

STATE BOARD OF ELECTIONS
Regular Meeting
Monday, March 20, 2017

MINUTES

PRESENT:

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

ALSO PRESENT:

Steven S. Sandvoss, Executive Director
James Tenuto, Assistant Executive Director
Kenneth R. Menzel, General Counsel
Amy L. Calvin, Administrative Assistant II

The meeting convened at 10:30 a.m. via videoconference with Chairman Scholz, Vice Chairman Gowen and Members Carruthers, Coffrin and Keith present in Springfield. Member Cadigan was present in Chicago and Member Watson was present via teleconference. Member Watson held Member McGuffage's proxy until his arrival at 10:40 a.m.

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

The minutes from the February 22 meeting were presented and Member Keith moved to approve the revisions on pages two and three. Vice Chairman Gowen seconded the motion which passed by roll call vote of 8-0. Member Keith moved to approve the minutes as amended. Member Coffrin seconded the motion which passed by roll call vote of 8-0.

The General Counsel presented appeals of campaign disclosure fines where he concurred with the hearing officer recommendation to grant the appeals for Agenda items 2.a.1-4: 1) *SBE v. Friends of Jaime M. Andrade, Jr.*, 25532, 16AS028; 2) *SBE v. Friends of Judy Martini*, 31777, 16AS037; 3) *SBE v. Friends of Moon Khan*, 32030, 16AS042; and 4) *SBE v. Vote Yes for Freeport*, 32140, 16AS045. Member Cadigan moved to grant the above appeals. Member Coffrin seconded the motion which passed by roll call vote of 8-0.

The General Counsel presented Agenda item 2.a.6, *SBE v. Committee to Elect Joan P. Murphy*, 4558; 16SQ007 and concurred with the hearing officer recommendation to deny the appeal. Ross Seclair was present on behalf of the committee and explained the Candidate/Treasurer of the committee passed away. Her daughter was left with the task of reporting for the committee and did her best to get everything filed. Mr. Seclair requested the previous fine be stayed and assess the fine for this violation only. Member Keith moved to deny the appeal. Member Carruthers seconded the motion which passed by roll call vote of 8-0.

The General Counsel presented Agenda item 2.a.7, *SBE v. Citizens for Lisa Madigan*, 13471, 16AS014 and summarized the matter. He concurred with the hearing officer recommendation to deny the appeal for lack of an adequate defense. Mike Kasper was present on behalf of the committee and indicated he did not take issue with the late filing of the A-1. He

was more concerned with triggering of a previous order under the two year rule. If the start and ending date was from assessment to assessment or board order to board order the committee would have been well past the two year period. After discussion, Mr. Kasper asked for leave to amend his appeal and file an amended A-1. Member Keith moved to remand the matter back to the hearing officer. Vice Chairman Gowen seconded the motion which passed by roll call vote of 5-3 with Members Cadigan, Carruthers and Coffrin voting in the negative. Member Keith moved to direct staff to review the two year policy and present a written memo with alternatives and recommendations, including input from Mr. Kasper. Member Carruthers seconded the motion which passed by roll call vote of 8-0.

The General Counsel presented Agenda item 2.a.8, *SBE v. East St. Louis Republican Central Committee*, 18551, 16SQ028 and reviewed the matter. He concurred with the hearing officer recommendation to deny the appeal. Dr. T. Wendell Campbell was present and explained the treasurer had reading disabilities and did not inform anyone. The error was not meant to be negligent and an honest mistake. Dr. Campbell was advised of his options for settlement offer and payment plan. It was agreed the Board would allow Dr. Campbell to confer with staff regarding the settlement offer procedures and return to the matter later in the meeting.

The General Counsel presented Agenda item 2.a.9, *SBE v. Citizens for Luis Arroyo, Jr.*, 25589, 16AM052 and summarized the matter. Although he concurred with the hearing officer recommendation to deny the appeal, the General Counsel noted that the electronic filing defense might have been appropriate in this matter if the committee wished to do so. Pericles Abbasi was present on behalf of the committee and indicated that the committee did in fact have computer issues and would like to request the electronic filing defense. Member McGuffage moved to accept the electronic filing defense and grant the appeal. Member Keith seconded the motion which passed by roll call vote of 8-0.

The Board returned to Agenda item 2.a.8, *SBE v. East St. Louis Republican Central Committee*, 18551, 16SQ028 and Tom Newman indicated staff reviewed the previous four filings of the committee. There was no activity during the last four quarters and the committee funds balance was currently \$53.98. Dr. Campbell offered a settlement of 50% of the remaining balance of the committee, in this case would be \$27.00. Member Carruthers moved to deny the appeal and accept the settlement offer of \$27.00 under the current settlement offer policy for low dollar committees. Vice Chairman Gowen seconded the motion which passed by roll call vote of 8-0.

The General Counsel presented Agenda item 2.a.11, *SBE v. Friends of Sharon Langlotz Johnson*, 31859, 16MA054 and reviewed the matter. He concurred with the hearing officer recommended to deny the appeal because once one files as a committee, even though they did not reach the filing threshold, reporting obligations do commence. Sharon Langlotz Johnson was present on behalf of the committee. She said the committee only raised approximately \$500 and the remaining funds balance was zeroed out with bank fees. Ms. Johnson indicated she was not sure as to whether she will run for office again within the next two years and officered a settlement of \$27.00. Member Keith moved to deny the appeal and accept the settlement offer of \$27.00 to be paid today. Vice Chairman Gowen seconded the motion which passed by roll call vote of 8-0.

The remaining appeals of campaign disclosure fines were presented for Agenda items 2.a.5 & 10: 5) *SBE v. Milton Township Republican Central Committee*, 4415 16AS009; and 10) *SBE v. Glenwood Peoples' Party*, 26044, 16MA064. No one was present on behalf of the committees. The General Counsel concurred with the hearing officer recommendation to deny the appeals. Member Carruthers moved to adopt the recommendation of the hearing officer and

deny the above noted appeals. Vice Chairman Gowen seconded the motion which passed by roll call vote of 8-0.

The General Counsel presented Agenda item 2.a.12, *SBE v. Citizens for Gary Grasso, 18524, 16MA060* and concurred with the hearing officer recommendation to grant the appeal in part and deny the appeal in part. No one was present on behalf of the committee. Member Keith moved to adopt the recommendation of the hearing officer. Member Carruthers seconded the motion which passed by roll call vote of 8-0.

Next on the agenda was the random audits of political committees and the General Counsel referred to Tom Newman's memo page 67 of the packet. Member Cadigan moved to adopt the recommendations contained in Mr. Newman's memo. Member Coffrin seconded the motion which passed by roll call vote 8-0. It was agreed that staff would also report to the board a summary of findings and/or irregularities after the audits are complete.

A listing of payment of civil penalty assessments was presented for informational purposes.

Member Keith moved to recess to executive session to consider complaints following closed preliminary hearing and personnel matters. Member Carruthers seconded the motion which passed by roll call vote of 8-0. The meeting recessed at 11:40 a.m. and reconvened at 1:15 p.m. All Members were present except for Member Watson who left the meeting at 11:40 a.m. Member McGuffage held her proxy.

As to Agenda item 2.a.15, *Robertson v. Citizens for Chris Slusser, 17CD004*, Member Keith moved to note Member Carruthers' recusal from consideration and adopt the recommendation of General Counsel and the hearing officer to find the complaint was filed on justifiable grounds and no further action is needed. Vice Chairman Gowen seconded the motion which passed by roll call vote of 6-0-1. Member Keith voted present on the matter.

As to Agenda items 2.a.16 & 17, *Pierscionek v. Brinkman, 17CD039* and *Pierscionek v. Ramey, 17CD040*, Member Keith moved to dismiss the complaints for want of prosecution, neither party being present for the hearing. Member Cadigan seconded the motion which passed by roll call vote of 8-0.

The Executive Director began his report with an update from the February 28 Consolidated Primary Election. He said it was a smooth election with very few phone calls and no issues to report. He noted a listing of counties selected for voting systems pre-election testing was included on page 69 of the packet. Kyle Thomas said the first four of the counties were completed and will have a full report at the next board meeting. April 4 Consolidated Election Day staff assignments and a listing of election judge training schools were also included in the packet for informational purposes.

Cris Cray noted that a listing of all election related legislation was included on pages 74-77 of the board packet and said it has been a busy session so far. Senate Bill 1933, automatic voter registration, passed out of the senate executive committee and staff members are currently working on an amendment. She noted that all stakeholders involved are working very well together on the amendment. Ms. Cray thanks Kyle Thomas and Kevin Turner for all of their hard work and testifying at hearings at the capitol. She also reported that they attended the House Appropriations committee meeting, however, the Senate Appropriation hearing has not yet been

set. The Executive Director thought the hearing went well and the SBE's appearance lasted for approximately twenty minutes. Staff responded to questions regarding HAVA spending, the impact of lack of a state budget on the agency operations and information technology, staffing and possible relocation from the James R. Thompson Center.

The Executive Director presented a report for informational purposes from Cris Cray who attended the National Association of Election Directors conference in Washington, D.C. last month.

Kyle Thomas discussed Senate Bill 172 and indicated that they received counts of 505,000 potential in-state updates from ERIC but expected those numbers to decrease after the completion of input of updates from the general election. Staff received the updated file and the numbers rose to 658,000 potential matches. After discussions with ERIC, they agreed to allow the SBE to enter into a pilot program with Cook County for the time being. It was discovered that the SOS was including all system changes instead of only those initiated by the individual. Over 1/3 of those changes were system changes and Mr. Thomas expected those numbers to go down once a new file is received. Kevin Turner indicated that staff continues to make progress on the development of the client module that resides in all of the election jurisdictions. He said that staff is also in the process of developing a new IVRS website to replace the current one and is currently testing portions of the site. In response to a request from the House Appropriations Committee, Mr. Turner reported that he compiled a listing of areas of IT that are in jeopardy as a result of the lack of a state budget and Ms. Cray planned to deliver it today to the Chairman of said committee.

The Executive Director presented the social media proposal and reviewed the memo included in the board packet. He explained that prior to the general election there was a get out the vote campaign on Facebook and the agency saw a spike in the amount of online registrations during that time period. Social media is now a major vehicle for the general public to receive information such as, voter registration and voting deadlines, polling place locations and general election information. He noted that the memo also outlined certain security issues and how they would be addressed. Amy Kelly elaborated on how Facebook settings could be adjusted to disallow comments from the public or political advertising. Member Cadigan indicated that Cook County's Facebook page is very well presented and suggested it be used as a local model should the SBE set up an account. It was noted that comments or re-tweeting could not be controlled through settings on Twitter. Mr. Turner expressed his concern from an IT standpoint and said social media sites could be a vehicle for virus intrusion. To alleviate this he said a separate Comcast internet line is already in place for public Wi-Fi access inside the building. A separate laptop would be assigned to control social media sites through the backup internet connection. This access in no way has any connection to internal network systems or other computer equipment. After discussion, Member Keith moved to authorize staff to set up a pilot Facebook account and report back at a future meeting. Vice Chairman Gowen seconded the motion which passed by roll call vote of 8-0.

Next on the agenda was the student internship program and the Executive Director explained it was more of a resurrection of a program the agency has provided in the past and was intended for college students. He noted that the details of the program were included on pages 81-88 of the board packet. Member Keith moved to re-implement the student internship program with paid opportunities for such interns. Member Carruthers seconded the motion which passed by roll call vote of 8-0.

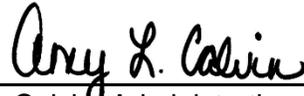
The fiscal status reports and two year plan of staff activity were presented for informational purposes.

Member Keith noted that he and Member Cadigan are prepared to submit material regarding the staff compensation update at the April 18 meeting.

The Executive Director informed the board that four complaints following closed preliminary meeting have been filed which would necessitate the need for a special meeting either on March 30 or 31.

With there being no further business before the Board, Member Carruthers moved to adjourn until Tuesday, April 18, 2017 in Chicago. Member Coffrin seconded the motion which passed unanimously. The meeting adjourned at 2:20 p.m.

Respectfully submitted,



Amy L. Calvin, Administrative Assistant II



Steven S. Sandvoss, Executive Director