STATE OF ILLINOIS)
) ss.
COUNTY OF COOK)

BCC

BEFORE THE ELECTORAL BOARD FOR THE HEARING AND PASSING UPON OF OBJECTIONS TO NOMINATING PETITIONS FOR THE OFFICES OF: REPRESENTATIVE IN THE GENERAL ASSEMBLY AND STATE SENATOR

IN RE: Objection of: John S. Johnson)
)
To the)
Nominating Petition of: Alan F. Curley)
)
) NO: 88-EB-REP-24
Candidate for the Office of Representative in)
the General Assembly in the 19th Representative)
district, in the city of Chicago, Illinois.)

DECISION

The duly constituted Electoral Board, consisting of JAMES R. NOLAN, NIKKI M. ZOLLAR AND MICHAEL J. HAMBLET, organized by law in response to a Call issued by MICHAEL E. LAVELLE, then Chairman of said Electoral Board, for the purpose of hearing and passing upon Objections to Nominating Petitions for the Offices of Representative in the General Assembly and State Senator, having convened on December 28, 1987 at 10:00 a.m. in the viewing gallery of the City Council Chambers, Chicago, Illinois; and having heard and determined the objections to the petition in the above entitled matter find that:

1. The said Electoral Board has been legally constituted according to the laws of the State of Illinois;

2. Objections to the nominating petition of the candidate herein were duly filed;

3. A call to the hearing on said objections was duly issued and was served upon the members of the Electoral Board, the Objector and the Candidate by mail and by personal service as provided by statute;

4. A public hearing was held on these objections commencing on December 28, 1987;

5. The following persons, among others, were present at such hearings: the members of the Electoral Board, the Objector, by counsel, and the Candidate by counsel;

6. The Board heard and considered all evidence and arguments tendered by those appearing at the hearing;

7. The Board ordered an examination of the precinct binders to be conducted by its clerks and agents under the Board's direction and supervision, in accordance with the laws of Illinois and the rules of the Board;

8. During examination of the precinct binders,the Board directed all parties to appear and to be present, either personally and/or by their authorized representatives, duly appointed and authorized by said parties;

9. The Candidate and/or his duly authorized representatives were present during the examination of the binders at all times;

10. The Objector and/or his duly authorized representatives were present during the examination of the binders at all times;

11. Examination of the precinct binders was completed;

12. The Board having heard oral arguments and considered all evidence hereby finds:

    a. The statutory minimum number of signatures required for placement on the ballot is 300;

    b. The number of signatures filed by the Candidate total 413;

    c. The number of signatures deemed invalid because of objections sustained total 107;

    d. The remaining number of signatures deemed valid total 306;

The written report of the Board's findings sustaining signature objections are contained in the Board's file in this cause, and is available upon request of any party.

The Board further finds that the number of valid signatures on the nominating petitions exceeds the minimum number of signatures required by law to be placed upon the ballot as candidate for nomination to the office of Representative in the General Assembly in the 19th Representative district.

The Board further finds it has no jurisdiction to inquire into the truth or accuracy of the Candidate's statement of economic intrests. See Troutman v Keys, 509 N.E. 2d. 453 (1st.Dist.1987)

The Board further finds that the candidate was a resident of the 19th Representative district for two years preceding November 8, 1988.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the objections of John S. Johnson to the nomination petition of Alan F. Curley as candidate for nomination to the office of Representative in the General Assembly in the 19th Representative district, Democratic party, are hereby overruled in conformity with the findings in Paragraph 12 hereof and the said petition is hereby declared valid and the name of Alan F. Curley, as candidate for nomination to the office of Representative in the General Assembly in the 19th Representative district, Democratic party, shall be printed on the ballot for the Primary Election to be held on March 15, 1988.

Dated: Chicago, Illinois, this 19th day of January, 1988.

James R. Nolan
JAMES R. NOLAN, COMMISSIONER

Nikki M. Zollar
NIKKI M. ZOLLAR, COMMISSIONER

Michael J. Hamblet
MICHAEL J. HAMBLET, COMMISSIONER