,808	84.58%	13,980	108.41%	107.75%	**107.74%**
City of East St. Louis	22,261	27,006	82.43%	19,098	112.21%	116.54%	***116.56%***

Memorandum

From the desk of....Cristina Cray, Director of Legislation
Phone: 217-782-1577
Email address: ccray@elections.il.gov

To: Executive Director Rupert Borgsmiller
Subject: Campaign Finance Reform Task Force
Date: June 23, 2011

Please be advised that the next meeting of the Campaign Finance Reform Task Force will be held Thursday, July 28, 2011. This meeting will be held in the James R. Thompson Center, Suite 14-100 and via video conference in the State Board of Elections principal office in Springfield. It is set to begin at 1:00 pm.

Thank you.

MEMORANDUM

From the desk of... Jim Withers, Director of Administrative Services
State Board of Elections
Phone: 217-782-1595
Email address: jwithers@elections.il.gov

TO: Members of the Board

RE: Facility update

Date: June 22, 2011

Kelley Gray and I attended the bid opening Thursday June 16 at CMS. There were two bids submitted, one owned by Prairie Properties LLC at 402 N. 5th Street and the other owned by HV Enterprises, Inc. at 320 W. Washington Street. Both locations are in close proximity to the downtown area.

It will take approximately two weeks for CMS Property Management to review the submitted proposals. If it is determined the prospective bidders have met the bid specifications, we will be contacted to participate in onsite inspections. Once a location is determined there is a 30 day posting to receive objections.

Start Date	End Date	Activity	Division
6 /1 /2011		Submit the 2012 CANDIDATE'S GUIDE for printing. (Printing to be completed by June 30, 2011.) 10 ILCS 5/1A-8 (1, 2, 4, 11)	ET&RD
6 /13/2011		Begin work on post session BILL RECOMMENDATIONS to the Board and Governor's office. 10 ILCS 5/1A-8(8)	LEG
6 /14/2011		BOARD MEETING. 10 ILCS 5/1A7	EXEC DIR
6 /24/2011		Send to each election authority a current computerized voter registration error report, from the May 15, 2011 submission	VRS
6 /24/2011		Send notice to election authorities who failed to submit a computerized voter registration file, for the May 15, 2011 submission. Rules and Regulations	VRS
6 /30/2011		Distribute 2012 CANDIDATE'S GUIDE to State Library Documents Section and to those on our mailing list. (Project began January 3, 2011.) 10 ILCS 5/1A-8 (1, 2, 4, 7, 11)	ET&RD
7 /1 /2011		First day that any political committee shall file its SEMI-ANNUAL REPORT OF CAMPAIGN CONTRIBUTIONS AND EXPENDITURES. 10 ILCS 5/9-10	CAMP DISC
7 /1 /2011		STATUTORY BOARD MEETING. Swearing-in ceremony, election of chairman and vice chairman, monthly meeting. 10 ILCS 5/1A-8 (6)	EXEC DIR
7 /1 /2011		Begin compilation of petition filing packets for 2012 General Primary Election. 10 ILCS 5/1A-8(4)	EL INFO
7 /1 /2011		Begin plans to update all agency BROCHURES. (Complete by September 19, 2011.) 10 ILCS 5/1A-8 (1, 2, 4, 11)	ET&RD
7 /1 /2011		Update ELECTION AUTHORITY GUIDELINES Book for 2012. ILCS 5/1A-8 (1, 2, 3, 4, 11)	ET&RD
7 /1 /2011		Start review and update MILITARY/OVERSEAS booklet. Submit to printer by Nov 30, 2011 10 ILCS 5/1A-8 (1,2,3,7,11)	ET&RD
7 /1 /2011		Begin review and update of DEPUTY REGISTRAR GUIDELINES booklet. Complete by September 1, 2011. 10 ILCS 5/1A-8 (1, 2,	ET&RD

Start Date	End Date	Activity	Division
7 /1 /2011		Begin preparing the LOCAL ELECTION OFFICIALS HANDBOOK and the TOWNSHIP CAUCUS GUIDE for the April 2013 Consolidated Elections. Handbooks should be sent to printer by June 2012 and be ready for distribution by the end of July 2012. 10 ILCS	ET&RD
7 /1 /2011		Begin plans for preparing the TWO-YEAR PLAN FOR 2012-2013. Target completion date: September 30, 2011.	ET&RD
7 /1 /2011		Begin updating the SBE GUIDE FOR POLLWATCHERS. (Complete by September 1, 2011.) 10 ILCS 5/1A-8 (1, 2, 4, 11)	ET&RD
7 /1 /2011		Begin preparing the CANDIDATE'S GUIDE for 2013. Guide should be sent to printer by June 2012 and be ready for distribution by end of July 2012. 10 ILCS 5/1A-8 (1, 2, 3, 7, 11)	ET&RD
7 /5 /2011		Begin planning for the printing of Campaign Financing notices for the October petition filing for state and local candidates. 10 ILCS 5/9-15	CAMP DISC
7 /11/2011		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 May 15, 2011 submission	VRS
7 /15/2011		Complete JUDGES' TRAINING PROGRAM and JUDGES' EXAM update. Project began April 8, 2011. 10 ILCS 5/1A-8 (1, 2, 6, 11)	ET&RD
7 /20/2011		Last day political committees shall file their SEMI-ANNUAL REPORT OF CAMPAIGN CONTRIBUTIONS AND EXPENDITURES with the Board or the Board and county clerk. 10 ILCS 5/9-10	CAMP DISC
7 /29/2011		Date upon which the State Board of Elections shall notify political committees that have failed to file a SEMI-ANNUAL REPORT OF CAMPAIGN CONTRIBUTIONS AND EXPENDITURES that an assessment will be levied against the committee for failure to file the report in a timely fashion. Rules and	CAMP DISC
8 /1 /2011		Distribute ELECTION JUDGES' MANUALS OF INSTRUCTION to all the election authorities. (Project began April 8, 2011.) 10 ILCS 5/1A-8 (1, 2, 3, 4, 11)	ET&RD

Start Date	End Date	Activity	Division
8 /1 /2011		Submit MILITARY/OVERSEAS booklet to printers. Project started July 1, 2011. 10 ILCS 5/1A-8 (1,2,3,7,11)	ET&RD
8 /8 /2011		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 SEMI-ANNUAL REPORT OF CAMPAIGN CONTRIBUTIONS AND EXPENDITURES. Rules and Regulations	CAMP DISC
8 /16/2011		BOARD MEETING. 10 ILCS 5/1A7	EXEC DIR
8 /31/2011		Make certain that all county clerks have a sufficient inventory of campaign financing material for the October petition filing for local candidates. 10 ILCS 5/9-15	CAMP DISC
9 /1 /2011		Complete updating the DEPUTY REGISTRAR GUIDELINES booklet. Project began on July 1, 2011 10 ILCS 5/1A-8 (1, 2, 12)	ET&RD
9 /1 /2011		Complete updating the SBE GUIDE FOR POLLWATCHERS. 10 ILCS 5/1A-8 (1, 2, 4, 11)	ET&RD
9 /6 /2011		Begin to develop 2012 SBE Legislative Program - 97th General Assembly - for the upcoming legislative session, beginning January 2012. 10 ILCS 5/1A-8 (8)	LEG
9 /8 /2011		Begin to update the FEDERAL AND STATE OFFICERS book for the year 2012. Submit for printing by November 4, 2011. (Target completion date: December 3, 2009.) 10 ILCS 5/1A-8 (1, 2, 4, 11)	ET&RD
9 /8 /2011		Begin to update the COUNTY OFFICERS book for the year 2012. Submit for printing by November 5, 2009. (Target completion date: December 5, 2011.) 10 ILCS 5/1A-8 (1, 2, 4,	ET&RD
9 /9 /2011		Call Department of Public Health to obtain LISTING OF FACILITIES licensed or certified under the NURSING HOME CARE REFORM ACT OF 1979. Send listing to election authorities by October 28, 2011. 10 ILCS 5/19-	ET&RD
9 /16/2011		Complete updating and printing all agency BROCHURES. (Project began July 1, 2011.) 10 ILCS 5/1A-8 (1, 2, 4, 11)	ET&RD
9 /20/2011		BOARD MEETING. 10 ILCS 5/1A7	EXEC DIR

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

Sharon Steward **Director, Division of Campaign Disclosure**

To: Members of the Board, Rupert T. Borgsmiller, Executive Director, & Steve Sandvoss, General Counsel

Re: Consequences and Penalties for Violation of Contribution Limits

Date: June 23, 2011

Below is the applicable section of the Campaign Finance Act (the Act) pertaining to Consequences and Penalties for the Violation of Contribution Limits.

Section 5/9-8.5(j) of the Election Code reads:

A political committee that receives a contribution or transfer in violation of this Section shall dispose of the contribution or transfer by returning the contribution or transfer, or an amount equal to the contribution or transfer, to the contributor or transferor or donating the contribution or transfer, or an amount equal to the contribution or transfer, to a charity. A contribution or transfer received in violation of this Section that is not disposed of as provided in this subsection within 15 days after its receipt shall escheat to the General Revenue Fund and the political committee shall be deemed in violation of this Section and subject to a civil penalty not to exceed 150% of the total amount of the contribution.

Following is my recommendation in regards to the assessment of civil penalties when there is a violation of the contribution limits:

1. The amount to escheat to the State as well as the civil penalty assessed by the Board, shall be based upon the amount received in excess of the contribution limits, which staff believes is the "contribution received in violation" of the Act. This interpretation was brought to the attention of the Campaign Finance Reform Task Force and those in attendance unanimously agreed with it. For purposes of expediency, the staff requests that the Board adopt this interpretation as a policy with the intention that it will be followed-up with a proposed rule-making.

2. The law provides for two separate consequences in the event of a violation. The first is the amount of the contribution in violation of the Act escheating to the state. If the Board has determined that a violation has occurred, it has no discretion regarding this consequence. The second consequence is the additional discretionary penalty assessment by the Board. In both cases, a final Board Order finding a violation must issue prior to either of these two consequences taking affect.

3. If the contribution in violation of the Act is neither returned to the contributor nor donated to a charity **within the allotted 15 days,** there appears to be no discretion in the law with regards to escheatment to the general revenue fund. The contribution in violation of the Act must escheat to the State even if it was returned **after** the 15 day period has run and the Final Board Order should state this mandatory requirement. There shouldn't be a problem with the Board

accepting payment of this amount on behalf of the State, since in the past, the Board has accepted payment on behalf of the State as a result of anonymous contributions or contributions made in the name of another, that pursuant to Section 5/9-25, must also escheat to the State.

4. As noted in paragraph 2, the additional civil penalty to be assessed by the Board is discretionary. I recommend that the penalty be assessed at 150% of the amount in violation of the limits; that is the amount in excess of the contribution limits, that will be stated in the assessment letter sent to the recipient committee. As is the procedure for Schedule A-1 (Report of Contributions of $1000 or More) assessment letters, reductions shall be based upon a quarterly reporting period. For first time violations (regardless of how many instances of violations) occurring within any quarterly period, the penalty would be reduced to 10% of the amount in violation; for second violations occurring in a subsequent quarterly period, the penalty would be reduced to 50% of the amount in violation; for third violations occurring in a subsequent quarterly period, the penalty would be 100% of the amount in violation; and for fourth and subsequent violations during any other quarterly periods, a penalty of 150% of the amount in violation would be levied. The Board may also choose not to assess this discretionary penalty at all, in the event that circumstances warrant excusal of a penalty. These guidelines would be adhered to by the SBE Hearing Officers if approved by the Board.

5. No penalty shall be due and owing and no escheatment will be necessary until a Final Board Order has been issued.

6. If a political committee chooses not to appeal a penalty, the Final Board Order shall separately reflect the amount to be escheated to the State as well as the assessment amount outlined in paragraph 4 above. Upon the issuance of the Final Board Order to committees that have not appealed, these committees, as well as those that have filed an appeal, shall have the opportunity to file a Motion for Reconsideration of a Board Order (pursuant to existing Board Rule) assessing the penalty within 7 days.

7. Only previous violations of the **contribution limits provision,** as opposed to other provisions in the Act, shall be considered when determining whether a violation is a first, second, third, fourth or subsequent violation.

8. Each time the contribution limits are exceeded shall be considered a separate violation. As has been past practice, a civil penalty for a first violation of any section of Article 9, including the contribution limitation provision, shall be stayed. Since staff believes that the escheatment of an illegal contribution is not considered a civil penalty, but rather the automatic forfeiture of an ill gotten gain so to speak, and since neither the Act or the Rules applicable to the Act provide for a stay of an escheatment, should the Board determine that a violation occurred, the amount of the violation must escheat, regardless of whether it is a first-time violation.

9. The Board may wish to institute a policy where if the contribution in violation is either returned or given to a charity outside of the 15 day period but returned prior to any penalty assessed by the Board, while it would still be a violation, thereby escheating to the state, the Board would assess no other penalty. In this case the Board is basically saying that the escheatment alone is penalty enough.

10. As indicated in paragraph 8 above, since staff feels that the amount of the violation that is to escheat to the State is not considered a civil penalty, it shall therefore not implicate the provisions of ballot forfeiture found in Section 5/9-30.

STATE BOARD OF ELECTIONS

MEMORANDUM

From the desk of:
Rupert T. Borgsmiller, Executive Director

TO: Chairman Schneider
Vice Chairman Rednour
Members of the Board

SUBJECT: Delegate selection for the 2012 Democratic National Convention

DATE: June 22, 2011

The Board was recently informed of the presidential delegate selection plan adopted by the Democratic National Committee (DNC) which would utilize the current 19 Congressional Districts for purposes of electing national nominating convention delegates and alternate delegates, as opposed to the newly drawn (but not yet signed) 18 Congressional Districts map. During the May meeting, the Board reviewed a memorandum prepared by assistant counsel Ken Menzel, a copy of which is attached. The memorandum advised that the DNC be contacted by a mailed letter (also attached) to verify that they were indeed proceeding on this course of action. In addition, the Board requested that the staff prepare a draft request to the Attorney General, seeking an Opinion as to whether the DNC's request to utilize the current Congressional districts for the selection of delegates is consistent with State election law.

At its June meeting the Board discussed whether the State Board of Elections should proceed with its opinion request. The Board decided not to seek an opinion at this time. The staff however, is now proposing to notify the election authorities and vendors regarding the Democratic delegate selection process so that they are properly prepared for the upcoming General Primary Election. This notification letter is attached.

If the Board decides that such notification is appropriate, the letter will be promptly dispatched.

Thank you for your consideration.

STATE BOARD OF ELECTIONS

STATE OF ILLINOIS

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EXECUTIVE DIRECTOR
Rupert T. Borgsmiller

MEMORANDUM

Confidential/Attorney-Client Privilege

To: Rupert T. Borgsmiller, Executive Director
Steve Sandvoss, General Counsel
Mark Mossman, Director of Election Information

From: Kenneth R. Menzel, Legal Counsel to Election Information

Re: Use of current Illinois Congressional District Map for the Purpose of Electing Delegates and Alternate Delegates to the 2012 Democratic National Convention

Date: May 9, 2011

I have recently been advised by our contact person with the Illinois Democratic Party that the Democratic National Committee's staff[1] overseeing delegate selection plans has directed the state party to use the current 19 District Congressional Map for purposes of electing delegates[2] to the 2012 Democratic National Convention. The new 18 District Congressional Map will, of course, be used for the purposes of nominating and electing the new US Representatives in 2012.

The use of two different maps for electing delegates and nominating congressional candidates is a departure from past practices in Illinois.[3]

This direction from DNC staff, if ultimately implemented, will give rise to several somewhat problematic issues (as outlined herein below). In order to avoid those issues to the extent possible, I would recommend as a first step that the SBE contact the DNC directly to seek confirmation as to whether this is indeed the policy of the DNC for the 2012 elections (or whether the direction to use the current 19 Congressional District map might be for the purpose

[1] This direction comes from a young, front line DNC staffer, with no indication that it was generated by DNC legal counsel.

[2] This direction also applies to alternate delegates. For simplicity, discussion and references to election of delegates throughout this memo also includes the election of alternate delegates.

[3] 1992 was the most recent Presidential election year which followed so closely after a Census, but the same map was used for both US Representatives and delegates that year.

of permitting state parties to make a timely submissions of their delegate selection plans,[4] with the intention of later amending the delegate selection plans upon approval of the new Congressional Maps).[5]

If the DNC confirms the intension to use a different Congressional Map for electing delegates than that which is used for nominating and electing US Representative candidates, some significant problems will need to be dealt with.

First and foremost, there is the issue of whether such a scenario is compliant with current Illinois election law. Some sections of the Election Code dealing with the election of US Representatives and political party convention delegates are phrased in such a way as to at least imply that the two offices would be nominated/elected so as to represent the same congressional district territories (see e.g. Section 7-10(b) and 7-14.1).[6] It would be prudent to seek an Illinois Attorney General opinion as to whether the two map scenario complies with current Illinois law, or whether we would need to raise the issue with our Illinois legislative contacts with an eye toward undertaking any needed amendments to the Illinois Election Code so as to effectuate the two map scenario. Given where we are in the legislative cycle, this would be best done as soon as practicable.

In addition, it would entail a significant amount of work and cost to the various Illinois election authorities (and their vendors) for voter coding and programming an office having its own unique boundaries (as opposed to sharing the boundaries from which U.S Representatives will be nominated), as well as extra printing costs and burdens for additional ballots styles where the boundaries of the new and old maps do not coincide. Depending on how the new map turns out, this might not impact some of the very low population counties in Illinois. However, it would have a significant and expensive impact on those counties representing the greater majority of the state's population. We could expect some of the election authorities to have difficulty properly implementing a two map scenario for these two nominally congressional district based offices (on top of scrambling to implement the new maps for state senate, state house and county board districts). If the General Primary is going to be conducted using the two map scenario, the election authorities (and their vendors) should be notified as early as practicable that they will have to retain the old Congressional Map coding as well as implementing all of the new maps for Congress, the General Assembly and county boards.[7]

Another potential problem arises from the party's rule that delegate candidates must file their nomination papers in the same calendar year as the election. This forces their filing period into

---

[4] The DNC rules required submission of a state delegate selection plan, for the DNC's review and approval, by May 1, 2011. The new 18 District Congressional Map was not ready prior to that submission deadline. SBE staff provided the Illinois Democratic Party with the requested delegate allocation data, based upon the current 19 District Congressional Map, so as to permit the party to make a timely submission of the state's draft delegate selection plan.

[5] 18 states will have a change in the number of US Representatives for 2012 (10 decreases and 8 increases) and many states not have yet approved their new Congressional Maps, so this will be a somewhat widespread national issue for the DNC.

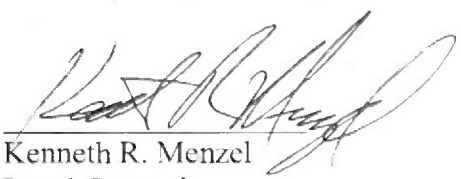
[6] Section 1A-8(14) of the Election Code gives the SBE the authority to take such action as may be necessary to give effect to directions of the national or state party committees under Sections 7-8, 7-11 or 7-14.1 relating to delegate selection and certification of presidential candidates, but those sections do not clearly give the party's the power to specify the use of different Congressional Maps for purposes of electing delegates.

[7] With the budget problems that the counties are facing, it is conceivable that one or more counties might challenge the validity of electing delegates under the old map, and/or might lobby against any legislative amendment to provide for same.

January, and absentee ballots for military personnel have to be mailed by February 4, 2012. This gives very little time for the election authorities to prepare, proof and print ballots following the filing period.[8] With the filing period at the beginning of January, objections would not be due until mid-January, leaving only a couple of weeks to get through the electoral board process and any judicial review (at the circuit, appellate and potentially supreme court levels) before the absentee process commences. Traditionally, there have not been objections to delegate filings, but this may not hold true for this election.[9] A delegate plan using the old map might offer a basis for objection that would not be easy to summarily handle at either the electoral board or court stages, and given the nearness to the General Primary that this would all be taking place, the negative impacts of any delay would be magnified.

As a final matter, a two map scenario would engender some degree of voter confusion. By way of example, a particular Democratic primary voter might get a ballot that has him or her voting for a congressional candidate to represent the new map's 5th Congressional District but would be voting for delegates from the old map's 9th Congressional District. The SBE would have to be prepared to expend some effort in voter education. However, we would have to anticipate that only the more sophisticated of voters will end up appropriately informed in this regard, while a substantial portion of the voters would find this confusing even with a well crafted voter education effort.

In sum, I would recommend that the SBE contact the DNC directly to seek confirmation as to whether it is indeed their intention to elect delegates under a different Congressional Map than will be used for nominating US Representatives. If it should turn out that this is indeed the case, then I would further recommend that the SBE request an Attorney General opinion as to whether such a scenario is compliant with current Illinois election law.



Kenneth R. Menzel
Legal Counsel

[8] The federal court consent decree resulting from last year's problems with military ballot mailings extends through the 2012 elections, such that the DOJ will still be actively scrutinizing the timely mailing of military ballots for this election.

[9] Given our experiences in 2008 and 2010, one could certainly conceive of objections coming from one or more of the so-called "Birther" or "Tea Party" groups in the 2012 elections.

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May 31, 2011

The Honorable Debbie Wasserman Schultz
National Chair
Democratic National Committee
430 S. Capitol St. SE
Washington, DC 20003

Re: Use of current Illinois Congressional District Map for the Purpose of Electing Delegates and Alternate Delegates to the 2012 Democratic National Convention

Dear Representative Wasserman Schultz:

I have recently been advised by our contact person with the Illinois Democratic Party that the DNC has instructed the state party to use the current 19 District Congressional Map in preparing its Delegate Selection Plan for purposes of electing delegates (and alternate delegates as well) to the 2012 Democratic National Convention. This would be a departure from the past practice following a Census year, wherein the new Congressional Map was used for electing delegates as well as nominating and electing new Representatives in Congress.

I am seeking clarification as to whether this instruction was given with the intention of actually electing delegates on that basis, or whether using the current 19 District Congressional Map for Illinois is being done for purposes of timely submission of a delegate selection plan (so as to allow compliance with the early May DNC submission deadline for the plan), with the intention of amending the delegate selection plan upon approval of the new 18 District Congressional Map for Illinois which will be approved for the 2012 nomination and election of US Representatives.

In the event that the use of the current Congressional Map is a "placeholder" until the new Congressional Map is approved, I will so advise the appropriate staff here, and we will make preparations for quickly calculating the new delegate and alternate delegate allocations to allow the delegate plan to be amended as early as practicable after approval of the new Congressional Map.

On the other hand, if the DNC intends to use a different Congressional Map for electing delegates than that which will be used for nominating US Representative candidates, several significant problems will need to be dealt with. First and foremost, is the issue of whether such a scenario is compliant with Illinois law. It would be our plan to seek a legal opinion from the Illinois Attorney General as to whether the two map scenario complies with current Illinois law, or whether we would need to present the issue to the Illinois legislature with an eye toward undertaking any needed amendments to the Illinois Election Code so as to effectuate the two map scenario.

I think it is important to note that the use of two different maps for electing delegates and nominating congressional candidates is a departure from past practices in Illinois. In addition, it would entail a significant amount of work and cost to the various Illinois election authorities for

voter coding and programming an office having its own unique boundaries (as opposed to sharing the boundaries from which U.S Representatives will be nominated), as well as extra printing costs and burdens for additional ballots styles where the boundaries of the new and old maps do not coincide. Depending on how the new map turns out, this might not impact some of the very low population counties in Illinois, but this will have a significant and expensive impact on those counties representing the greater majority of the state's population. Frankly, some of the election authorities may have difficulty properly implementing a two map scenario for these two nominally congressional district based offices (on top of scrambling to implement the new maps for state senate, state house and county board districts).

Further, with the party's rule that delegate candidates must file their nomination papers in the same calendar year as the election forcing their filing period into January, and absentee ballots for military personnel having to be mailed by February 4, 2012, there is very little time for the election authorities to prepare, proof and print ballots following the filing period. There is a federal court consent decree resulting from problems last year as to military ballot mailings that will extend through the 2012 elections, such that the DOJ will be actively scrutinizing the timely mailing of military ballots. Also, even if the filing period were the first week of January, objections to delegate candidate petitions would not be due until the second week of January, and that would leave only a couple of weeks before the absentee process commences to get through the administrative electoral board review process and any judicial review (at the circuit, appellate and potentially supreme court levels) in the event of such objections. While, traditionally, there have not been objections to delegate filings, I am not entirely confident that this will hold true for this election (I could certainly conceive of objections coming from one or more of the so-called "Birther" or "Tea Party" groups). A delegate plan using the old map might offer a basis for objection that would not be easy to summarily handle at either the electoral board or court stages, and given the nearness to the election that this would all be taking place, there really wouldn't be any margin for error at that point.

As a final matter, a two map scenario would engender some degree of voter confusion. A particular Democratic primary voter would be getting a ballot that has him/her voting, for example, for a congressional candidate to represent the 5th Congressional District (new map) but for delegates from the 9th Congressional District (old map). The most sophisticated of party's voters will end up appropriately informed as to how that would come to be, but a large portion of the party's voters will find this confusing (and some amount of public and party resources would have to be devoted to getting the word out as to the two map scenario).

For these reasons, it would appear that the best solution is to eventually get to the point where both delegates and congressional candidates will be using the new 18 district map for the 2012 primary (and thus this inquiry as to whether this is the intention of the DNC).

We would greatly appreciate a response from the party at the earliest practicable time. If you or your staff have further questions or comments, please do not hesitate to contact me at *kmenzel@elections.il.gov* or at (312) 814-6462.

Very truly yours,

Kenneth R. Menzel
Legal Counsel,
Election Information Division
Illinois State Board of Elections

cc: Ms. Jill Shesol
Mr. Michael J. Kasper

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EXECUTIVE DIRECTOR
Rupert T. Borgsmiller

To: All Illinois Election Authorities

Cc: Election Vendors

From: Rupert T. Borgsmiller, Executive Director

Re: Delegate Selection Plan for 2012

Date: June 22, 2011

The State Board of Elections has been informed by the Illinois Democratic Party that the party's Delegate Selection Plan will provide for the election of Delegates and Alternate Delegates on the basis of the current 19 Congressional District map (and not the new 18 Congressional District map which will be used to nominate and elect US Representatives).

On that basis (unless the party changes its plans), when you do your coding to implement the new 18 Congressional District map to nominate and elect US Representatives, you will also need to maintain the old 19 Congressional District map for purposes of coding voters who will be electing the Democratic Party's Delegates and Alternate Delegates.

The State Board of Elections contacted the Democratic National Committee at the end of May to call to its attention the issues which their separate map scenario will present.

We will keep you apprised of any further developments as they occur.

8. Comments from the general public.

9. Next Board meeting, Tuesday, August 16, 2011 in Chicago.

10. Executive Session.