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: Elaine McGee
To the
Nominating Petition of: Bettye E. Carter

Candidate for the Office of Representative in the General Assembly of the 10th Representative District, Democratic Party.

NO: 94-EB-REP-16

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 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 on December 31, 1993;

12. The Candidate timely submitted 123 cards for a master file check on January 2, 1994 at 11:44 p.m. On Monday, January 3, 1994, the Candidate submitted 161 additional cards, indicating the first cards were not the right cards. The master file check was started on the original 123 cards on January 4, 1994, and was terminated by Whitfield Lambert, Counsel for the Candidate (there were no changes to the original findings from the examination of the binders);

13. The Candidate's motion of January 5, 1994, to submit the additional 161 cards for master file check was denied due to the untimely filing of the cards;

14. 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 854;

    c. The number of signatures deemed invalid because of objections sustained total 653;

    d. The remaining number of signatures deemed valid total 201;

    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.

15. 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 Representative in the General Assembly of the 10th Representative District.

IT IS THEREFORE ORDERED that the objections of Elaine McGee to the nominating petition of Bettye E. Carter, candidate for the nomination of the Democratic Party for the office of Representative in the General Assembly of the 10th Representative District, are hereby sustained and said petition is hereby declared invalid and the name of Bettye E. Carter, candidate for the nomination of the Democratic Party for the office of Representative in the General Assembly of the 10th Representative District, shall not be printed on the ballot for the Primary Election to be held on March 15th, 1994.

Dated: Chicago, Illinois, this 10th day of January, 1994.

Michael J. Hamblet
MICHAEL J. HAMBLET, CHAIRMAN

Arnette R. Hubbard
ARNETTE R. HUBBARD, COMMISSIONER

Christopher Fitzhenry Robling
CHRIS ROBLING, COMMISSIONER