STATE OF ILLINOIS)
) ss.
COUNTY OF COOK)

NBC

BEFORE THE ELECTORAL BOARD FOR THE HEARING AND PASSING UPON OF OBJECTIONS TO NOMINATING PETITIONS FOR THE OFFICES OF: WARD COMMITTEEMAN IN THE CITY OF CHICAGO

IN RE: Objection of: Robert M. Raether)
)
To the)
Nominating Petition of: William Shlifka)
) NO: 88-EB-WD-62
)
Candidate for the Office of Ward Committeeman in)
the 33rd Ward 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 Office of Ward Committeeman in the City of Chicago, having duly convened 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;

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 finds that the prohibition against circulating petitions for more than one political party in 10-4 of the Election Code is applicable to Democratic and Republican political party candidates (see Citizens for John Moore v. Board Of Election Commissioners 599 F.Supp. 622 (N.D.Ill.) aff'd, 794 F.2d 1254 (7th Cir. 1986)).

The Board further finds that the record demonstrates that two circulators of the candidate's Republican party petition previously circulated petition sheets for a Democratic candidate in the same ward, for the same election, prior to the circulation of the five sheets for the Republican candidate. These five sheets are hereby stricken by virtue of 10-4 of the Election Code read in conjunction with Watkins v. Burke 122 Ill.App.3d 499 (1st Dist. 1984), which requires the objector to prove that the signatures on the objected-to petition were circulated after the petition sheets of another political party were circulated.

IT IS THEREFORE ORDERED that the name of William Schlifka, as candidate for election to the office of Ward Committeeman in the 33rd Ward, Republican party, in the city of Chicago shall not be printed on the ballot for the Primary Election to be held on March 15, 1988.

Dated: Chicago, Illinois, this 26th 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