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: Michael J. Scianna)
)
To the)
Nominating Petition of: Mark A. Fredrickson)
)
) NO: 94-EB-REP-7
Candidate for the Office of Representative)
in the General Assembly of the 15th)
Representative 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 Objector pro se, and the Candidate pro se;

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 16, 1994;

12. The Board finds that:

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

    b. The number of signatures filed by the candidate total 508;

    c. The number of signatures deemed invalid because of objections sustained total 202;

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

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

13. Objector claimed that he did not receive a copy of last page page number 22, of the Candidate's petition and was not allowed, therefore, to include it in his written objection petition. The Hearing Examiner ordered that a binder check be made of page 22 and the results of the supplemental binder check would invalidate 2 of the 17 signatures on that page, thus leaving candidate with a total of 304 valid signatures, 4 more than the minimum required;

14. The Board finds that the use of the first initial of the first name, plus the entire last name, on signatures on petition sheets does not invalidate them, where they are otherwise genuine;

15. The Board finds that the failure to indicate a middle initial on signatures on the petition sheets where binder includes a middle initial does not invalidate them where the signatures are otherwise genuine;

16. The Board finds that the use of the word "election" instead of "nomination" on the Statement of Candidacy does not render such Statement of Candidacy invalid, see, e.g., Washington v. Williams, 92-EB-REP-31, February 10, 1992;

17. The Board finds that the Candidate's Statement of of Candidacy is not rendered invalid because the Candidate's middle initial appears on his petition sheets but does not appear on the Statement of Candidacy;

18. 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 the nomination of the Democratic Party for the office of Representative in the General Assembly of the 15th Representative District.

IT IS THEREFORE ORDERED that the objections of Michael J. Scianna to the nominating petition of Mark A. Fredrickson, candidate for the nomination of the Democratic Party for the office of Representative in the General Assembly of the 15th Representative District, are hereby overruled and said petition is hereby declared valid and the name of Mark A. Fredrickson, candidate for the nomination of the Democratic Party for the office of Representative in the General Assembly of the 15th Representative District, shall 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 Fitz Henry Robling
CHRIS ROBLING, COMMISSIONER