STATE OF ILLINOIS)
) ss.
COUNTY OF COOK)

BCC

ELECTORAL BOARD
FOR THE HEARING AND PASSING UPON OF OBJECTIONS TO NOMINATING PETITIONS FOR THE OFFICES OF: UNITED STATES REPRESENTATIVE IN CONGRESS; STATE SENATOR AND REPRESENTATIVE IN THE GENERAL ASSEMBLY, STATE OF ILLINOIS; AND WARD COMMITTEEMAN FOR THE HAROLD WASHINGTON PARTY, IN THE CITY OF CHICAGO, STATE OF ILLINOIS, FOR THE MARCH 20,1990 PRIMARY ELECTION

IN RE: Objection of: Dorris E. Buffington)
)
To the)
Nominating Petition of: Richard Taylor)
)
) NO: 90-EB-REP-1
Candidate for the Office of Representative)
in the General Assembly, 31st Representative)
District, Democratic Party)

DECISION

The duly constituted Electoral Board, consisting of MICHAEL J. HAMBLET, ARNETTE R. HUBBARD and RAYMOND L. JAGIELSKI, organized by law in response to a Call issued by MICHAEL J. HAMBLET, Chairman of said Electoral Board, for the purpose of hearing and passing upon Objections to Nominating Petitions for the Offices of United States Representative in Congress, State Senator, Representative to the General Assembly and Ward Committeeman for the Harold Washington Party in the City of Chicago, having convened on January 2nd, 1990 at 10:00 a.m. in Room 1703 of the Richard J. Daley Center, 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 January 2nd, 1990;

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 having heard and considered all evidence and arguments tendered by those appearing at the hearing;

7. The Board having 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 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 having been present during the examination of the binders at all times;

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

11. Examination of the precinct binders was completed;

12. The Board finds that:

    a. The statutory minimum of signatures required for placement on the ballot is 309;

    b. The number of signatures filed by the candidate total 438;

    c. The number of signatures deemed invalid because of objections sustained total 127;

    d. The remaining number of signatures deemed valid total 311;

    The written report of the Board's finding overruling signature objections are contained in the Board's file in this cause and is available upon request of a party.

13. The Board Further Finds that:

    a. On sheets 17 through 21 of the Candidate's petition, "Dec. 1, 1990" appears as the date of circulation in the circulator's affidavit. However, the date of notarization appears on said sheets as "Dec. 7, 1989."

Additionally, according to the unrefuted testimony of the circulator, circulation occurred on December 1, 1989.

b. The purpose of the circulation date portion of §7-10 of the Election Code is to insure that no petition sheet is circulated prior to 90-days before the filing deadline. There is no question but that said 90-day provision was not violated since the record establishes that the December 1, 1990 date was inadvertently entered by the circulator.

The Board deems said petition to be in substantial compliance with the pertinent provisions of the Election Code. Accordingly, the objections are hereby overruled.

14. The Board further finds that the number of valid signatures on the nominating petition exceeds the minimum number of signatures required by law to be placed upon the ballot as a candidate for nomination to the office of Representative in the General Assembly, 31st Representative District, Democratic Party.

IT IS THEREFORE ORDERED that the objections of Dorris E. Buffington to the nominating petition of Richard Taylor, candidate for nomination to the office of Representative in the General Assembly, 31st Representative District, Democratic Party, are hereby overruled and said petition is hereby declared valid and the name of Richard Taylor, candidate for nomination to the office of Representative in the General Assembly, 31st Representative District, shall be printed on the Democratic ballot for the Primary Election to be held on March 20th, 1990.

Dated: Chicago, Illinois, this 12th day of January, 1990.

MICHAEL J. HAMBLET, CHAIRMAN

ARNETTE R. HUBBARD, COMMISSIONER

RAYMOND L. JAGIELSKI, COMMISSIONER