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 STATE SENATOR AND REPRESENTATIVE IN THE GENERAL ASSEMBLY OF THE STATE OF ILLINOIS FOR THE MARCH 15, 1994 PRIMARY ELECTIONS.

IN RE: Objection of: Rickey Hendon and Bernett Barnes	)	
To the	)	
Nominating Petition of: Anthony B. Bass	)	
	)	
	)	**NO: 94-EB-LEG-15**
Candidate for the Office of State Senator in the 5th Legislative District, Democratic Party.	)	

DECISION

The duly constituted Electoral Board, consisting of MICHAEL J. HAMBLET, ARNETTE R. HUBBARD and CHRIS ROBLING, 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 Office of State Senator and Representative in the General Assembly for the State of Illinois, having convened on December 27th, 1993 at 10:00 a.m. in the City Council Chambers, 2nd Floor City Hall, 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 27, 1994;

5. The following persons, among others, were present at such hearings: the members of the Electoral Board, the Objectors pro se, 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 on January 7, 1994;

12. The results of the precinct binder check were as follows:

    a. The statutory minimum of signatures required for placement on the ballot is 615;

    b. The number of signatures filed by the candidate total 1955;

    c. The number of signatures deemed invalid because of objections sustained from binder check total 1133;

    d. The number of signatures deemed invalid because of circulators total 225;

    e. The remaining number of signatures deemed valid total 597;

    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 a party.

13. The Candidate filed a request for a master file check at 12:03 on January 8, 1994, three minutes past the 12:00 noon deadline set forth in the Board's Rules of Procedure. No master file check was made due to the late filing;

14. The Candidate filed a Rule 20 request to directly address the Board and on January 19, 1994, the Board remanded this matter back to the hearing Examiner and ordered that a master file check be conducted of the 3x5 cards submitted by the Candidate on January 8, and that the Hearing Examiner rule on whether the master file check was filed late by the Candidate and what consequences, if any, resulted from the late filing;

15. A master file check of the 3x5 cards submitted by the Candidate on January 8 was conducted on January 20, 1994, the results of which were as follows:

    a. number of signatures on petition total 1955;

    b. number of signatures overruled total 292;

    c. number of signatures sustained total 1126;

    d. number of signatures invalid because of circulator total 225;

    e. number of signatures deemed valid total 604;

    f. minimum of signatures required is 615;

16. On January 20th and 22nd, 1994, the Hearing Examiner conducted further hearings in this matter to consider the results of the master file examination;

17. The Board finds that the Candidate's master file request, even though filed at 12:03 p.m., should be accepted and the results of the master file examination should be considered;

18. The Board finds that the total number of valid signatures on the nominating petition is 604 and that the minimum number of valid signatures required is 615;

19. The Board further finds that the number of valid signatures on the nominating petition falls below the minimum number of signatures required by law to be placed upon the ballot as a candidate for the nomination of the Democratic Party for the office of State Senator in the 5th Legislative District.

IT IS THEREFORE ORDERED that the objections of Rickey Hendon and Bernett Barnes to the nominating petition of Anthony B. Bass, candidate for the nomination of the Democratic Party for the office of State Senator in the 5th Legislative District, are hereby sustained and said petition is hereby declared invalid and the name of Anthony B. Bass, candidate for the nomination of the Democratic Party for the office of State Senator in the 5th Legislative District, shall not be printed on the ballot for the Primary Election to be held on March 15th, 1994.

Dated: Chicago, Illinois, this 24th day of January, 1994.

Michael J. Hamblet

MICHAEL J. HAMBLET, CHAIRMAN

Arnette R. Hubbard

ARNETTE R. HUBBARD, COMMISSIONER

Christopher Tim Henry Robling

CHRIS ROBLING, COMMISSIONER