

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

2329 S. MacArthur Blvd.  
Springfield, Illinois 62704-4503  
217/782-4141  
Fax: 217/782-5959

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



EXECUTIVE DIRECTOR  
Steven S. Sandvoss

BOARD MEMBERS  
Charles W. Scholz, Chairman  
Ernest L. Gowen, Vice Chairman  
William J. Cadigan  
Andrew K. Carruthers  
Betty J. Coffrin  
John R. Keith  
William M. McGuffage  
Casandra B. Watson

AGENDA  
STATE BOARD OF ELECTIONS  
BOARD MEETING  
Monday, December 5, 2016  
9:00 a.m.

James R. Thompson Center – Room 9-040  
and via videoconference  
2329 S. MacArthur Blvd.  
Springfield, Illinois

Roll call.

1. Proclamation of results from the November 8, 2016 General Election.
2. Presentation of resolutions for retiring staff members;
  - 1) Becky Glazier;
  - 2) Rick Fulle.
3. Report of the General Counsel
  - a. Campaign Disclosure;  
Request for settlement offer
    - 1) *SBE v. 47<sup>th</sup> Ward Regular Democratic Organization, 25887*, 16AD049; (pgs.1-3)
    - 2) *SBE v. Local 143 IUOE PAC, 929*, 16MA035; (pgs.4-6)
    - 3) *SBE v. Citizens to Elect Coleman for Mayor of North Chicago, 24540*, 14CD072; (pgs.7-9)

Appeal of campaign disclosure fines – hearing officer recommendation appeal be granted

    - 4) *SBE v. McGuire for Illinois, 31744*, 16AJ029; (pgs.10-14)

Appeal of campaign disclosure fines – hearing officer recommendation appeal be denied

    - 5) *SBE v. Friends of Max Bochmann, 23521*, 16MA025; (pgs.15-19)
    - 6) *SBE v. Friends of Alyson Feiger, 25131*, 16MA043; (pgs.20-24)
    - 7) *SBE v. Friends of Juliana Stratton, 25466*, 16AM050; (pgs.25-28)
    - 8) *SBE v. Dixmoor First for Trustee, 27410*, 16MQ139; (pgs.29-31)
    - 9) *SBE v. Friends for Court Harris, 28456*, 16MA047; (pgs.32-36)

Appeal of campaign disclosure fines – hearing officer recommendation appeal be granted and denied

    - 10) *SBE v. Credit Union Political Action Council (CUPAC), 560*, 16MA034; (pgs.37-43)
    - 11) *SBE v. Friends of Michael Murphy, 29460*, 16MA048; (pgs.44-48)
    - 12) *SBE v. Citizens to Elect Chelsey R. Robinson for Judge of 2<sup>nd</sup> Judicial Sub Circuit Cook County, 31848*, 16MA053; (pgs.49-52)

Complaints following public hearing

    - 13) *SBE v. Citizens to Elect Alvin Parks, Jr.*, 16CD118; (pgs.53-55)
    - 14) *SBE v. Friends of Amara Anyia*, 16CD128; (pgs.56-58)
    - 15) *SBE v. Citizens to Elect Diante Johnson*, 16CD141; (pgs.59-61)

**Other campaign disclosure items**

- 16) Contribution limit violations; (pg.62)
- 17) Payment of civil penalties – informational; (pg.63)

- 4. Report of the Executive Director
  - a. Legislative update – Agenda for Spring 2017; (pgs.64-65)
  - b. Certification of Bonafide State Civic Organizations; (pgs.66-70)
  - c. Consideration of FY18 appropriation request; (previously sent under separate cover)
  - d. Consideration of overtime policy for General Election Day; (pgs.71-76)
  - e. Staff compensation supplement; (pg.77)
  - f. Stop-Gap fiscal status report – informational; (will be sent under separate cover)
  - g. Two year plan of staff activity for the months of December and January – informational. (pgs.78-79)
- 5. Follow up. (pg.80)
- 6. Comments from the general public. (pg.80)
- 7. Next Board Meeting scheduled for Tuesday, January 17, 2017 at 10:30 a.m. in Springfield. (pg.80)
- 8. Executive Session (if necessary).



Committeeman Paul Rosenfeld  
47th Ward Regular Democratic Organization  
4330 N. Lincoln Ave.  
Chicago, Illinois 60618

November 17, 2016

Mr. Ken Menzel  
General Counsel  
Illinois State Board of Elections  
2329 S. MacArthur Blvd.  
Springfield, Illinois 62704

STATE BOARD OF ELECTIONS  
10 NOV 18 PM 4:29

Dear Mr. Menzel:

Last week, the 47th Ward Regular Democratic Organization received correspondence relaying that the committee had failed to report thirteen contributions in a timely fashion in December of 2015. We would like to take the opportunity to relay the circumstances of the violation, and offer a settlement.

In December, we were training someone to take over compliance filings for the committee. He entered all of the contributions the day they came in, but did not realize he had to go to the drop-down menu and submit the filing – he thought that by entering the contributions, he had reported them to the Board. When he realized the issue and filed the A-1 later in the month, he noted the error through the IDIS portal and did not receive a response. In mid-January, he called the Board to follow up and was told that the committee would likely be issued a 'stay' if it was a first offense.

An amended D-1 was filed in early July to update both the address for the committee and new Chairman/Treasurer information, but correspondence relating to this matter was still sent to the previous Chairman and Treasurer in September and October. It wasn't until the ward office received the "Final Notice" dated October 19<sup>th</sup> in November that anyone at the ward organization was apprised of the issue.

We regret the submission error and tried to take immediate steps to rectify the issue. We were genuinely unaware there was a penalty assessed until this month, or we would have addressed this with the Board well before now. The 47<sup>th</sup> Ward is, through the hard work and dedication of many volunteers, enjoying a resurgence in both activity and voting. To build on and continue this progress, we need the funds that our organization has worked so diligently to raise. We hope the Board will find the attached proposed settlement offer of 10% of our civil penalty a fair resolution.

Sincerely,

A handwritten signature in black ink that reads "Paul Rosenfeld". The signature is written in a cursive, flowing style.

Committeeman Paul Rosenfeld



# Proposed Settlement Offer for Assessed Fines

Committee Name: 47th Ward Regular Democratic ID# 25887  
Organization

Unpaid Fine Total: \$ 12,500.00 (F)

Settlement Offer: \$ 1,250.00 (S)

Offer equals 10.00 % of Fine Total  
 $(S \div F) \times 100$

- A check for the settlement amount is attached. (If the settlement offer is rejected, the check will be returned.)
- I waive appearance at any hearing regarding this settlement offer.

Information from Committee's 4 most recent Quarterly Reports:

|                 |                          |                 |                          |
|-----------------|--------------------------|-----------------|--------------------------|
| Ending Balance: | \$ <u>23,460.37</u> (B1) | Total Receipts: | \$ <u>26,635.00</u> (R1) |
|                 | \$ <u>2,271.61</u> (B2)  |                 | \$ <u>1,000.00</u> (R2)  |
|                 | \$ <u>11,349.69</u> (B3) |                 | \$ <u>14,141.00</u> (R3) |
|                 | \$ <u>34,933.03</u> (B4) |                 | \$ <u>35,525.18</u> (R4) |

Avg. Ending Balance: \$ 18,003.68 (AB)      Avg. Total Receipts: \$ 19,325.29 (AR)  
 $(B1+B2+B3+B4) \div 4$        $(R1+R2+R3+R4) \div 4$

Ratio of fine/balance: 69.43 %      Ratio of fine/receipts: 64.68 %  
 $(F \div AB) \times 100$        $(F \div AR) \times 100$

Legal considerations, additional information or special circumstances:  
 I did not check either box for the settlement as we are submitting this offer electronically. A check would be sent immediately if accepted.

**Verification**  
 I declare that this settlement offer has been examined by me and to the best of my knowledge and belief is true, accurate and complete. I understand that failure to complete all parts of this form may result in the offer being summarily rejected. I also understand the Board is under no legal obligation to accept any settlement offer.

Paul Rosenfeld      Paul Rosenfeld, Chairman      11-17-16  
 Signature and Printed Name of Committee's Chairman, Treasurer or Candidate      Date

Return to: State Board of Elections  
 2329 S. MacArthur Blvd.      or      fax to: 217-782-5959  
 Springfield, IL 62704-4503

STATE OF ILLINOIS )  
 ) SS  
COUNTY OF SANGAMON )

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

In the Matter Of: )  
 )  
State Board of Elections )  
Complainant(s), )  
 )  
Vs. ) 16 AD 049  
 )  
47<sup>th</sup> Ward Regular Democratic )  
Organization )  
Respondent(s). )

**FINAL ORDER**

TO: 47<sup>th</sup> Ward Regular Democratic Organization ID# 25887  
4330 N Lincoln Ave.  
Chicago, IL 60618

This matter coming to be heard this 11<sup>th</sup> day of July, 2016 as an imposition of a civil penalty under Article 9 of the Illinois Election Code (10 ILCS 5/9-1 *et. seq.*), and the State Board of Elections being fully advised in the premises,

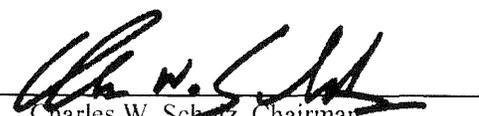
**THE BOARD FINDS**

1. On May 20, 2016, in case number 16 AD 049, a \$12,000.00 civil penalty was assessed against the Respondent for the delinquent filing of a noted Schedule A-1 during the fourth quarter of 2015; and
2. An appeal of the civil penalty was not submitted by the committee; and
3. Previously, the committee was assessed the following penalties:
  - a) On November 14, 2014, a penalty of \$500.00 for the delinquent filing of a noted Schedule A-1 during the second quarter of 2014 (14 AJ 051). This assessment was not appealed, reduced to \$50.00 by the Board and has been paid by the committee,
  - b) On August 28, 2015, a penalty of \$500.00 for the delinquent filing of a noted Schedule A-1 during the second quarter of 2015 (15 AJ 033). This assessment was not appealed, reduced to \$250.00 by the Board and has been paid by the committee,
  - c) On November 18, 2015, a penalty of \$500.00 for the delinquent filing of a noted Schedule A-1 during the third quarter of 2015 (15 AS 011). This assessment was not appealed and remains unpaid; and
4. Pursuant to section 9-10 of the Code, the assessed penalty of \$12,000.00 be imposed (as a third violation, the penalty is 100% of the value of the delinquently reported contributions).

**IT IS ORDERED:**

1. A civil penalty in the amount of \$12,000.00 is hereby imposed and is now due and owing, to be paid within 30 days of the effective date of this Order. The previously assessed penalty of \$500.00 remains unpaid and is past due; and
2. The effective date of this Order is July 12, 2016; and
3. This is a Final Order subject to review under the Administrative Review Law and Section 9-22 of the Election Code.

DATED: 7/12/2016

  
Charles W. Scholtz, Chairman

#1929  
16MRO35

LAW OFFICES STATE BOARD OF ELECTIONS  
ASHER, GITTLER & D'ALBA, LTD.

2016 NOV 23 AM 9:11

SUITE 1900  
200 WEST JACKSON BOULEVARD  
CHICAGO, ILLINOIS 60606

TELEPHONE (312) 263-1500  
FACSIMILE (312) 263-1520

www.ulaw.com  
www.worker-rights.com



November 22, 2016

**Via E-Mail:**  
kmenzel@elections.il.gov  
tnewman@elections.il.gov

Kenneth R. Menzel  
Tom Newman  
State Board of Elections  
2329 S. MacArthur Blvd.  
Springfield, IL 62704-4503

**Re: Proposed Settlement Offer for Local 143 IUOE PAC**

Dear Messrs. Menzel and Newman:

I am in receipt of your letter dated November 18, 2016. Thank you for the information about the Board's policies and procedures.

Enclosed please find a proposed settlement offer, representing 50 percent of the total fine. Local 143 IUOE PAC ("the Committee") requests a payment plan of \$1,000 per month until the settlement amount is paid in full. It is the Committee's preference not to extend the payment plan originally proposed.

Finally, please let me know whether it is necessary that a Committee representative be present at the Board's December 5, 2016 meeting.

Sincerely,  
  
Heidi B. Parker

Encl.  
cc: William Iacullo  
Denis Lechowicz



# Proposed Settlement Offer for Assessed Fines

Committee Name: Local 143 IUOE PAC ID# 929

Unpaid Fine Total: \$ 24,500.00 (F)

Settlement Offer: \$ 12,250.00 (S)

Offer equals  $\frac{50.00}{(S \div F) \times 100}$  % of Fine Total

A check for the settlement amount is attached. (If the settlement offer is rejected, the check will be returned.)

I waive appearance at any hearing regarding this settlement offer.

### Information from Committee's 4 most recent Quarterly Reports:

|                 |                          |                 |                          |
|-----------------|--------------------------|-----------------|--------------------------|
| Ending Balance: | \$ <u>2,571.89</u> (B1)  | Total Receipts: | \$ <u>12,960.00</u> (R1) |
|                 | \$ <u>3,384.39</u> (B2)  |                 | \$ <u>7,140.00</u> (R2)  |
|                 | \$ <u>2,421.95</u> (B3)  |                 | \$ <u>5,370.00</u> (R3)  |
|                 | \$ <u>13,378.20</u> (B4) |                 | \$ <u>5,525.00</u> (R4)  |

Avg. Ending Balance: \$ 5,439.11 (AB)  
 $(B1+B2+B3+B4) \div 4$

Avg. Total Receipts: \$ 7,748.75 (AR)  
 $(R1+R2+R3+R4) \div 4$

Ratio of fine/balance:  $\frac{450.44}{(F \div AB) \times 100}$  %

Ratio of fine/receipts:  $\frac{316.18}{(F \div AR) \times 100}$  %

Legal considerations, additional information or special circumstances:  
See cover letter.

### Verification

I declare that this settlement offer has been examined by me and to the best of my knowledge and belief is true, accurate and complete. I understand that failure to complete all parts of this form may result in the offer being summarily rejected. I also understand the Board is under no legal obligation.

William E. Iacullo WILLIAME IACULLO November 22, 2016  
Signature and Printed Name of Committee's Chairman, Treasurer or Candidate Date

Return to: State Board of Elections  
2329 S. MacArthur Blvd. or fax to: 217-782-5959  
Springfield, IL 62704-4503

STATE OF ILLINOIS )  
 ) SS  
COUNTY OF COOK )

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

In the Matter Of: )  
 )  
State Board of Elections )  
Complainant(s), )  
 )  
Vs. ) 16 MA 035  
 )  
Local 143 IUOE PAC )  
Respondent(s). )

**FINAL ORDER**

TO: Local 143 IUOE PAC ID# 929  
447 W 31<sup>st</sup> St  
Chicago, IL 60616-3135

This matter coming to be heard this 18<sup>th</sup> day of October, 2016 as an imposition of a civil penalty under Article 9 of the Illinois Election Code (10 ILCS 5/9-1 *et. seq.*), and the State Board of Elections being fully advised in the premises,

**THE BOARD FINDS**

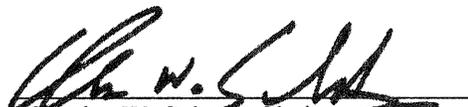
1. On September 2, 2016, in case number 16 MA 035, the following civil penalties were assessed:
  - a) a \$5000.00 civil penalty for the delinquent filing of the December 2015 Quarterly report; and
  - b) a \$5000.00 civil penalty for the delinquent filing of the March 2016 Quarterly report; and
2. An appeal of the civil penalties was not submitted by the committee; and
3. Previously, the committee was assessed the following penalties:
  - a) On December 5, 2011, a penalty of \$100.00 for the delinquent filing of the September 2011 Quarterly report (11 SQ 088),
  - b) On March 15, 2013, a penalty of \$4400.00 for the delinquent filing of the September 2012 Quarterly report (12 SQ 204),
  - c) On September 11, 2013, a penalty of \$5000.00 for the delinquent filing of the December 2012 Quarterly report and a penalty of \$5000.00 or the delinquent filing of the March 2013 Quarterly report (13 MA 065).

These assessments were not appealed and remain unpaid.

**IT IS ORDERED:**

1. A civil penalty in the amount of \$10,000.00 is hereby imposed and is now due and owing, to be paid within 30 days of the effective date of this Order. The previously assessed penalty of \$14,500.00 remains unpaid and is past due; and
2. The effective date of this Order is October 19, 2016; and
3. This is a Final Order subject to review under the Administrative Review Law and Section 9-22 of the Election Code.

DATED: 10/19/2016

  
Charles W. Scholtz, Chairman

**Marbold, Laura**

---

**From:** Electanthonycoleman <electanthonycoleman@gmail.com>  
**Sent:** Wednesday, November 16, 2016 9:29 AM  
**To:** Marbold, Laura  
**Subject:** Dec meeting

STATE BOARD OF ELECTIONS

2016 NOV 16 AM 10:43

I have non compliance fines of \$10000 that I would please like vacated. I would also like to speak to the board about the detailed circumstances why I'm requesting the fines to be vacated .

Sent from my T-Mobile 4G LTE Device

STATE OF ILLINOIS )  
 ) SS  
COUNTY OF SANGAMON )

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

In the Matter Of: )  
State Board of Elections )  
Complainant(s), )  
 )  
Vs. ) Case No. 14 CD 072  
 )  
Citizens to Elect Coleman for )  
Mayor of North Chicago )  
Respondent(s). )

**FINAL ORDER**

TO: Citizens to Elect Coleman for Mayor of North Chicago ID #24540  
1439 Elizabeth Ave  
North Chicago, IL 60064

This matter coming to be heard this 17<sup>th</sup> day of November, 2014 due to the failure of the Committee to comply with a Board Order previously issued under Article 9 of the Illinois Election Code (10 ILCS 5/9-1 *et. seq.*), and the State Board of Elections now being fully advised in the premises,

**THE BOARD FINDS**

1. The Committee did not comply with the Final Order dated August 26, 2014 commanding such committee to file the December 2012 and the March, June, September & December 2013 Quarterly Report of Campaign Contributions and Expenditures pursuant to “An Act to Regulate Campaign Financing” (Illinois Compiled Statutes, 10 ILCS 5/9-1 *et seq.*, herein referred to as the “Act”), and failed to appear at the Board meeting of November 17, 2014 to show cause as to why, pursuant to Section 9-23 of the Election Code (10 ILCS 5/9-23) it should not be assessed a civil penalty not to exceed \$5,000 for failure to comply with a Board Order.

**IT IS ORDERED:**

1. The Committee is assessed a civil penalty in the amount of \$5000.00; and
2. The effective date of this Order is November 19, 2014, and
3. This is a Final Order subject to review under the Administrative Review Law and Section 9-22 of the Election Code.

DATED: 11/19/2014

  
Jesse R. Smart, Chairman

STATE OF ILLINOIS )  
 ) SS  
COUNTY OF COOK )

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

In the Matter Of: )  
State Board of Elections )  
Complainant(s), )  
 )  
Vs. )  
 )  
Citizens to Elect Coleman for )  
Mayor of North Chicago )  
Respondent(s). )

Case No. 14 CD 163

**FINAL ORDER**

TO: Citizens to Elect Coleman for Mayor of North Chicago  
1439 Elizabeth Ave  
North Chicago, IL 60064

ID #24540

This matter coming to be heard this 21<sup>st</sup> day of April, 2015 due to the failure of the Committee to comply with a Board Order previously issued under Article 9 of the Illinois Election Code (10 ILCS 5/9-1 *et. seq.*), and the State Board of Elections now being fully advised in the premises,

**THE BOARD FINDS**

1. The Committee did not comply with the Final Order dated January 22, 2015 commanding such committee to file the March & June 2014 Quarterly Report of Campaign Contributions and Expenditures pursuant to "An Act to Regulate Campaign Financing" (Illinois Compiled Statutes, 10 ILCS 5/9-1 *et seq.*, herein referred to as the "Act"), and failed to appear at the Board meeting of April 21, 2015 to show cause as to why, pursuant to Section 9-23 of the Election Code (10 ILCS 5/9-23) it should not be assessed a civil penalty not to exceed \$5,000 for failure to comply with a Board Order.

**IT IS ORDERED:**

1. The Committee is assessed a civil penalty in the amount of \$5000.00; and
2. The effective date of this Order is April 23, 2015, and
3. This is a Final Order subject to review under the Administrative Review Law and Section 9-22 of the Election Code.

DATED: 4/23/2015

  
Jesse R. Smart, Chairman

**STATE OF ILLINOIS  
COUNTY OF COOK**

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

Illinois State Board of Elections

**Complainant**

Vs.

16 AJ 029

McGuire for Illinois 31744

**Respondent**

**REPORT OF HEARING OFFICER**

Appeal of Civil Penalty Assessment for Delinquent Filing of a Schedule A-1 Report

This Committee received a \$3,700 in-kind contribution on 6/8/16 and reported it on a Schedule A-1 Report received by the Board on 7/15/16, 21 days late, resulting in a civil penalty assessment of \$1,850. In addition, the Committee has previously been assessed a \$50 civil penalty (not appealed, reduced, stayed) for delinquent filing a Schedule A-1 Report in the 1<sup>st</sup> Quarter of 2016. The total assessment is \$1,900.

The Respondent was represented by attorney A. Christine Svensen at the November 16<sup>th</sup> appeal hearing. Also, in attendance was Brandi McGuire, the candidate of the Committee, and her campaign manager, Adrian Madunic. The treasurer of the Committee, Kent Kindelsperger, also participated via telephone.

Ms. McGuire, Mr. Madunic, and Mr. Kindelsperger all said that once the Committee receives a contribution that would require an A-1 to be filed Mr. Madunic contacts Mr. Kindelsperger and he data inputs the information into the IDIS system on that same day. This is done on the same day because the Committee wants to report everything in a timely manner, and they want to do everything correctly. However, since Mr. Kindelsperger is still relatively new to the IDIS system, which he does not believe is very user friendly, he has now come to the realization that he did not fully understand the system. He said it takes way to many steps to file a report and he believes it should be redone to be much more user friendly. Mr. Kindelsperger stated that he is 62 years old and he is not that tech savvy but he can usually get by when working with computer programs. However, he said he has problems with this system, and since the Committee received the notice for this assessment they have come to the realization that Mr. Kindelsperger has on more than one occasion input the data into the IDIS system in a timely manner without going through the steps to upload the information to the Board. Ms. Svensen requested that we look into when the system shows the contribution was entered and the Respondent requests that this date be used as the date the contribution was reported. Ms. Svensen stated that the Committee had no intent not to report the contributions as you will be able to see the contributions were entered into the system in a timely manner however the Committee has had electronic filing issues with the system and the report did not go through.

This Committee only filed one Schedule A-1 Report electronically prior to this contribution being entered into the IDIS system therefore it is possible Mr. Kindelsperger wasn't very familiar with the system. At the Respondent's request I had the data input date looked up and the contribution was input into the system on 6/13/16 which would have been within 5 business days of the reported receipt date however they could not specify when the in-kind notification form was actually received during the hearing. However, they did say that the contribution would have been entered in the system within 4 days of its receipt. Based on the information that was provided it appears the failure to file this report was due to user

not understanding they had to file a report after they entered a contribution into the system. In order to be consistent with previous Board decisions where an electronic filing defense is raised, and since this Committee has not previously utilized such a defense, I recommend the appeal be granted. However, I recommend the Committee check to make sure they have submitted their reports before they log out of the system going forward. If this recommendation is accepted by the Board, the stay would be returned to the previous \$50 civil penalty. (As of 9/30/16, this Committee reported a funds available balance of \$7,710.63.)



Andy Nauman – Hearing Officer  
November 17, 2016

State of Illinois )  
County of Cook )

BEFORE THE STATE BOARD OF ELECTIONS  
OF THE STATE OF ILLINOIS

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

Complainant )

Case No. 16 AS 029

Vs. )  
McGuire for Illinois )  
Respondent(s). )

APPEAL AFFIDAVIT

I, Brandi McGuire, Candidate of the  
(Name) (Chairman/Treasurer)  
McGuire 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:

Our Treasurer did timely input the  
A-1 information into IATS but it did  
not go through (clerical error).

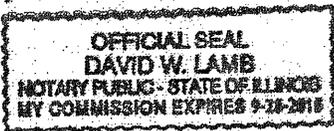
Signed and Sworn to by:

Brandi McGuire  
before me this 11<sup>th</sup> Day of

October, 2016

[Signature]  
Notary Public

[Signature]  
(Signature of Chairman/Treasurer)



STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

2329 S MacArthur Blvd.  
Springfield, Illinois 62704  
217/782-4141  
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James R. Thompson Center  
100 West Randolph, Suite 14-100  
Chicago Illinois 60601  
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William M. McGuffage  
Casandra B. Watson

EXECUTIVE DIRECTOR  
Steven S. Sandvoss

September 2, 2016

McGuire for Illinois  
485 Avenue of the Cities, Ste 2  
East Moline, IL 61244

ID# 31744

7015 3010 0002 2990 0685

Dear McGuire for Illinois:

This committee has failed to timely report the following contributions of \$1000 or more (Schedule A-1) as required by the Illinois Campaign Disclosure Act:

| <u>Contributed By</u>      | <u>Date of Contribution</u> | <u>Amount of Contribution</u> | <u>Date Reported</u> | <u>Days Late</u> | <u>Fine Assessed</u> |
|----------------------------|-----------------------------|-------------------------------|----------------------|------------------|----------------------|
| Office Machine Consultants | 6/8/2016                    | \$3700                        | 7/15/2016            | 21               | \$1850               |

As required by the Illinois Campaign Disclosure Act, as amended by Public Act 96-832, your committee is subject to a fine of \$1850.00 for the delinquent filing. This total *does not* reflect any previously assessed fines.

Under the Board's present policy, since this is the second delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$925.00, (50% of the above referenced fine amount) regardless of whether you choose to file an appeal. The reduced amount will be imposed and due 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 by October 3, 2016 you forfeit the right to contest this assessment.**

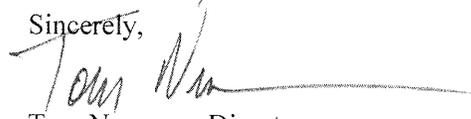
Since this is a subsequent violation, if the above listed violation is not appealed, the previously stayed fine(s) for delinquent filing listed below must also be paid by the committee within 30 days of the issuance of the Final Board Order:

| <u>Reporting Period</u>     | <u>Report Type</u> | <u>Previous Fine Amount</u> |
|-----------------------------|--------------------|-----------------------------|
| 2016 March                  | A1                 | \$50                        |
| <b>TOTAL AMOUNT NOW DUE</b> |                    | <b>\$975</b>                |

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, 2329 S MacArthur Blvd., Springfield, IL 62704. You may also pay by Mastercard, Discover or American Express, for an additional fee.

If you have any questions regarding the appeal procedure, please call Laura Marbold at 217-782-1543.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom Newman", with a long horizontal line extending to the right.

Tom Newman, Director  
Campaign Disclosure Division

TN: lm

Enclosures: appeal packet

**STATE OF ILLINOIS  
COUNTY OF COOK**

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

Illinois State Board of Elections

**Complainant**

Vs.

16 MA 025

Friends of Max Bochmann (ID# 23521)

**Respondent**

**REPORT OF HEARING OFFICER**

Appeal of Civil Penalty Assessment for Delinquently Filing  
The December 2015 and the March 2016 Quarterly Report

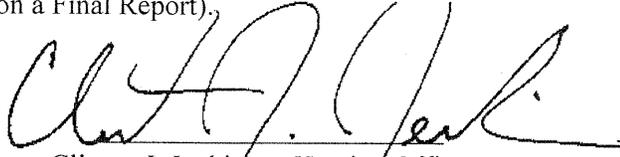
The Committee filed the December 2015 and the March 2016 Quarterly report received by the Board on April 27, 2016, 69 and 1 day(s) late respectively, resulting in \$3,450 and \$400 civil penalties. In addition, the committee was assessed a \$175 civil penalty (not appealed, stayed) for delinquently filing the March 2015 Quarterly Report. The total assessment is \$4,025.

Max Bochman, Chairman of the Committee, filed a Request for Hearing and submitted an Appeal Affidavit. The appeal hearing was scheduled for July 27, 2016. The hearing was rescheduled by request, via letter, from the Respondent's Attorney and was held on August 4, 2016.

Attorney Dan Walker and Candidate Max Bochmann attended the hearing. At the hearing, Mr. Max Bochmann read and submitted a prepared statement. A summation of the statement is as follows: Mr. Bochmann began his political committee during the first quarter of 2011 to run for the Board of Trustees of the College of DuPage. His run ended in a loss on April 5<sup>th</sup>, 2011. While uncertain of plans to attempt another run for office, the Candidate kept his committee open and continued to file timely until March of 2015. During the 1<sup>st</sup> Quarter of 2015, he began treatment for a recent cancer diagnosis which included surgery to remove his bladder and prostate. Mr. Bochmann's misfortune continue when he received word that his 40yr old son had died of a heroin overdose. Further hospitalized with an E.coli infection, surgery, and son's funeral contributed to the difficulties of filing timely disclosure reports. When the decision was made to no longer run for public office the committee held a balance of \$1,240. That amount was hand deliver in check form to the committee supporting Senator Linda Holmes and the 3<sup>rd</sup> Quarter 2015 report was filed to reflect a zero balance. The Candidate believed that the 3<sup>rd</sup> Quarter report reflecting the zero balance was considered a final report and would have ended his obligations with the Board thus the 4<sup>th</sup> Quarter report was not filed. In April of 2016, He was informed that several reports had not been filed. After a call into the Board to get an explanation of the matter, the Candidate filed all the missing reports including an actual Final Report on April 27, 2016.

It is unfortunate that Mr. Bochmann had to endure hospitalizations, undergo several surgeries, vast recovery periods and the loss of a family member. However, the political committee still had a responsibility to file the report in a timely manner. I recommend that the appeal be denied for lack of an

adequate defense. If this recommendation is accepted by the Board, the stay will be lifted from the \$175 civil penalty and the total assessment of \$3,850 will be due and owing. Additionally, since the Committee has filed a Final Report, I recommend that should the Committee remain dissolved for a period of two years from the date of the Board order imposing the fine, the fine be abated. If this recommendation is accepted by the Board, a \$4,025 civil penalty will be due. (As of 04/27/16, this Committee reported a funds available balance of \$0 on a Final Report).

A handwritten signature in black ink, appearing to read 'Clinton J. Jenkins', written in a cursive style.

Clinton J. Jenkins – Hearing Officer

November 10, 2016



STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

2329 S MacArthur Blvd.  
Springfield, Illinois 62704  
217/782-4141  
Fax: 217/782-5959

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



BOARD MEMBERS  
Charles W. Scholz, Chairman  
Ernest L. Gowen, Vice Chairman  
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Andrew K. Carruthers  
Betty J. Coffrin  
John R. Keith  
William M. McGuffage  
Casandra B. Watson

EXECUTIVE DIRECTOR  
Steven S. Sandvoss  
May 20, 2016

Friends of Max Bochmann  
Max Bochmann  
318 Hazelwood  
Naperville, IL 60540

ID# 23521

7015 3010 0002 2991 0639

Dear Friends of Max Bochmann:

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

Report Type: December Quarterly Report of Campaign Contributions and Expenditures  
Report Period: October 1, 2015 through December 31, 2015  
Filing Period: January 3, 2016 through January 15, 2016

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b) 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 4/27/2016, 69 day(s) late. As such, this committee has been assessed a fine of \$3450.00.

Report Type: March Quarterly Report of Campaign Contributions and Expenditures  
Report Period: January 1, 2016 through March 31, 2016  
Filing Period: April 1, 2016 through April 15, 2016

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b) 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 4/27/2016, 8 day(s) late. As such, this committee has been assessed a fine of \$400.00.

:Since this is a subsequent violation, if the above listed violation is not appealed, the previously stayed fine(s) for delinquent filing listed below must also be paid by the committee within 30 days of the issuance of the Final Board Order:

| Reporting Period            | Report Type | Previous Fine Amount |
|-----------------------------|-------------|----------------------|
| March 2015                  | Quarterly   | \$175                |
| <b>TOTAL AMOUNT NOW DUE</b> |             | <b>\$4025</b>        |

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 by June 20, 2016, 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, 2329 S MacArthur Blvd., Springfield, IL 62704. You may also pay by American Express, MasterCard, or Discover.

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

Sincerely,

A handwritten signature in black ink that reads "Tom Newman". The signature is written in a cursive style and is positioned above the printed name and title.

Tom Newman, Director  
Campaign Disclosure Division

TN: lm

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.

**16 MA 043**

Friend of Alyson Feiger

ID #25131

**Respondent**

**REPORT OF HEARING OFFICER**

Appeal of Civil Penalty Assessment for the Delinquent Filing of  
June 2015 Quarterly Report, September 2015 Quarterly Report  
December 2015 Quarterly Report, March 2016 Quarterly Report  
and June 2016 Quarterly Report

This Committee filed the following disclosure reports with the State Board of Elections on June 17, 2016; the June 2015 Quarterly report, 230 days late, resulting in a civil penalty assessment of \$5,000, the September 2015 Quarterly report, 167 days late, resulting in a civil penalty assessment of \$5,000, the December 2015 Quarterly report, 105 days late, resulting in a civil penalty of \$5,000 and the March 2016 Quarterly report, 44 days late, resulting in a civil penalty assessment of \$3,300. The Committee filed the June 2016 Quarterly report on July 28, 2016, 9 days late, resulting in a civil penalty assessment of \$675. Additionally, the Committee had previously been assessed a \$3,000 civil penalty (not appealed, unpaid) for delinquently filing the 2014 December Quarterly Report. The total assessment is \$21,975.

Alyson Feiger, the Chairman of the Committee, filed a Request for Hearing and submitted an Appeal Affidavit.

The Hearing was held on 11/7/16 via telephone with the Committee's Attorney, Adam Lasker. Mr. Lasker states the Candidate/Chairman suffers from Complex Partial Seizure Disorder and Post Traumatic Stress Disorder as a result from an accident and head injury. The Committee's Treasurer resigned leaving Ms. Feiger to file the reports which she struggled to understand and thought since there was no activity on the Committee's account that she did not have to respond or file any forms.

While I am very sympathetic to Ms. Feiger's health issues, I must recommend the appeal be denied for lack of an adequate defense. If this recommendation is accepted by the Board, the \$21,975 civil penalty will be due and owing.

(As of 6/30/16, this Committee reported a funds available balance of \$376.)



---

Kim Patrick – Hearing Officer  
November 14, 2016

State of Illinois )  
County of L )

STATE BOARD OF ELECTIONS

2016 OCT -3 PM 1:29

BEFORE THE STATE BOARD OF ELECTIONS  
OF THE STATE OF ILLINOIS

IN THE MATTER OF; )  
ILLINOIS STATE BOARD OF ELECTIONS, )  
Complainant )  
Vs. )  
Friends of Alyson Feiger )  
Respondent(s). )

Case No. 16MA043

APPEAL AFFIDAVIT

I, Alyson Feiger, the Chairman of the  
(Name) (Chairman/Treasurer)  
Friends of Alyson Feiger  
(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:

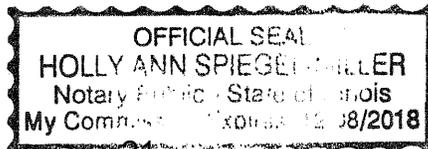
See attached form



Signed and Sworn to by:  
Alyson M. Feiger  
before me this 1 Day of  
October, 2016

Alyson M. Feiger  
(Signature of Chairman/Treasurer)

Notary Public



I suffer from Complex Partial Seizure Disorder (Epilepsy) and Post Traumatic Stress Disorder (PTSD) as a result of an accident and head injury. I am severely handicapped in several cognitive areas of functionality.

After my treasurer resigned, I misunderstood the forms I received in the mail. I thought that if there was no activity on my account, no deposits or payments, I did not have to respond or file any forms.

Alyson M. Feiger

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

2329 S MacArthur Blvd.  
Springfield, Illinois 62704  
217/782-4141  
Fax: 217/782-5959

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



BOARD MEMBERS  
Charles W. Scholz, Chairman  
Ernest L. Gowen, Vice Chairman  
William J. Cadigan  
Andrew K. Carruthers  
Betty J. Coffrin  
John R. Keith  
William M. McGuffage  
Casandra B. Watson

EXECUTIVE DIRECTOR  
Steven S. Sandvoss  
September 2, 2016

Friends of Alyson Feiger  
Alyson Feiger  
1411 Stratford  
Deerfield, IL 60015

ID# 25131

7015 3010 0002 2990 1293

Dear Friends of Alyson Feiger:

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

|                |  |
|----------------|--|
| Report Type:   | June Quarterly Report of Campaign Contributions and Expenditures |
| Report Period: | April 1, 2015 through June 30, 2015                              |
| Filing Period: | July 1, 2015 through July 15, 2015                               |

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b) 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 6/17/2016, 230 day(s) late. As such, this committee has been assessed a fine of \$5000.00.

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

|                |  |
|----------------|--|
| Report Type:   | September Quarterly Report of Campaign Contribution and Expenditures |
| Report Period: | July 1, 2015 through September 30, 2015                              |
| Filing Period: | October 1, 2015 through October 15, 2015                             |

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 6/17/2016, 167 day(s) late. As such, this committee has been assessed a fine of \$5000.00.

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

|                |   |
|----------------|---|
| Report Type:   | December Quarterly Report of Campaign Contribution and Expenditures |
| Report Period: | October 1, 2015 through December 31, 2015                           |
| Filing Period: | January 4, 2016 through January 15, 2016                            |

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 6/17/2016, 105 day(s) late. As such, this committee has been assessed a fine of \$5000.00.

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

Report Type: March Quarterly Report of Campaign Contribution and Expenditures  
Report Period: January 1, 2016 through March 31, 2016  
Filing Period: April 1, 2016 through April 15, 2016

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 6/17/2016, 44 day(s) late. As such, this committee has been assessed a fine of \$3300.00.

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

Report Type: June Quarterly Report of Campaign Contribution and Expenditures  
Report Period: April 1, 2016 through June 30, 2016  
Filing Period: July 1, 2016 through July 15, 2016

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 7/28/2016, 9 day(s) late. As such, this committee has been assessed a fine of \$675.00.

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

| Reporting Period            | Report Type | Previous Fine Amount |
|-----------------------------|-------------|----------------------|
| 2014 December               | Quarterly   | \$3000               |
| <b>TOTAL AMOUNT NOW DUE</b> |             | <b>\$21975</b>       |

**The total for all new assessments is \$21975.00.**

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 by October 3, 2016, 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, 2329 S MacArthur Blvd., Springfield, IL 62704. You may also pay by American Express, MasterCard, or Discover.

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

Sincerely,



Tom Newman, Director  
Campaign Disclosure Division

TN: lm  
Enclosure(s): appeal packet

STATE OF ILLINOIS  
COUNTY OF COOK

BEFORE THE STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

Illinois State Board of Elections  
**Complainant**

Vs.

16 AM 050

Friends of Juliana Stratton            25466  
**Respondent**

**REPORT OF HEARING OFFICER**

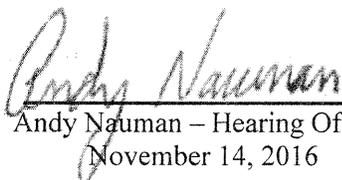
Appeal of Civil Penalty Assessment for Delinquent Filing of a Schedule A-1 Report

This committee received a \$50,000, a \$25,000 and a \$1,000 contribution on 2/18/16 and reported them on a Schedule A-1 report received by the Board on 2/23/16, 1 day late, resulting in civil penalty assessments of \$38,000. Additionally, the Committee was previously assessed a \$225 civil penalty (not appealed, stayed) for delinquently filing the June 2014 Quarterly Report. The total assessment is \$38,225.

The Respondent was represented by attorney Michael J. Kasper at the November 14<sup>th</sup> appeal hearing.

Mr. Kasper argued that the civil penalty assessment for the June 2014 Quarterly Report should have expired since it has been more than two years since that report was filed. He said with the \$225 civil penalty removed this Committee would have a clean slate and the next civil penalty could be stayed as a first offense. He then argued that since the 3 contributions were from the same deposit that the penalty should be considered one violation. He said that the rules are rather vague on what can be considered for being stayed and he believes one deposit should be allowed to be stayed as one violation. Mr. Kasper would like the Board to consider the three contributions as one violation and stay the penalty as a first violation as they have done with similar matters.

Mr. Kasper argued that it has been more than two years since the Committee filed the June 2014 Quarterly Report and therefore the fine should have expired. However, Section 125.425(j)(1) says the two year clock starts once the final Board order is issued and since the final Board order was written on 3/18/15 I disagree with this argument as it has not been more than two years since the order was written. Furthermore, Mr. Kasper argued that since the three contributions were deposited at the same time they should be considered one violation, and as one violation the fine should be stayed as the Board has done with similar matters. I also disagree with this argument because 10 ILCS 5/9-10(c) states in part that "*each contribution is a separate violation*" therefore I do not believe multiple contributions should be considered as a single violation. Furthermore since it is the Board's practice to normally only stay a committee's first violation and this would not be the Committee's first violation I recommend the appeal be denied for lack of an adequate defense. However, since there is no indication that these violations were anything other than inadvertent and unintentional, I also recommend that the civil penalty be reduced to 10% of the original amount, or \$3,800. If this recommendation is accepted by the Board, the stay will be lifted from the previous penalty of \$225 and the total assessment of \$4,025 will be due and owing. (As of 9/30/16, this committee reported a funds available balance of \$6,210.05.)

  
Andy Nauman – Hearing Officer  
November 14, 2016

State of Illinois )  
County of: Cook )

BEFORE THE STATE BOARD OF ELECTIONS  
OF THE STATE OF ILLINOIS

IN THE MATTER OF; )  
ILLINOIS STATE BOARD OF ELECTIONS, )  
Complainant )  
Vs. )  
Friends of Juliana Stratton )  
Respondent(s); )

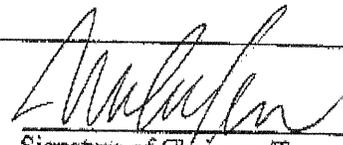
Case No. 16AM050

APPEAL AFFIDAVIT

I, Michael J. Kasper, the Attorney of the  
(Name) (Chairman/Treasurer)  
Friends of Juliana Stratton  
(Name of the Committee)

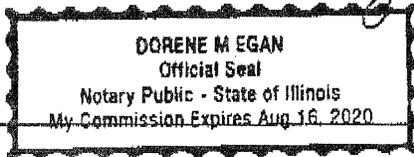
Committee, first being duly sworn, deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

Penalty was wrongfully assessed. Reasons to be presented at the hearing.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

  
Signature of ~~Chairman/Treasurer~~  
Attorney

Signed and Sworn to by:  
Michael J. Kasper

before me this 19<sup>th</sup> Day of September, 2016  
Notary Public Dorene M. Egan  
(seal)



STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

2329 S MacArthur Blvd.  
Springfield, Illinois 62704  
217/782-4141  
Fax: 217/782-5959

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



EXECUTIVE DIRECTOR  
Steven S. Sandvoss  
September 2, 2016

BOARD MEMBERS  
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Ernest L. Gowen, Vice Chairman  
William J. Cadigan  
Andrew K. Carruthers  
Betty J. Coffrin  
John R. Keith  
William M. McGuffage  
Casandra B. Watson

Friends of Juliana Stratton  
Juliana Stratton, William Stratton  
2613A S Indiana Ave  
Chicago, IL 60616

ID# 25466

7015 3010 0002 2990 1064

Dear Friends of Juliana Stratton:

This committee has failed to timely report the following contributions of \$1000 or more (Schedule A-1) as required by the Illinois Campaign Disclosure Act:

| <u>Contributed By</u>                      | <u>Date of Contribution</u> | <u>Amount of Contribution</u> | <u>Date Reported</u> | <u>Days Late</u> | <u>Fine Assessed</u> |
|--|-----------------------------|-------------------------------|----------------------|------------------|----------------------|
| I.U.O.E Local 399 Political Education Fund | 2/18/2016                   | \$50000                       | 2/23/2016            | 1                | ✗ \$25000            |
| Illinois Pipe Trades                       | 2/18/2016                   | \$25000                       | 2/23/2016            | 1                | ✗ \$12500            |
| J.W. Collections                           | 2/18/2016                   | \$1000                        | 2/23/2016            | 1                | \$500                |

As required by the Illinois Campaign Disclosure Act and the changes enacted in 2011, as amended by Public Act 96-832, your committee is subject to a fine of \$38000.00 for the delinquent filing. This total **does not** reflect any previously assessed fines.

Under the Board's present policy, since this is the first delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$3800.00, (10% of the above referenced fine amount) regardless of whether you choose to file an appeal. The reduced amount will be imposed and due 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 by October 3, 2016 you forfeit the right to contest this assessment.**

Since this is a subsequent violation, if the above listed violation is not appealed, the previously stayed fine(s) for delinquent filing listed below must also be paid by the committee within 30 days of the issuance of the Final Board Order:

| <u>Reporting Period</u>     | <u>Report Type</u> | <u>Previous Fine Amount</u> |
|-----------------------------|--------------------|-----------------------------|
| 2014 June                   | Quarterly          | \$225                       |
| <b>TOTAL AMOUNT NOW DUE</b> |                    | <b>\$4025</b>               |

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, 2329 S MacArthur Blvd., Springfield, IL 62704. You may also pay by Mastercard, Discover or American Express, for an additional fee.

If you have any questions regarding the appeal procedure, please call Laura Marbold at 217-782-1543.

Sincerely,

A handwritten signature in black ink that reads "Tom Newman". The signature is written in a cursive style with a long horizontal line extending to the right.

Tom Newman, Director  
Campaign Disclosure Division

TM: lm

Enclosures: appeal packet

**STATE OF ILLINOIS  
COUNTY OF COOK**

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

Illinois State Board of Elections

**Complainant**

Vs.

16 MQ 139

Dixmoor First for Trustees 27410

**Respondent**

**REPORT OF HEARING OFFICER**

Appeal of Civil Penalty Assessment for Delinquent Filing of the  
March 2016 Quarterly Report

The Report was received by the Board on 7/14/16, 62 days late, resulting in a civil penalty assessment of \$1,550. Additionally, the Committee had previously been assessed a \$75 civil penalty (not appealed, reduced, stayed) for delinquently filing a Schedule A-1 in the 1<sup>st</sup> Quarter of 2015. The total assessment is \$1,625.

Fitzgerald Roberts, the treasurer and one of the candidates of the Committee, appeared on November 10, 2016 for the appeal hearing.

Mr. Roberts stated that the former chairman, Michael Smith, used to receive all of the correspondences from the State Board of Elections however he relocated without changing the Committee's address with the Board. Therefore, the Committee would not have received notice that the report was due. Mr. Roberts stated that once he became aware that the Committee had an outstanding report he took immediate action. He changed the Committee's address and he started filing the Committee's reports. He said he was not aware the report had not been filed and he knows this is not an excuse. Mr. Roberts stated it is very important to him that everything is done correctly and he wants to do whatever he can to establish a clean slate. He said he realizes the Committee's reports are not correct and he is currently working with his auditor to get them corrected.

I recommend the appeal be denied for lack of an adequate defense. It is unfortunate that Mr. Roberts was not aware of filing however I believe it is the Committee's responsibility to provide the State Board of Elections with an accurate address and since he is the treasurer of the Committee, he would be responsible for filing the reports. If this recommendation is accepted by the Board, the stay will be lifted from the previous penalty and the total assessment of \$1,625 will be due and owing. As of 9/30/16, this Committee reported a funds available balance of -\$2,124.01. (Although Mr. Roberts indicated that Michael Smith was removed as the chairman of the Committee he is still the chairman as per our records.)



Andy Nauman – Hearing Officer

November 14, 2016

State of Illinois )  
County of COOK )

BEFORE THE STATE BOARD OF ELECTIONS  
OF THE STATE OF ILLINOIS

IN THE MATTER OF; )  
ILLINOIS STATE BOARD OF ELECTIONS, )  
Complainant )  
Vs. )  
Dixmoor First for Trustee )  
Respondent(s). )

16MQ139  
Case No. 27410

Please call me when you receive this (708)-921-2347  
APPEAL AFFIDAVIT

I, Fitzgerald Robert the Treasurer of the  
(Name) (Chairman/Treasurer)  
Dixmoor First for Trustee  
(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: ~~2~~ S.O.S Please help me with this matter!  
Quarterly Reports of Campaign Expenditures were not  
submitted due to all correspondence was mailed to former  
Chairman Michael A Smith who is no longer located  
at 2247 W. 146<sup>th</sup> Street, which was listed on file. As  
of July 14, 2016 all information has been updated with  
S.O.E. with Michael J. Crowley.

Signed and Sworn to by:  
[Signature]  
before me this 09 Day of  
2016  
[Signature]  
Notary Public

[Signature]  
(Signature of Chairman/Treasurer)



STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

2329 S MacArthur Blvd.  
Springfield, Illinois 62704  
217/782-4141  
Fax: 217/782-5959

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



BOARD MEMBERS  
Charles W. Scholz, Chairman  
Ernest L. Gowen, Vice Chairman  
William J. Cadigan  
Andrew K. Carruthers  
Betty J. Coffrin  
John R. Keith  
William M. McGuffage  
Casandra B. Watson

EXECUTIVE DIRECTOR

Steven S. Sandvoss

September 2, 2016

ID# 27410

Dixmoor First for Trustees  
Fitzgerald Roberts  
14530 S. Hoyne Ave  
Dixmoor, IL 60426

7015 3010 0002 2990 0524

Dear Dixmoor First for Trustees:

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

Report Type: March Quarterly Report of Campaign Contribution and Expenditures  
Report Period: January 1, 2016 through March 31, 2016  
Filing Period: April 1, 2016 through April 15, 2016

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b) 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 7/14/2016, 62 day(s) late. As such, this committee has been assessed a fine of \$1550.00.

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 by October 3, 2016 you forfeit the right to contest this assessment.*

Since this is a subsequent violation, if the above listed violation is not appealed, the previously assessed fine(s) for delinquent filing listed below must also be paid by the committee within 30 days of the issuance of the Final Board Order:

| Reporting Period            | Report Type  | Previous Fine Amount |
|-----------------------------|--------------|----------------------|
| 2015 March 6-8-15           | A1 15 AM 058 | \$750                |
| <b>TOTAL AMOUNT NOW DUE</b> |              | <b>\$1625.00</b>     |

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, 2329 S MacArthur Blvd., Springfield, IL 62704. You may also pay by MasterCard, Discover, or American Express, for an additional fee.

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

Sincerely,

Tom Newman, Director,  
Campaign Disclosure Division

TM: lm  
Enclosure(s): appeal packet

COUNTY OF SANGAMON

BEFORE THE STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

Illinois State Board of Elections

**Complainant**

v.

16 MA 047

Friends for Court Harris

Cmte ID: 28456

**Respondent**

**REPORT OF HEARING OFFICER**

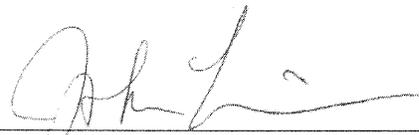
Appeal of Civil Penalty Assessment

For Delinquently Filing the December 2015, March 2016, and June 2016 Quarterly Reports

The Committee filed all three Reports on July 20<sup>th</sup>, 2016. The December 2015 Quarterly Report was 127 days late, resulting in a fine of \$3,175. The March 2016 Quarterly Report was 66 days late, resulting in an assessment of \$3,300. The June 2016 Quarterly Report was 3 days late, resulting in a fine of \$225. The total fine amount is \$6,700. These are the Committee's first delinquent filings.

Court Harris, the Candidate supported by the Committee, filed an Appeal Affidavit in this matter and testified in person at a hearing conducted at 10:30am on Wednesday, November 16<sup>th</sup>, 2016, at the Board's Springfield office. Mr. Harris was an unsuccessful candidate for Village Board in Arlington Heights in the 2015 Consolidated Election. He stated both in the affidavit and in hearing testimony that communication among Committee officials broke down after the election, leading to the delinquent filings. Mr. Harris said the Committee had expended almost all of its funds as of the April 2015 election and intends to file a Final Report in the near future. He said the late filings were unintentional.

I appreciate Mr. Harris' candor but recommend the appeal be denied for lack of an adequate defense. There is no statutory basis for granting the appeal. Should the Committee dissolve as planned, the fine amount would abate two years after the Final Report is received by the Board, pursuant to Section 125.425(j)(4) of the Rules accompanying the Illinois Campaign Finance Act. As of September 30<sup>th</sup>, 2016, the Committee's reported balance was \$3.87.



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John Levin – Hearing Officer  
November 16<sup>th</sup>, 2016

of Illinois )  
)  
City of: Cook )

STATE BOARD OF ELECTIONS

2016 OCT -3 PM 1:29

BEFORE THE STATE BOARD OF ELECTIONS  
OF THE STATE OF ILLINOIS

THE MATTER OF; )  
)  
NOIS STATE BOARD OF ELECTIONS, )  
)  
Complainant )  
)  
)  
Friends for Court Harris )  
Respondent(s) )

Case No. 16MA047

APPEAL AFFIDAVIT

Colette A. House, the Treasurer of the  
(Name) (Chairman/Treasurer)

Friends for Court Harris  
(Name of the Committee)

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

Please see attached

Colette House  
Signature of Chairman/Treasurer

and Sworn to by:  
Patrick Spiedel

on this 30th Day of September, 2016  
Notary Public Patrick Spiedel



The officials with the Friends for Court Harris Committee regret the errors in the committee's failure to file timely quarterly reports due in January 2016, April 2016 and July 2016.

The committee had no activity of any kind during the periods covered by the reports. The committee was formed back in February 2015 for the sole purpose of supporting the candidacy of D. Court Harris for an elected position to the Village Board in Arlington Heights. That election took place in April 2015, and Mr. Harris did not win.

The committee had expended virtually all of its funds for the April 2015 election. The balance in committee's account is \$3.42. To assess a \$6500 fine on a committee with only a \$3.42 balance is excessive.

There was no intent to avoid filing. There was uncertainty among committee officials as to who would close down the committee with the State Board of Elections. Unfortunately, communication among committee officials broke down after the election loss. The three delinquent reports were filed as soon as notification was received from the State Board of Elections about the deficiency. The report due next month for the July-September 2016 period will be filed on time.

There is no intent on the part of this committee to continue operations. Since the committee has a balance of less than \$4, I ask that any fine or penalty be waived.

The committee will close down and file a final report upon the resolution of this matter.

Thank you.



Colette A. House  
Committee Treasurer

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

2329 S MacArthur Blvd.  
Springfield, Illinois 62704  
217/782-4141  
Fax: 217/782-5959

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



EXECUTIVE DIRECTOR  
Steven S. Sandvoss  
September 2, 2016

BOARD MEMBERS  
Charles W. Scholz, Chairman  
Ernest L. Gowen, Vice Chairman  
William J. Cadigan  
Andrew K. Carruthers  
Betty J. Coffrin  
John R. Keith  
William M. McGuffage  
Casandra B. Watson

Friends for Court Harris  
1 N Chestnut Ave #3D  
Arlington Heights, IL 60005

ID# 28456

7015 3010 0002 2990 1323

Dear Friends for Court Harris:

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

|                |  |
|----------------|--|
| Report Type:   | December Quarterly Report of Campaign Contributions and Expenditures |
| Report Period: | October 1, 2015 through December 31, 2015                            |
| Filing Period: | January 4, 2016 through January 15, 2016                             |

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b) 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 7/20/2016, 127 day(s) late. As such, this committee has been assessed a fine of \$3175.00.

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

|                |  |
|----------------|--|
| Report Type:   | March Quarterly Report of Campaign Contribution and Expenditures |
| Report Period: | January 1, 2016 through March 31, 2016                           |
| Filing Period: | April 1, 2016 through April 15, 2016                             |

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 7/20/2016, 66 day(s) late. As such, this committee has been assessed a fine of \$3300.00.

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

|                |   |
|----------------|---|
| Report Type:   | June Quarterly Report of Campaign Contribution and Expenditures |
| Report Period: | April 1, 2016 through June 30, 2016                             |
| Filing Period: | July 1, 2016 through July 15, 2016                              |

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 7/20/2016, 3 day(s) late. As such, this committee has been assessed a fine of \$225.00.

**The total for all new assessments is \$6700.00.**

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 by October 3, 2016, 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, 2329 S MacArthur Blvd., Springfield, IL 62704. You may also pay by American Express, MasterCard, or Discover.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Tom Newman", with a long horizontal flourish extending to the right.

Tom Newman, Director  
Campaign Disclosure Division

TN: lm

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.

**16 MA 034**

Credit Union Political Action Council CUPAC IL

Cmte ID: 560

**Respondent**

**REPORT OF HEARING OFFICER**

Appeal of Civil Penalty Assessment

For Failing to File or Delinquently Filing Schedule A-1 Reports

The Committee did not file a Schedule A-1 with respect to the following donations, all dated February 10<sup>th</sup>, 2016:

| <b><u>Contributor</u></b>     | <b><u>Amount</u></b> |
|-------------------------------|----------------------|
| 1 <sup>st</sup> MidAmerica CU | \$7,500              |
| Abri CU                       | \$2,500              |
| Advanced One CU               | \$1,000              |
| Cornerstone CU                | \$2,500              |
| Credit Union 1                | \$5,000              |
| Earthmover CU                 | \$2,500              |
| Financial Plus CU             | \$5,000              |
| IH Mississippi Valley CU      | \$15,000             |
| Landmark Credit Union         | \$1,000              |
| Members Choice CU             | \$5,000              |
| Motorola ECU                  | \$15,000             |
| Scott Credit Union            | \$15,000             |
| SIU CU                        | \$2,500              |

The receipts were first reported on the Committee's March 2016 Quarterly Report, filed on April 5<sup>th</sup>, 2016. Each receipt was reported 31 days late, resulting in a total fine of \$39,750.

Additionally, the Committee filed a Schedule A-1 on May 31<sup>st</sup>, 2016, with respect to a donation of \$4,600 from Mike Valentine, dated April 7<sup>th</sup>, 2016. The A-1 was 32 days late, resulting in a fine of \$2,300. These are the Committee's first Schedule A-1 offenses. Accordingly, the assessment for not reporting the February 10<sup>th</sup> donations on a Schedule A-1 is automatically reduced to \$3,975 (10% of the above-referenced fine amount) as the product of a first A-1 offense. The assessment for the delinquent A-1 reporting the April 7<sup>th</sup> donation is automatically reduced to \$1,150 (50% of the above-referenced fine amount) as the product of a second A-1 offense. The total assessment for both offenses is \$5,125.

Peter Fauth, the Chairman of the Committee, filed an Appeal Affidavit in this matter. Attorney Ashley Niebur and the Committee's Political Action Director Pat Huffman testified at a hearing conducted at 10am on Wednesday, November 16<sup>th</sup>, 2016, at the Board's Springfield office. Ms. Niebur clarified the defense Mr. Fauth had outlined in his affidavit. She stated the vendor the Committee uses to electronically file its disclosure Reports utilized a mechanism to automatically alert the person responsible for filing every time a receipt of \$1,000 or more was entered. She testified an IT person inadvertently disabled the alert during the first quarter of 2016, leading to the missed Schedule A-1 with respect to the February 10<sup>th</sup> donations. Once the error was brought to the Committee's attention, Ms. Neibur said the Committee changed its protocol to ensure a similar incident does not occur in the future.

Section 100.150 c) 5) of the Rules accompanying the Illinois Campaign Finance Act states, in part, "If a Committee is assessed a civil penalty for delinquently filing a Report electronically and, in the course of its appeal, raises the defense that computer related issues prohibited the timely filing of an electronic Report, the Board may consider that defense when determining the final outcome of the appeal." It could be fairly interpreted that this section is intended only to be used as a defense for an issue during the upload process, but Ms. Niebur convincingly argued the crux of the Committee's defense is computer related in nature. Accordingly, I recommend the appeal be granted with respect to the missed A-1 related to the February 10<sup>th</sup> receipts. However, in keeping with past Board practice, a Committee is allowed to use the electronic filing defense only once. Accordingly, I recommend the appeal be denied with respect to the delinquent Schedule A-1 pertaining to the April 7<sup>th</sup> donation from Mike Valentine. If the Board accepts this recommendation, a stay would be placed on the assessment as the product of a first A-1 offense. The assessment would become \$230 (10% of the original fine amount) as the product of a first A-1 violation.

As of September 30<sup>th</sup>, 2016, the Committee's reported balance was \$353,356.97.



---

John Levin – Hearing Officer  
November 22nd, 2016

State of Illinois )  
County of Cook )

BEFORE THE STATE BOARD OF ELECTIONS  
OF THE STATE OF ILLINOIS

IN THE MATTER OF; )  
ILLINOIS STATE BOARD OF ELECTIONS, )  
Complainant )  
Vs. ) Case No. 16MA034  
Credit Union Political Action Council (CUPAC) )  
Respondent(s). )

APPEAL AFFIDAVIT

I, Peter Fauth, the Chairman of the  
(Name) (Chairman/Treasurer)  
Credit Union Political Action Council (CUPAC)  
(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:

Peter Fauth  
before me this 30th Day of  
Sept, 2016

Peter Fauth

(Signature of Chairman/Treasurer)



Credit Union Political Action Council (CUPAC)  
 History of Required Illinois State Board of Elections Report Filings  
 2006-2015

In the 10-year period of 2006-2015, a total of 169 compliance reports have been filed with the Illinois State Board of Elections (BOE). The charts below report the number of each report type filed each year.

The charts do not include other required reports such as the D-1 report that is due when officers change and amendments to correct filings.

The law was changed in 2011 resulting in additional filings.

2006-2010

| Year | Yearly             | Election Year Pre-Primary Report                             | Election Year-A-1  | Election Year Pre-General Report                            | Election Year A-1   |
|------|--------------------|--|--|---|---|
|      | Semi-Annual report | Report transactions from Jan. 1 to 30 days prior to election | A-1 Reports due within 2 days of receipt of \$500 or more within 30 days of election | Report transaction from July 1 to 30 days prior to election | A-1 reports due within 2 days of receipt of \$500 or more within 30 days of election. |
| 2006 | 2                  | 1  |  | 1   | 6   |
| 2007 | 2                  |  |  |   |   |
| 2008 | 2                  | 1  | 4  | 1   | 4   |
| 2009 | 2                  |  |  |   |   |
| 2010 | 2                  | 1  | 3  | 1   | 3   |

2011-2015

| Year | Every Year | A-1: All year  |
|------|------------|--|
|      | Quarterly  | Every year All Year: Contributions of \$1,000 or more: filed within 5 business days.<br>Election Year: If contribution deposited 30 days before an election, A-1 due within 2 business days. |
| 2011 | 4          | 29   |
| 2012 | 4          | 28   |
| 2013 | 4          | 26   |
| 2014 | 4          | 24   |
| 2015 | 4          | 26   |

## **CUPAC Appeal Affidavit**

CUPAC offers a good reason or defense to the assessment of a civil penalty in the matter of delinquent A-1 filings as described herein:

For more than 10 years preceding the violation at issue, CUPAC properly and timely submitted all required reports to the State Board of Elections. (See attached chart of filings submitted pursuant to applicable law)

The delinquent filings for which fines have been assessed were inadvertent and unintentional. CUPAC utilizes a third party software company to record CUPAC receipts and expenditures. The software program also provides notification to CUPAC when contributions of \$1000 or more are received. The reports at issue were not timely filed due to a change in the computer software notification prompting A-1 reports to be filed. The software company confirmed that on 12/31/2015, A-1 reporting notifications were disabled without notification to CUPAC.

Additionally, an internal change in procedure for the collection of CUPAC contributions, which allows for CUPAC contributions to be remitted with other dues payments, resulted in a clerical error contributing to the failure to report on a timely basis. Internal accounting procedures have been modified to ensure timely notification of CUPAC receipts for \$1000 or more.

In 2011, the law pertaining to election reports was amended, in part to acknowledge that violations may be attributable to computer and clerical errors. The cause of CUPAC's late filings falls squarely within the aforementioned factors, and we respectfully request that these factors be taken into consideration when determining the penalty to CUPAC for the violations at issue.

Immediately upon recognizing the error in reporting, CUPAC self-reported the violation in a letter to the State Board of Elections.

CUPAC did not have intent to mislead the State Board of Elections as to contributions received by the committee. All contributions received by CUPAC, including those in amounts of \$1000 or more, were timely and properly reported on our Quarterly Filings.

CUPAC recognizes the importance of complying with Illinois Campaign Disclosure Law as evidenced by its proper submittal of reports historically. As a result of the filing error, CUPAC requested that the A-1 notifications be reinstated by the software company and CUPAC now receives the notifications. Additionally, all internal protocol involving CUPAC contributions has been closely examined and updated to ensure that internal controls are in place to result in timely filings and to eliminate the risk of reporting errors. Based upon the aforementioned reasons for the delinquent filings, we respectfully request a waiver of the assessed fines.

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

2329 S MacArthur Blvd.  
Springfield, Illinois 62704  
217/782-4141  
Fax: 217/782-5959

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312/814-6440  
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William M. McGuffage  
Casandra B. Watson

EXECUTIVE DIRECTOR  
Steven S. Sandvoss  
September 2, 2016

Credit Union Political Action Council CUPAC IL  
1807 W Diehl Rd, PO Box 3107  
Naperville, IL 60566-7107

ID# 560

7015 3010 0002 2990 1446

Dear Credit Union Political Action Council CUPAC IL:

This committee has failed to timely report the following contributions of \$1000 or more (Schedule A-1) as required by the Illinois Campaign Disclosure Act in the 1st Quarter 2016:

| <u>Contributed By</u>         | <u>Date of Contribution</u> | <u>Amount of Contribution</u> | <u>Date Reported</u> | <u>Days Late</u> | <u>Fine Assessed</u> |
|-------------------------------|-----------------------------|-------------------------------|----------------------|------------------|----------------------|
| 1 <sup>st</sup> MidAmerica CU | 2/10/2016                   | \$7500                        | 4/5/2016             | 31 ✗             | \$3750               |
| Abri CU                       | 2/10/2016                   | \$2500                        | 4/5/2016             | 31 ✗             | \$1250               |
| Advanced One CU               | 2/10/2016                   | \$1000                        | 4/5/2016             | 31 ✗             | \$500                |
| Cornerstone CU                | 2/10/2016                   | \$2500                        | 4/5/2016             | 31 ✗             | \$1250               |
| Credit Union 1                | 2/10/2016                   | \$5000                        | 4/5/2016             | 31 ✗             | \$2500               |
| Earthmover CU                 | 2/10/2016                   | \$2500                        | 4/5/2016             | 31 ✗             | \$1250               |
| Financial Plus CU             | 2/10/2016                   | \$5000                        | 4/5/2016             | 31 ✗             | \$2500               |
| IH Mississippi Valley CU      | 2/10/2016                   | \$15000                       | 4/5/2016             | 31 ✗             | \$7500               |
| Landmark Credit Inion         | 2/10/2016                   | \$1000                        | 4/5/2016             | 31 ✗             | \$500                |
| Members Choice Credit Union   | 2/10/2016                   | \$5000                        | 4/5/2016             | 31 ✗             | \$2500               |
| Motorola ECU                  | 2/10/2016                   | \$15000                       | 4/5/2016             | 31 ✗             | \$7500               |
| Scott Credit Union            | 2/10/2016                   | \$15000                       | 4/5/2016             | 31 ✗             | \$7500               |
| SIU CU                        | 2/10/2016                   | \$2500                        | 4/5/2016             | 31 ✗             | \$1250               |

As required by the Illinois Campaign Disclosure Act, as amended by Public Act 96-832, your committee is subject to a fine of \$39750 for the delinquent filing.

Under the Board's present policy, since this is the first delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$3975.00, (10% of the above referenced fine amount) regardless of whether you choose to file an appeal. The reduced amount will be imposed and due with the issuance of a Final Board Order after the 30-day appeal period has expired.

In addition this committee has failed to timely report the following contributions of \$1000 or more (Schedule A-1) as required by the Illinois Campaign Disclosure Act in the 2<sup>nd</sup> Quarter 2016:

| <u>Contributed By</u> | <u>Date of Contribution</u> | <u>Amount of Contribution</u> | <u>Date Reported</u> | <u>Days Late</u> | <u>Fine Assessed</u> |
|-----------------------|-----------------------------|-------------------------------|----------------------|------------------|----------------------|
| Mike Valentine        | 4/7/2016                    | \$4600                        | 5/31/2016            | 32               | \$2300               |

As required by the Illinois Campaign Disclosure Act, as amended by Public Act 96-832, your committee is subject to a fine of \$2300.00 for the delinquent filing.

Under the Board's present policy, since this is the second delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$1150.00, (50% of the above referenced fine amount) regardless of whether you choose to file an appeal. The reduced amount will be imposed and due with the issuance of a Final Board Order after the 30-day appeal period has expired.

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 by October 3, 2016 you forfeit the right to contest this assessment.**

Since this is a subsequent violation, if the above listed violation is not appealed, the previously stayed fine(s) for delinquent filing listed below must also be paid by the committee within 30 days of the issuance of the Final Board Order:

***TOTAL AMOUNT NOW DUE***

**\$5125**

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, 2329 S MacArthur Blvd., Springfield, IL 62704. You may also pay by Mastercard, Discover or American Express, for an additional fee.

If you have any questions regarding the appeal procedure, please call Laura Marbold at 217-782-1543.

Sincerely,



Tom Newman, Director  
Campaign Disclosure Division

TN: lm

Enclosures: appeal packet

**STATE OF ILLINOIS  
COUNTY OF COOK**

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

Illinois State Board of Elections

**Complainant**

Vs.

16 MA 048

Friends of Michael Murphy 29460

**Respondent**

**REPORT OF HEARING OFFICER**

Appeal of Civil Penalty Assessment for Delinquent Filing of the  
March and June 2016 Quarterly Reports

The March 2016 Quarterly Report was received on 5/4/16, 13 days late, resulting in a civil penalty assessment of \$650 and the June 2016 Quarterly Report was received on 7/20/16, 3 days late, resulting in a civil penalty assessment of \$225. Additionally, the Committee was previously assessed a \$125 civil penalty (not appealed, stayed) for delinquently filing the September 2015 Quarterly Report. The total assessment is \$1,000.

The Respondent was represented by attorney Burton S. Odelson at the November 16<sup>th</sup> appeal hearing.

Mr. Odelson stated that this was a new Committee set up to support a Community College Trustee that hasn't had any activity since April of 2015. Being that the Committee was dormant they overlooked the filing period and they delinquently filed the March 2016 quarterly report. However, when it came time to report they had no activity in the 2<sup>nd</sup> quarter of 2016 the candidate, Michael Murphy, misplaced the log in information to the electronic filing system and this prevented him from being able to submit the report. Mr. Odelson stated that the Committee has taken the necessary steps to make sure this doesn't happen again by having an accountant take over the filing responsibilities. He said he knows that not having anything to report is not a legal excuse however since the penalty is far more than the Committee currently has, \$575, he requests that the Board allow the Committee to pay the currently stayed \$125 civil penalty and then they stay the civil penalties of \$650 and \$225 for a period of one year. This would allow the Committee to show the Board they intend to file their reports timely going forward and if they don't they will be assessed accordingly.

I appreciate the Respondent's candor about the March 2016 Quarterly report being late however I do not believe having no financial activity to report is an adequate defense and I recommend the appeal be denied regarding this report. However, since Mr. Murphy apparently lost the password to log into IDIS system and he had to contact the State Board of Elections to obtain his password, although 3 days after the report was due, I recommend this portion of the appeal be granted. This recommendation is consistent with previous Board decisions where an electronic

filing defense is raised. This Committee has not previously utilized such a defense. If this recommendation is accepted by the Board, the stay would be lifted from the previous assessment, and a total penalty of \$775 will be due and owing. In relation to the Respondents request to pay the \$125 civil penalty and have the remaining civil penalty be stayed I recommend the Board not consider this request. (As of 9/30/16, this Committee reported a funds available balance of \$575.)

*Andy Nauman*

Andy Nauman – Hearing Officer

November 17, 2016

STATE BOARD OF ELECTIONS

State of Illinois )  
County of Cook )

2016 SEP 14 AM 8:11

BEFORE THE STATE BOARD OF ELECTIONS  
OF THE STATE OF ILLINOIS

IN THE MATTER OF; )  
ILLINOIS STATE BOARD OF ELECTIONS, )  
Complainant )  
Vs. )  
Friends of Michael Murphy )  
Respondent(s). )

Case No. 16MA048

APPEAL AFFIDAVIT

I, Burton S. Odelson, the Attorney of the  
(Name) (Chairman/Treasurer)  
Friends of Michael Murphy  
(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:

Friends of Michael Murphy is a new committee from 2015. There has been no activity or transactions subsequent to April of 2015. Because of this dormancy and because of a lost password, the committee was late in submitting the required report. Since the late response, the committee has submitted all required reports on time.

Signed and Sworn to by:  
Burton S. Odelson  
before me this 13th Day of  
September, 2016  
Joyce C. Romanowski  
Notary Public

[Signature], Attorney  
(Signature of Chairman/Treasurer)



STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

2329 S MacArthur Blvd.  
Springfield, Illinois 62704  
217/782-4141  
Fax: 217/782-5959

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



EXECUTIVE DIRECTOR  
Steven S. Sandvoss  
September 2, 2016

BOARD MEMBERS  
Charles W. Scholz, Chairman  
Ernest L. Gowen, Vice Chairman  
William J. Cadigan  
Andrew K. Carruthers  
Betty J. Coffrin  
John R. Keith  
William M. McGuffage  
Casandra B. Watson

Friends of Michael Murphy  
Michael Murphy  
10015 S Clifton Park Ave  
Evergreen Park, IL 60805

ID# 29460

7015 3010 0002 2990 1330

Dear Friends of Michael Murphy:

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

Report Type: March Quarterly Report of Campaign Contributions and Expenditures  
Report Period: January 1, 2016 through March 31, 2016  
Filing Period: April 1, 2016 through April 15, 2016

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b) 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 5/4/2016, 13 day(s) late. As such, this committee has been assessed a fine of \$650.00.

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

Report Type: June Quarterly Report of Campaign Contribution and Expenditures  
Report Period: April 1, 2016 through June 30, 2016  
Filing Period: July 1, 2016 through July 15, 2016

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 7/20/2016, 3 day(s) late. As such, this committee has been assessed a fine of \$225.00.

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

| Reporting Period            | Report Type | Previous Fine Amount |
|-----------------------------|-------------|----------------------|
| 2015 September              | Quarterly   | \$125                |
| <b>TOTAL AMOUNT NOW DUE</b> |             | <b>\$1000</b>        |

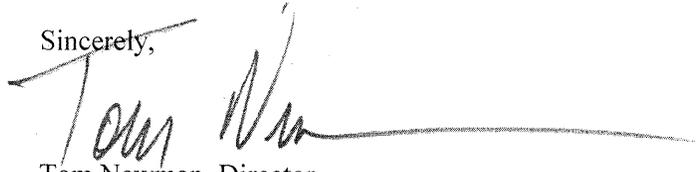
The total for all new assessments is \$1000.00.

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 by October 3, 2016, 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, 2329 S MacArthur Blvd., Springfield, IL 62704. You may also pay by American Express, MasterCard, or Discover.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Tom Newman", with a long horizontal flourish extending to the right.

Tom Newman, Director  
Campaign Disclosure Division

TN: lm

Enclosure(s): appeal packet

**STATE OF ILLINOIS  
COUNTY OF COOK**

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

Illinois State Board of Elections

**Complainant**

Vs.

16 MA 053

Citizens to Chelsey R. Robinson for Judge of 2<sup>nd</sup> Judicial Sub Circuit Cook County 31848

**Respondent**

**REPORT OF HEARING OFFICER**

Appeal of Civil Penalty Assessment for Delinquent Filing of the  
March and June 2016 Quarterly Reports

The March 2016 Quarterly Report was received on 5/6/16, 15 days late, resulting in a civil penalty assessment of \$750 and the June 2016 Quarterly Report was received on 8/2/16, 12 days late, resulting in a civil penalty assessment of \$600. The total assessment is \$1,350.

The Respondent did not appear at the November 10 hearing however after I contacted them regarding their failure to appear Renee Holloway, the treasurer of the Committee, appeared at the rescheduled November 23<sup>rd</sup> hearing.

Ms. Holloway stated that she had trouble entering their information into the electronic filing software for the March 2016 Quarterly Report being a first time treasurer for a first time candidate. She said she had to seek assistance from Board staff to get the report filed. In relation to the June 2016 Quarterly Report Ms. Holloway stated that she was out of town on the last day to file. Once she got back in town it took her a couple of days to gather the required information to file the report. She said any civil penalty would be a hardship as the candidate put a lot of her own money into the campaign and she plans on filing a Final Report.

The March 2016 Quarterly Report was filed 15 days late however in order to be consistent with previous Board decisions where an electronic filing defense is raised, and since the Committee has not previously utilized such a defense, I recommend the appeal be granted. However, in relation to the June 2016 Quarterly Report I recommend the appeal be denied for lack of an adequate defense. If these recommendations are accepted by the Board, a civil penalty assessment of \$300 will be assessed however as a first violation the penalty is stayed. As of 9/30/16, this Committee reported a funds available balance of -\$18,097.59. Ms. Holloway believes the negative balance is the result of her not entering in the contributions the candidate gave the Committee. She said she would work on amending the quarterly reports.



Andy Nauman – Hearing Officer

November 28, 2016

of Illinois  
y of: \_\_\_\_\_

CHICAGO

16 OCT -0 11:13

BEFORE THE STATE BOARD OF ELECTIONS  
OF THE STATE OF ILLINOIS

STATE BOARD OF ELECTIONS

THE MATTER OF;  
ILLINOIS STATE BOARD OF ELECTIONS,  
Complainant  
  
Citizens to Elect Chelsey R  
Respondent(s), Robinson

Case No. 16MA053

APPEAL AFFIDAVIT

Renee Holloway, the Treasurer of the  
(Name) (Chairman/Treasurer)  
Citizens to Elect Chelsey R Robinson for Judge of 2nd Judicial Sub Circuit  
(Name of the Committee) ID # 31848 Cook County

Witness, 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:

We experienced difficulty accessing and entering the information for  
the 1st Report. I (the treasurer) was able to call & obtain help  
from the board of elections. We also had some difficulty tracking down  
information needed to file some of the check contributions. Overall this was  
beginning.  
a first time experience for us as to the expectations of this committee & we do  
apologize for the untimeliness.

Subscribed and sworn to before me

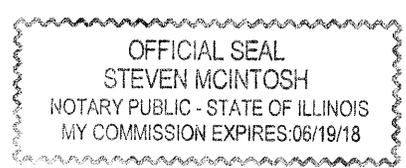
this 3 day of October 2016  
at Chicago, County of Cook, State of Illinois.

and Sworn to by:

Notary Public Steven McIntosh

me this 3 Day of October 2016  
Public

Renee Holloway  
Signature of Chairman/Treasurer  
Renee Holloway



STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

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EXECUTIVE DIRECTOR  
Steven S. Sandvoss  
September 2, 2016

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William J. Cadigan  
Andrew K. Carruthers  
Betty J. Coffrin  
John R. Keith  
William M. McGuffage  
Casandra B. Watson

Citizens to Chelsey R. Robinson for Judge of 2nd Judicial Sub Circuit Cook County ID# 31848  
150 N Michigan  
Chicago, IL 60601

7015 3010 0002 2990 1378

Dear Citizens to Chelsey R. Robinson for Judge of 2nd Judicial Sub Circuit Cook County:

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

Report Type: March Quarterly Report of Campaign Contributions and Expenditures  
Report Period: January 1, 2016 through March 31, 2016  
Filing Period: April 1, 2016 through April 15, 2016

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b) 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 5/6/2016, 15 day(s) late. As such, this committee has been assessed a fine of \$750.00.

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

Report Type: June Quarterly Report of Campaign Contribution and Expenditures  
Report Period: April 1, 2016 through June 30, 2016  
Filing Period: July 1, 2016 through July 15, 2016

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 8/2/2016, 12 day(s) late. As such, this committee has been assessed a fine of \$600.00.

**The total for all new assessments is 1350.00.**

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 by October 3, 2016, 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, 2329 S MacArthur Blvd., Springfield, IL 62704. You may also pay by American Express, MasterCard, or Discover.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Tom Newman", with a long horizontal flourish extending to the right.

Tom Newman, Director  
Campaign Disclosure Division

TN: lm  
Enclosure(s): appeal packet

**STATE OF ILLINOIS  
COUNTY OF COOK**

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

Illinois State Board of Elections,  
**Complainant**

v.

**16 CD 118**

Citizens to Elect Alvin Parks Jr,  
**Respondent.**

ID# 19743

**REPORT OF HEARING OFFICER**

This hearing was held as a result of a Complaint filed pursuant to “An Act to Regulate Campaign Financing” (Illinois Compiled Statutes, 10 ILCS 5/9-1, et seq., (hereafter referred to as the Act) alleging that the Respondent violated 10 ILCS 5/9-10. Specifically, the Respondent failed to file the December 2015 and March 2016 Quarterly Reports of Campaign Contributions and Expenditures.

**STATE’S EXHIBITS**

To be made a part of this report, a copy of the D-4 Complaint for Violation of the Campaign Disclosure Act, filed on August 1, 2016, at the Board’s Springfield office, 2329 S. MacArthur Blvd., Springfield, IL 62704; Notice and Summons regarding the Complaint; Notice of the Closed Preliminary Hearing; Hearing Officer’s Report from the Closed Preliminary Hearing; Board Order finding that the Complaint was filed on justifiable grounds and ordering a Public Hearing be held; and Notice of the Public Hearing.

**COMPLAINANT’S CASE-IN-CHIEF**

The Respondent filed a Statement of Organization on June 15, 2006 with the purpose of assisting Alvin Parks Jr. in pursuing elected office, particularly the position of Mayor. The Respondent most recently filed the March 2011 Quarterly Report, which shows a positive balance of \$2,143.21. As of the date of this report, the Respondent has not filed any further reports nor has it sought to make the committee inactive. The Board’s staff has repeatedly contacted the Respondent’s officers to no avail, leading to the filing of the instant Complaint.

**RESPONDENT’S CASE-IN-CHIEF**

The Respondent did not appear at the Closed Preliminary Hearing, which led to the order of a Public Hearing in the matter. The Respondent also failed to appear at the Public Hearing on this matter and has not attempted to communicate its bases for failing to file the required reports.

**CONCLUSIONS AND RECOMMENDATIONS**

Based on the Respondent's failure to appear for the scheduled hearings on this matter and its lack of communication with staff, I recommend that the Board uphold the Complaint. I further recommend that the Board issue an order requiring the Respondent to file the delinquent quarterly reports and state further that the failure to file the delinquent reports within 30 days of the issuance of the order shall result in a fine up to \$5,000.

*Bernadette Matthews*

Bernadette Matthews – Hearing Officer

November 2, 2016

STATE OF ILLINOIS )  
 )  
COUNTY OF SANGAMON ) SS

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

In the Matter Of: )  
State Board of Elections, )  
 )  
Complainant(s), )  
vs. ) 16 CD 118  
 )  
Citizens to Elect Alvin Parks Jr., )  
 )  
Respondent(s). )

**ORDER ON COMPLAINT**

TO: Citizens to Elect Alvin Parks Jr. ID# 19743  
8922 Woestboul Ave  
East St. Louis, IL 62203

This matter coming to be heard this 19<sup>th</sup> day of September, 2016 following a Closed Preliminary Hearing of a Complaint filed pursuant to “An Act to Regulate Campaign Financing” (Illinois Compiled Statutes, 10 ILCS 5/9-1 *et seq.*, herein referred to as the “Act”), alleging that the respondent(s) violated 10 ILCS 5/9-10 in that the Committee failed to file the December 2015 and March 2016 Quarterly report of Campaign Contributions and Expenditures; and the State Board of Elections having read the report of the Hearing Officer and reading the recommendation of the General Counsel and now being fully advised in the premises,

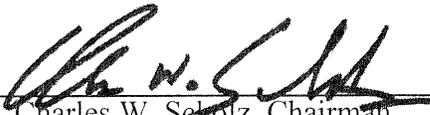
THE BOARD FINDS:

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

IT IS HEREBY ORDERED:

1. The recommendations of the Hearing Officer and the General Counsel are adopted; and
2. That a Public hearing be conducted in this matter; and
3. The effective date of this Order is September 21, 2016.

DATED: 9/21/2016

  
\_\_\_\_\_  
Charles W. Scholz, Chairman

**STATE OF ILLINOIS  
COUNTY OF COOK**

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

Illinois State Board of Elections,  
**Complainant**

vs.

**16 CD 128**

Friends of Amara Enyia,  
**Respondent.**

ID# 25819

**REPORT OF HEARING OFFICER**

This hearing was held as a result of a Complaint filed pursuant to “An Act to Regulate Campaign Financing” (Illinois Compiled Statutes, 10 ILCS 5/9-1, et seq., (hereafter referred to as the Act) alleging that the Respondent violated 10 ILCS 5/9-10. Specifically, the Respondent failed to file the December 2015 and March 2016 Quarterly Reports of Campaign Contributions and Expenditures.

**STATE’S EXHIBITS**

To be made a part of this report, a copy of the D-4 Complaint for Violation of the Campaign Disclosure Act, filed on August 1, 2016, at the Board’s Springfield office, 2329 S. MacArthur Blvd., Springfield, IL 62704; Notice and Summons regarding the Complaint; Notice of the Closed Preliminary Hearing; Hearing Officer’s Report from the Closed Preliminary Hearing; Board Order finding that the Complaint was filed on justifiable grounds and ordering a Public Hearing be held; and Notice of the Public Hearing.

**COMPLAINANT’S CASE-IN-CHIEF**

The Respondent filed a Statement of Organization on February 19, 2014 with the purpose of supporting Amara Enyia to run for the elected office of Mayor of the City of Chicago. The Respondent most recently filed the June 2015 Quarterly Report, which shows a positive balance of \$2,674.25. As of the date of this report, the Respondent has not filed any further reports nor has it sought to make the committee inactive. The Board’s staff has repeatedly contacted the Respondent’s officers to no avail, leading to the filing of the instant Complaint.

**RESPONDENT’S CASE-IN-CHIEF**

The Respondent did not appear at the Closed Preliminary Hearing, which led to the order of a Public Hearing in the matter. The Respondent also failed to appear at the Public Hearing on this matter and has not attempted to communicate its bases for failing to file the required reports.

**CONCLUSIONS AND RECOMMENDATIONS**

Based on the Respondent's failure to appear for the scheduled hearings on this matter and its lack of communication with staff, I recommend that the Board uphold the Complaint. I further recommend that the Board issue an order requiring the Respondent to file the delinquent quarterly reports and state further that the failure to file the delinquent reports within 30 days of the issuance of the order shall result in a fine up to \$5,000.



Bernadette Matthews – Hearing Officer

November 2, 2016

STATE OF ILLINOIS )  
 )  
COUNTY OF SANGAMON ) SS

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

In the Matter Of: )  
State Board of Elections, )  
 )  
Complainant(s), )  
vs. ) 16 CD 128  
 )  
Friends of Amara Enyia, )  
 )  
Respondent(s). )

**ORDER ON COMPLAINT**

TO: Friends of Amara Enyia ID# 25819  
728 S. Oakley Blvd  
Chicago, IL 60612

This matter coming to be heard this 19<sup>th</sup> day of September, 2016 following a Closed Preliminary Hearing of a Complaint filed pursuant to “An Act to Regulate Campaign Financing” (Illinois Compiled Statutes, 10 ILCS 5/9-1 *et seq.*, herein referred to as the “Act”), alleging that the respondent(s) violated 10 ILCS 5/9-10 in that the Committee failed to file the December 2015 and March 2016 Quarterly report of Campaign Contributions and Expenditures; and the State Board of Elections having read the report of the Hearing Officer and reading the recommendation of the General Counsel and now being fully advised in the premises,

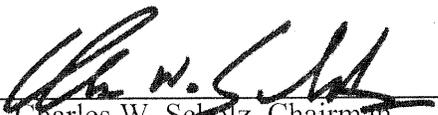
THE BOARD FINDS:

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

IT IS HEREBY ORDERED:

1. The recommendations of the Hearing Officer and the General Counsel are adopted; and
2. That a Public hearing be conducted in this matter; and
3. The effective date of this Order is September 21, 2016.

DATED: 9/21/2016

  
\_\_\_\_\_  
Charles W. Scholz, Chairman

STATE OF ILLINOIS  
COUNTY OF COOK

BEFORE THE STATE BOARD OF ELECTIONS  
OF THE STATE OF ILLINOIS

Illinois State Board of Elections,  
**Complainant**

vs.

16 CD 141

Citizens to Elect Diante Johnson,  
**Respondent.**

ID# 25819

**REPORT OF HEARING OFFICER**

This hearing was held as a result of a Complaint filed pursuant to “An Act to Regulate Campaign Financing” (Illinois Compiled Statutes, 10 ILCS 5/9-1, et seq., (hereafter referred to as the Act) alleging that the Respondent violated 10 ILCS 5/9-10. Specifically, the Respondent failed to file the December 2015 and March 2016 Quarterly Reports of Campaign Contributions and Expenditures.

**STATE’S EXHIBITS**

To be made a part of this report, a copy of the D-4 Complaint for Violation of the Campaign Disclosure Act, filed on August 1, 2016, at the Board’s Springfield office, 2329 S. MacArthur Blvd., Springfield, IL 62704; Notice and Summons regarding the Complaint; Notice of the Closed Preliminary Hearing; Hearing Officer’s Report from the Closed Preliminary Hearing; Board Order finding that the Complaint was filed on justifiable grounds and ordering a Public Hearing be held; and Notice of the Public Hearing.

**COMPLAINANT’S CASE-IN-CHIEF**

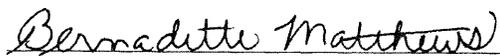
The Respondent filed a Statement of Organization on December 10, 2015 with the purpose of supporting Diante Johnson for County Board. An amendment to the Statement of Organization was filed on August 17, 2016; however, as of the date of this report, the Respondent has not filed any further reports nor has it sought to make the committee inactive. The Board’s staff has repeatedly contacted the Respondent’s officers to no avail, leading to the filing of the instant Complaint.

**RESPONDENT’S CASE-IN-CHIEF**

The Respondent did not appear at the Closed Preliminary Hearing, which led to the order of a Public Hearing in the matter. The Respondent also failed to appear at the Public Hearing on this matter and has not attempted to communicate its bases for failing to file the required reports.

### CONCLUSIONS AND RECOMMENDATIONS

Based on the Respondent's failure to appear for the scheduled hearings on this matter and its lack of communication with staff, I recommend that the Board uphold the Complaint. I further recommend that the Board issue an order requiring the Respondent to file the delinquent quarterly reports and state further that the failure to file the delinquent reports within 30 days of the issuance of the order shall result in a fine up to \$5,000.



Bernadette Matthews – Hearing Officer

November 2, 2016

STATE OF ILLINOIS )  
 )  
COUNTY OF SANGAMON ) SS

STATE BOARD OF ELECTIONS  
STATE OF ILLINOIS

In the Matter Of: )  
State Board of Elections, )  
 )  
Complainant(s), )  
vs. ) 16 CD 141  
 )  
Citizens to Elect Diante Johnson, )  
 )  
Respondent(s). )

**ORDER ON COMPLAINT**

TO: Citizens to Elect Diante Johnson ID# 31863  
203 E. Conren Ave  
Danville, IL 61832

This matter coming to be heard this 19<sup>th</sup> day of September, 2016 following a Closed Preliminary Hearing of a Complaint filed pursuant to “An Act to Regulate Campaign Financing” (Illinois Compiled Statutes, 10 ILCS 5/9-1 *et seq.*, herein referred to as the “Act”), alleging that the respondent(s) violated 10 ILCS 5/9-10 in that the Committee failed to file the December 2015 and March 2016 Quarterly report of Campaign Contributions and Expenditures; and the State Board of Elections having read the report of the Hearing Officer and reading the recommendation of the General Counsel and now being fully advised in the premises,

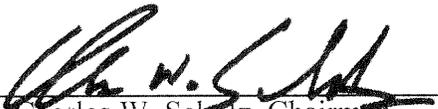
THE BOARD FINDS:

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3. The effective date of this Order is September 21, 2016.

DATED: 9/21/2016

  
\_\_\_\_\_  
Charles W. Scholz, Chairman

**STATE BOARD OF ELECTIONS**  
**2329 South MacArthur Blvd.**  
**Springfield, Illinois 62704**  
**217/782-4141**

**Tom Newman**

**Director, Division of Campaign Disclosure**

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To: Members of the Board, Steven S Sandvoss, Executive Director & Ken Menzel, General Counsel

Re: Contribution Limit Violations

Date: November 28, 2016

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I would like to request the Board's approval of a small but significant change in the way we deal with contribution limit violations. Currently, contribution limits are treated as a separate category of violation for purposes of determining if an assessed penalty is stayed. So if a committee had one penalty for late filing of a Quarterly Report or a Schedule A-1, and one penalty for a contribution limit violation, both penalties would be stayed. This approach made sense when contribution limits were still new and unfamiliar to most political committees, but now that everyone is (or should be) familiar with contribution limits there does not seem to be a practical reason to treat them differently than other violations. Under the proposed change, a committee with a single stayed violation of any type would have the stay lifted if the committee commits another violation, regardless of the type of violation.

The change I am requesting would not affect the customary percentage reduction for a first, second or third violation – the number of the violation would still be based solely on the type of violation. So having previous A-1 violations would not affect the number of a contribution limit violation, or vice-versa. Additionally, I should note that due to the unique requirements for assessing contribution limit violations, very few of these violations reach the stage where a committee is actually ordered to pay a fine. So this change will affect only a small number of committees, and most will not even be aware that a change has occurred.

I would be happy to answer any questions or address any concerns the Board may have regarding this proposal.

**STATE BOARD OF ELECTIONS**  
**2329 S. MacArthur Blvd**  
**Springfield, Illinois 62708**  
**217/782-4141**

**Tom Newman**

**Director, Campaign Disclosure Division**

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To: Steven S. Sandvoss, Executive Director, Members of the Board

Re: Payment of Civil Penalty Assessments - Informational

Date: November 28, 2016

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The following committees have made payment of outstanding civil penalties for the period 11/10/2016 -11/28/2016

- Citizens for Powers - \$800.00
- Friends of Calvin Jordan - \$850.00
- People for Change - \$600.00 (\$14.10 credit card fee)
- Citizens for Danny K Davis - \$250.00
- White Co. Democratic Central Committee - \$225.00
- Friends for Warren Dixon - \$200.00
- Citizens for Steven R Burris - \$225.00
- Pro-Life Victory PAC - \$250.00
- Citizens for Jim Gitz - \$300.00
- Citizens for Tim Durkee - \$375.00
- Riley's Friends - \$4865.00 (\$114.33 credit card fee)
- Friends of Bill Catching - \$375.00 (\$21.15)
- 44<sup>th</sup> Ward GOP - \$75.00
- Citizens to Elect Scott Davis - \$50.00
- Friends of Robert Martwick - \$500.00
- Citizens for Rose Martinez - \$475.00 (\$11.16 credit card fee)
- Citizens for Brian Wilson - \$325.00 (\$7.64 credit card fee)

**Monthly Total:**

1/1/16 to 2/4/16: \$42,670.82  
2/5/16 to 3/2/16: \$8,122.91  
3/3/16 to 4/5/16: \$36,337.00  
4/6/16 to 5/4/16: \$10,251.00  
5/5/16 to 6/1/16: \$26,798.00  
6/1/16 to 6/27/16: \$26,420.08  
6/28/16 to 8/15/16: \$43,135.00  
8/16/16 to 9/7/16: \$14,598.00  
9/8/16 to 10/5/16: \$30,822.50  
10/6/16 to 11/9/16: \$12,368.00  
11/10/16 to 11/28/16: \$10,740.00

**TOTAL: \$10,740.00**

**Year to Date Total: \$262,263.31**

# Memorandum

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

**To:** Executive Director Sandvoss  
Chairman Scholz  
Vice Chairman Gowen  
Members of the Board

**Subject:** Legislative Agenda for Spring 2017

**Date:** November 28, 2016

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Below please find a list of items that we would like to present to the legislative staffs for their consideration during the Spring 2017 Session.

Your comments and suggestions are greatly appreciated.

1. Judges of election; with the addition of many more early and grace period voting days, we need clarification as to which election judges we are obligated to reimburse the election authorities.
2. Senate Bill 172 eliminated the requirement to file petitions for Statewide advisory questions in bound sections for each election authority. References to said requirement are still contained in Sections 28-10 and 28-11. Therefore, we are requesting that said references be amended or eliminated to make these Sections consistent with SB 172.
3. Clean up language for disclosure/financial only. This legislation would be a mini omnibus bill that would focus on disclosure issues only. For example, in Section 10-6.1 Annual reports are still referenced; these would be changed to quarterly reports. Part II - Legislation eliminating the 7-day calendar for campaign disclosure complaints, as this time period is impractical, if not impossible to comply with if a complaint proceeds beyond the closed hearing stage.
4. Continuing Appropriation. Adding the State Board of Elections to the State Budget Law allowing for continuing appropriations for each fiscal year shall be no less than the total aggregate appropriations made available for the immediately preceding fiscal year.
5. A technical clean up pertaining to digitized signatures. For the definition of "digitized signature" adding the word "signed." The Section would then read: "Signature" means a name signed in ink or signed in digitized form..."
6. Same Day registration in Nursing Homes. This language will clarify that same day registration may occur for residents and only residents of the nursing homes. This will not be available for the public.
7. A filing fee for Presidential Candidates and Delegates. This language was requested when complaints were filed regarding these Candidates and Delegates back in the Spring.

8. America Samoa. The *Segovia v. City of Chicago Board of Election Commissioners* court case. To clarify the military/overseas provisions as to which non-resident civilians can vote through Illinois.
9. Mail-in write-ins. To eliminate the mail box rule as it applies to resolutions to fill vacancies.
10. Military deadlines. To make Article 20 consistent with Article 19. With the advancement of emailed ballots, more ballots can get out closer to the election. This would move the deadline to 5 days before the election.

All of the above has been drafted and I would be happy to email or mail any and all of the language out to you.

Comments and suggestions are very welcome.

Thank you.

State Board of Elections  
2329 So. MacArthur Blvd.  
Springfield, IL 62704

# STATE BOARD OF ELECTIONS



*From the desk of... Steven S. Sandvoss, Executive Director*  
*Phone: 217-557-9939*  
*Email: [ssandvoss@elections.il.gov](mailto:ssandvoss@elections.il.gov)*

**To:** Charles W. Scholz, Chairman  
Ernest L. Gowen, Vice Chairman  
Members of the Board

**Re:** Bona fide State Civic Organization Policy Change Proposal

**Date:** November 28, 2016

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Pursuant to Member Cadigan's request to place consideration of changes to the procedures by which State Civic Organizations are certified by the SBE on the December Agenda, please find on the following pages the current Rules that set forth said procedures. I believe Member Cadigan is going to propose a provision that would require the Board to approve staff recommendations regarding the eligibility of said Civic Organizations.

### **Section 207.10 Failure to Nominate Candidate**

Where an established political party and/or the members thereof fail to nominate a candidate for any office provided for in Article 7 of "The Election Code," this vacancy in nomination may be filled by the proper party committee of the political party, except candidates for Judicial office.

(Source: Amended at 6 Ill. Reg. 8976, effective July 12, 1982)

### **Section 207.20 Notice of Primary Election – County of 500,000 Or More**

- a) In counties with a population of 500,000 or more, there shall be no requirement to post a notice of primary as provided in the Election Code (Ill. Rev. Stat. 1979, ch. 46, Article 7-15).
- b) This regulation shall not be construed as dispensing with the requirement to publish a notice of primary as provided in the Election Code (Ill. Rev. Stat. 1979, ch. 46, Article 7-15).

### **Section 207.30 Document Copying Fees**

As reimbursement of actual costs, the State Board of Elections shall be paid as follows:

- a) For copies of any document, instrument or paper when the page to be copied does not exceed legal size (8½ inches wide and 14 inches long), where the fees and charges thereof are not otherwise fixed by law, 50 cents per page and \$2 for the certification with seal; and
- b) For copies of any document, instrument or paper when the page to be copied exceeds legal size (8½ inches wide and 14 inches long), where the fees and charges thereof are not otherwise fixed by law, \$1 per page, or any portion thereof, and \$2 for the certification with seal.

### **Section 207.40 County Clerk Notification to State Board of Elections of Certain Filings for Office**

All county clerks, shall, by certified mail, at least 91 days prior to the General Election, notify the State Board of Elections of all nominations of independent candidates for the office of congressman, state senator and representative in the General Assembly, which have been filed with the said county clerk and are to appear on the General Election Ballot.

### **Section 207.50 Deputy Registrars; Definition of Bonafide State Civic Organization**

- a) For the purpose of determining eligibility for appointment as a deputy registrar

pursuant to Sections 4-6.2, 5-16.2 and 6-50.2 of The Election Code (Ill. Rev. Stat. 1983, ch. 46 pars. 1-1 et seq.), a "bonafide State Civic organization" is defined to mean any corporation, unincorporated association or organization which,

- 1) as part or its written articles of incorporation, by-laws, charter, or by separate written declaration, has among its stated purposes the promotion of civic, patriotic or political goals, including the promotion of free and equal elections and the encouragement of political responsibility through informed and active participation of citizens in government;
- 2) is organized or conducts its activities primarily within the State of Illinois;
- 3) is organized on a not-for-profit basis;
- 4) continuously maintains an office or business location within the State of Illinois, together with a current listed telephone number (post office box numbers will not be acceptable); and
- 5) files with the State Board of Elections not less than 90 days before the next ensuing election for which the organization seeks to accept registrations a written application, verified by oath, which contains the following:
  - A) a statement that the organization has an interest in accepting registration of qualified persons in Illinois and wishes to have its officers and/or members appointed as deputy registrars for that purpose;
  - B) a description of the organization's qualifications to be designed as a bonafide State civic organization for the purpose of having its officers and/or members appointed as deputy registrars, including a copy of the organization's written articles of incorporation, by-laws, charter or separate written declaration;
  - C) a list, including street addresses (no post office box numbers will be accepted) and listed telephone numbers, of the organization's offices within the State from which the organization conducts its transactions;
  - D) a list of the names, street addresses (no post office box numbers will be accepted) and listed telephone numbers of each of the principal officers of the organization;

- E) in the case of a parent organization which is also seeking the certification of any of its local chapters or affiliates, a list of the names, street addresses (no post office box numbers will be accepted) and listed telephone numbers of each local chapter, affiliate or subsidiary of the parent organization for which it is seeking certification, including the names and addresses of the principal officer or officers of such local chapter, affiliate or subsidiary.
- b) Any corporation, unincorporated association or organization which fulfills the requirements of paragraphs (a)(1) through (a)(5) of this Rules shall be issued, within 7 days of the receipt of application, a certificate by the State Board of Elections certifying that the organization is, for purposes of Sections 4-6.2, 5-16.2 and 6-50.2 of The Election Code, a bona fide State civic organization.
- c) If, the State Board of Elections determines that any corporation, unincorporated association or organization that is seeking certification as a bona fide State civic organization fails to fulfill any of the requirements of paragraphs (a)(1) through (a)(5) of this Section, the Board shall notify such corporation, unincorporated association or organization in writing that it is not a bona fide State civic organization and such notice shall specify the reason for such determination.
- d) Any corporation, unincorporated association or organization that has been notified pursuant to paragraph (c) that it is not a bona fide State civic organization may request in writing that the State Board of Elections reconsider its determination. Upon receipt of such a written request, the Board, at its next regular or special meeting, shall conduct a public hearing in accordance with Subpart C, Part 125, Practice and Procedure, to reconsider its earlier determination. The corporation, unincorporated association or organization requesting such reconsideration shall be notified of the public hearing and shall be given an opportunity to appear and to present such additional evidence or argument which would tend to establish its eligibility under paragraph (a) as a bona fide State civic organization. The Board may request that the corporation, unincorporated association or organization provide additional data in support of its application for certification, such additional data shall be requested whenever the Board determines that such data will assist it in making an informed determination. Upon reconsideration, the Board shall make a determination, using the same standards as it did in making a Subpart (b) determination, whether the corporation, unincorporated association or organization is a bona fide State civic organization. The Board shall admit any evidence presented which supports or refutes the corporation's unincorporated associations' or organization's position that it meets the definition of bona fide State civic organization, unless such evidence is unduly repetitive. Such determination shall be in writing and shall state the findings of the Board.

- e) In the event that the State Board of Elections determines that a corporation, unincorporated association or organization which has been issued a certificate pursuant to the provisions of paragraph (b) no longer fulfills the requirements of Subsection (a)(1) through (a)(5) and is no longer a bona fide State civic organization, the Board shall notify such corporation, unincorporated association or organization that its certificate is being suspended pending a public hearing on the question of whether the certificate should be revoked. Such notice shall be in writing, shall specify the reasons for the proposed revocation, and shall notify the corporation, unincorporated association or organization that it has the opportunity to appear at the public hearing and to present evidence and argument why the certificate should not be revoked. Following the public hearing, the Board shall make its determination whether to revoke the certificate. Such determination shall be in writing and shall state the findings of the Board.

(Source: Added at 8 Ill. Reg. 21615, effective October 22, 1984)

#### **Section 207.60 Chad Removal**

- a) Chad is that portion of a ballot card which has been dislodged or partly dislodged from the ballot card by a voter when recording a vote.
- b) Chad shall be removed from ballot cards prior to their processing and tabulation in election jurisdictions which utilize a ballot card as a means of recording votes at an election. Election jurisdictions which utilize a mechanical means or device for chad removal as a component of their tabulation equipment shall use such means or device for chad removal.

(Source: Added at 8 Ill. Reg. 24560, effective December 6, 1984)

#### **Section 207.70 Post Tabulation Testing**

- a) The post-tabulation test of electronic voting systems required by Section 24A-9 of the Election Code (Ill. Rev. Stat., 1985, ch. 46, par. 24A-9) shall be performed using the same equipment which was used to perform the actual tabulation of votes. The term "same equipment" means the actual electronic and mechanical mechanisms and the actual disk, diskette, chip, tape, or other medium upon which the tabulation program is written, which were used in the tabulation of votes.
- b) In cases where any component of an electronic voting system has been replaced during tabulation of votes and has been subjected to the tests required by the Election Code when components must be so replaced, the electronic voting system equipment in use for the tabulation of the last ballot tabulated shall be the

# STATE BOARD OF ELECTIONS



*From the desk of.... Steven S. Sandvoss, Executive Director*  
*Phone: 217-557-9939*  
*Email: [ssandvoss@elections.il.gov](mailto:ssandvoss@elections.il.gov)*

**To:** Charles W. Scholz, Chairman  
Ernest L. Gowen, Vice Chairman  
Members of the Board

**Re:** Overtime Policy change, Election Day

**Date:** November 28, 2016

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Pursuant to Member Keith's request to place consideration of changes to the staff overtime policy for Election Day on the December Agenda, please find on the following pages the current SBE policy regarding same, both in the Personnel Rules and the SBE Policy Manual.

of leave or physical fitness have been furnished, that application for reassignment is made within the specified time limits of the leave, and that the Office's circumstances have not changed so as to make reassignments impossible or unreasonable.

- c) **Failure to Return:** Failure of an employee to return from leave within five working days after the expiration or termination date of a leave, whichever is applicable, may be cause for discharge. Leave shall automatically terminate upon the employee's securing other employment during the leave period. It shall be the employee's responsibility to notify the Director and the Director of Administrative Services of other employment.
- d) **Accrual and Retention of Continuous Service during Certain Leaves:** During the following leaves, an employee shall retain and accrue continuous service, provided appropriate application and return is made as required by this Section: family and medical leave; educational leave; administrative leave; military leave; Peace Corps or Job Corps leave; disaster service volunteer leave; or service-connected disability leave.

### **Section 212.290 Holidays**

- a) **Authorized Holidays:** All full-time employees shall have time off, with full salary payment, on the day designated as a holiday for the following:
  - 1) New Year's Day
  - 2) Martin Luther King Day
  - 3) Lincoln's Birthday
  - 4) Washington's Birthday (President's Day)
  - 5) Memorial Day
  - 6) Independence Day
  - 7) Labor Day
  - 8) Columbus Day
  - 9) Veteran's Day
  - 10) Thanksgiving
  - 11) Christmas Day
  - 12) General Election Day (on which members of the House of Representatives are elected). Employees required to work on General Election Day shall be granted equivalent time off in the following 12-month period at a time convenient to the employee and consistent with the Office's operating needs. Temporary employees shall not be compensated for non-working days or holidays.
  - 13) Any additional days proclaimed by the Governor of the State of Illinois or the President of the United States.

- b) **Holiday Observance:** Where employees are scheduled and required to work on a holiday, equivalent time off shall be granted within the following 12-month period at a time convenient to the employee and consistent with the Office's operating needs.
- c) **Holiday during Vacation:** When a holiday falls on an employee's regularly scheduled work day during the employee's vacation period, an extra day shall be added to the employee's accumulated vacation days.

### **Section 212.294 Overtime**

- a) **Overtime:** For those positions that are not considered executive, administrative or professional as defined under the provisions of 29 CFR 541 and for those executive, administrative or professional positions for which compensatory time is authorized by the Executive Director, authorized work in excess of the scheduled workweek as established by subsection (a)(2) shall be overtime. Overtime may be compensated in cash or compensatory time.
  - 1) Each Director shall determine the need for and establish an overtime schedule that recognizes the unique mission and workload of the organizational unit. The Executive Director may require employees to work overtime or at times other than their regular work schedule to meet workloads or service requirements of the Office.
  - 2) The definition of a scheduled workweek is as follows:
    - A) The Springfield office's regularly scheduled work hours shall be 37.5 hours, Monday through Friday, 8:00 A.M to 4:30 P.M.
    - B) The Chicago office's regularly scheduled work hours shall be 37.5 hours, Monday through Friday, 8:30 A.M. to 5:00 P.M.
    - C) Scheduled work hours for employees on an approved flex-time work schedule, as approved by the Executive Director, shall be reflected as designated by the Executive Director.
- b) **Compensatory Time:** An employee's overtime accumulations shall be liquidated by the utilization of compensatory time off, when that utilization is practical. Compensation shall be made at a straight-time rate for work in excess of the scheduled workweek but less than a 40 hour workweek. For those positions that are not considered executive, administrative or professional, work in excess of a 40 hour week shall be compensated at time and one-half. For those employees in

professional positions for which compensatory time is authorized by the Executive Director, work in excess of a 40 hour week shall be compensated on an hour for hour basis.

- c) **Compensatory Time Schedule:** Compensatory time must be pre-approved by the Director of the employee's organizational unit, the Executive Director or the Assistant Executive Director.
- d) **Overtime Compensation Liquidation:** Whenever it is not practical to liquidate an employee's overtime with compensatory time off, or whenever the employee's accrued compensatory time exceeds 240 hours, the employee shall be reimbursed on normal payroll, subject to withholding, at the employee's current rate of pay. Payment shall be made at a straight-time rate for work in excess of the scheduled workweek but less than a 40 hour workweek. For those positions that are not considered executive, administrative or professional, work in excess of a 40 hour workweek shall be paid at time and one-half. For those employees in professional positions for which compensatory time is authorized by the Executive Director, work in excess of a 40 hour week shall be compensated on an hour for hour basis.
- e) **Overtime – Accumulation:** All employee overtime compensation shall be liquidated by the end of the fiscal year unless prior approval is obtained by the Executive Director to extend the time period.
- f) All overtime records shall be approved by the Director and kept in the Office of Administrative Services and entered on the monthly Time and Attendance System.

### **Section 212.298 Interpretation and Application of Rules**

The Executive Director shall determine the proper interpretation and application of each provision of this Part. The decision of the Executive Director as to the proper interpretation or application of any rule shall be final and binding upon all affected employees unless modified or reversed by the Grievance Review Committee, the courts or an administrative tribunal.

### **Section 212.299 Savings Clause**

If any Section or part of any Section of this Part shall be held invalid, the remaining provisions of the Part shall have and be given full force and effect as completely as if the invalidated part had not been included therein.

- 5.04 Overtime. Authorized work in excess of the 37 ½ hour work week shall be overtime for designated positions. Overtime must be approved in advance by the employee's supervisor. (26 Ill. Adm. Code, Ch. I, Sec. 212.294 and 212.298)
- 5.04.1 Overtime work may be compensated for in cash or compensatory time as determined by the agency, if funding is available in the State Board of Elections budget, provided such designation is in accordance with the Fair Labor Standards Act, as amended.
- 5.04.2 Overtime shall not be accrued in less than one-half hour increments per day.
- 5.04.3 Whenever it is not practical to liquidate an employee's overtime with compensatory time off, or whenever the employee's accrued compensatory time exceeds 240 hours, the employee shall be reimbursed on normal payroll, subject to withholding, at the employee's current rate of pay. All employee overtime compensation shall be liquidated by the end of the fiscal year unless prior approval is obtained by the Executive Director to extend the time period.
- 5.04.4 In determining which employees may accrue overtime the following shall apply:
- A. Executive staff (i.e., Executive Director, Assistant Executive Director, Assistant to Executive Director, and Legislative Liaison) and Division Directors are not eligible for overtime unless approved by the Board or the Executive Director. Approval is generally limited to travel or other SBE work outside the normal workday mandated by the Board or the Executive Director, and in his/her absence the Assistant Executive Director.
  - B. Employees not in positions classified as professional as defined under provisions of 29 CFR 541 are eligible to be compensated for overtime work in excess of 37 ½ hour week but less than a 40 hour week on a straight-time basis and time and one-half basis for work in excess of a 40 hour week.
  - C. Subject to Section 5.04.6, Administrative and Professional staff are eligible for overtime for work occurring prior to or following the employee's normal work hours.
- 5.04.5 All employees required to work General Election Day shall earn one day compensatory time. (26 Ill. Adm. Code, Ch. I, Sec. 212.290)
- 5.04.6 In the case of travel on official State business that does not require an overnight stay, overtime shall begin upon departure from the employee's residence up to the beginning of the employee's workday (typically 8:00 a.m. or 8:30 a.m.). If the employee's State business requires that he/she work beyond said employee's workday (typically 4:30 p.m. or 5:00 p.m.) overtime shall commence

from the time the employee leaves on travel status by direct route to the remote work location, or the normal end of the employee's work day (whichever is later), continue at the commencement of the project or event for which overtime has been preapproved by the Executive Director or employee's director (including reasonable time allowances for pre-event set-up and post-event take-down), and for return travel time by direct route to the employee's residence.

In the case of travel on official State business that does require an overnight stay, overtime allowances are permitted for time spent in the actual performance of State business, including direct route travel and reasonable set-up/take-down time, in excess of 7.5 hours during any business day, and for any such time spent on a non-business day.

In the case of travel on official State business performed in the principal or permanent branch office of the State Board of Elections outside the employee's normal work hours, overtime shall begin following the end of the employee's workday, and shall end upon departure from the respective Board office. For work done earlier than the employee's workday, overtime allowances are permitted for time spent in the actual performance of State business. If State business is performed on a Saturday, Sunday or State holiday, overtime shall begin upon departure from the employee's residence by direct route, and end upon return by direct route to the employee's residence. In no case shall any overtime include time spent by the employee on non-work related matters.

**STATE BOARD OF ELECTIONS  
INTER-OFFICE MEMORANDUM**

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**From the desk of:**

**Jeremy Kirk, Director of Administrative Services/CFO**

**TO: Members of the Board & Steve Sandvoss**

**SUBJECT: Potential One-time Non-Pensionable Bonus**

**DATE: November 28, 2016**

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At the request of Member Keith, the SBE would like to formally request the Board consider a one-time non-pensionable bonus of \$1,000 per employee, which is consistent with the Governor's best and final offer made to AFSCME. The number of employees that will be on payroll as of 12/15/16 is 65, which does not include employees on leaves of absence or vacancies within the agency. Employees on leaves of absence are not eligible for the bonus because they are not paid through our payroll while on leave of absence.

| <u># of Employees</u> | <u>Bonus Amt.<br/>Per Employee</u> | <u>Sub-Total</u> | <u>Social Security<br/>7.65%</u> | <u>Total Cost</u> |
|-----------------------|------------------------------------|------------------|----------------------------------|-------------------|
| 65                    | \$1,000.00                         | \$65,000.00      | \$4,972.50                       | \$69,972.50       |

**Note:** 4% retirement amount is not required to be paid because this would be a non-pensionable one-time bonus.

Thank you for your consideration. Please let me know if you have any questions.

| Start Date | End Date   | Division | Activity   |
|------------|------------|----------|--|
| 11/29/2016 | 12/1 /2016 | LEG      | (dates subject to change)<br>Veto Session  |
| 11/29/2016 |            | LEG      | Link report due form LEO's to the SBE.<br>10 ILCS 5/19-20, 20-20.  |
| 11/30/2016 |            | ELEC OP  | Civic Organization certification cutoff date prior to the February 28th, 2017 Consolidated Primary (90 days before next election) Certification cutoff date continues through the April 4th, 2017 Consolidated Election except for those jurisdictions not having a primary. 10 ILCS 5/1A-8 (1,2,12) (Board Rule 207.50)                 |
| 12/1 /2016 |            | ELEC OP  | Begin preparing 2017 FEDERAL AND STATE OFFICERS booklet and update SBE website. General Assembly member room assignments and telephone number information may not be available in time to meet our schedule. Target completion date: 3/30/2017. Continual updates will be required after publication is complete 10 ILCS 5/1A-8 (1,2,11) |
| 12/1 /2016 |            | ELEC OP  | Send letters to the County Clerks to obtain information required for the 2017 COUNTY OFFICERS publication and update SBE website. Not all the information may be available in time to meet our schedule. Target completion date: 2/1/2017. Continual updates will be required after publication is complete 10 ILCS 5/1A-8 (1,2,6,11)    |
| 12/5 /2016 |            | ELEC OP  | Objection deadline filing for candidates who filed November 21-28, 2016 10 ILCS 5/10-8   |
| 12/5 /2016 |            | VRS      | Notify election authorities of requirement to submit computerized voter registration information for December 15, 2016 submission in a format prescribed by the SBE  |
| 12/5 /2016 |            | VRS      | 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 General Election 2016 submission  |
| 12/9 /2016 |            | ELEC OP  | Complete proclamation for each office elected at the General Election for the Governor's office.<br>Generate material for the "Official Vote" publication  |
| 12/9 /2016 |            | ELEC OP  | Complete CANVASS of November General Election. 10 ILCS 5/22-7  |
| 12/9 /2016 |            | EXEC DIR | BOARD MEETING (Proclamation). 10 ILCS 5/22-7   |
| 12/9 /2016 |            | LEG      | Post Election Day Survey due from the LEO's to the SBE.  |
| 12/12/2016 | 12/19/2016 | ELEC OP  | Filing period for municipal candidates, educational service region trustees, schools, colleges, parks, library, fire and the Fox Waterway Agency trustees. 10 ILCS 5/10-6  |

| Start Date | End Date | Division  | Activity   |
|------------|----------|-----------|--|
| 12/15/2016 |          | CAMP DISC | The last day that the State Board of Elections shall notify political committees that have filed a Statement of Organization of their obligation to file the 2016 DECEMBER QUARTERLY REPORT OF CAMPAIGN CONTRIBUTIONS AND EXPENDITURES. 10 ILCS 5/9-10, 9-15(9). |
| 12/15/2016 |          | VRS       | First day for election authority to submit computerized voter registration file for the December 15, 2016 submission.<br>10 ILCS 5/4-8,5-7,6-36  |
| 12/16/2016 |          | VRS       | Complete analysis of Referenda Profile for the General Election. 10 ILCS 5/1A-8 (1, 2, 12)   |
| 12/19/2016 |          | LEG       | Present to the Board a list of legislative proposals for introduction in the next session.   |
| 12/25/2016 |          | VRS       | Last day for election authority to submit computerized voter registration file for the December 15, 2016 submission.<br>10 ILCS 5/4-8,5-7,6-36   |
| 12/25/2016 |          | VRS       | Last day for election authorities to submit request for extension to file computerized voter registration information for the December 15, 2016 submission.<br>Rules and Regulations   |
| 12/27/2016 |          | ELEC OP   | Objection deadline filing for candidates who filed December 12-19, 2016. 10 ILCS 5/10-8  |
| 12/28/2016 |          | VRS       | Send notice to election authorities to obtain information on which jurisdictions will be having a Consolidated Primary<br>10 ILCS 5/1A-8 (1,2,12)  |
| 12/28/2016 |          | VRS       | Notify election authorities to send referenda information.<br>10 ILCS 5/1A-8 (1, 2, 12)  |
| 12/28/2016 |          | VRS       | Send notice (form) to election authorities to obtain voting system information to be used for the Consolidated Primary Election. (Rules and Regulations)   |
| 12/28/2016 |          | VRS       | Send notice (form) to election authorities in order to obtain early voting system information to be used for the Consolidated Primary Election.  |
| 12/30/2016 |          | CAMP DISC | First day of period during which independent expenditures of \$1000 or more made by a political committee must be reported electronically within two business days after making the independent expenditure.<br>10 ILCS 5/9-10(e).                               |

5. **Follow up.**
  
6. **Comments from the general public.**
  
7. **Next Board Meeting scheduled for Tuesday, January 17, 2017 at 10:30 a.m. in Springfield.**
  
8. **Executive Session (if necessary).**