STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

NBC-ALD

ELECTORAL BOARD
FOR THE HEARING AND PASSING UPON OBJECTIONS TO THE NOMINATION PAPERS OF CANDIDATES FOR THE OFFICES OF MAYOR, CITY CLERK, CITY TREASURER AND ALDERMAN FOR THE CITY OF CHICAGO FOR THE FEBRUARY 28, 1995 ALDERMANIC AND MUNICIPAL PRIMARY ELECTIONS.

Objection of: Doris Brown, Suggs Miller and Patricia Ann Love
To the Nomination Papers of: Mary Collins
Candidate for the Office of Alderman of the 2nd Ward.

No.: 95-EB-ALD-096

DECISION

The duly constituted Electoral Board, consisting of MICHAEL J. HAMBLET, ARNETTE R. HUBBARD, and RICHARD A. COWEN, 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 Nomination Papers of Candidates for the Offices of Mayor, City Clerk, City Treasurer and Alderman for the City of Chicago, having convened on January 3 1995, at 1:00 p.m., in having heard and determined the Objections to the Nomination Papers 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 Nomination Papers of the Candidate herein were duly filed;

3. A Call to the hearing on said Objections was duly issued and 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 3, 1995;

5. The following persons, among others, were present at such hearing: the members of the Electoral Board, the Objectors by counsel, and the Candidate by counsel;

6. The Board finds that the Candidate filed with the Board of Election Commissioners on December 12, 1994 her Nomination Papers which did not include a receipt showing that she had filed a Statement of Economic Interests in relation to her Candidacy. Instead, the Candidate's nomination papers included a receipt showing the Candidate's name and address on a form pre-printed with the name and address of the City of Chicago Board of Ethics and a date stamp applied by the Board of Ethics showing the date of "December 12, 1994".

7. The Board further finds that the Candidate did file with the Hearing Examiner during the hearings on this matter a receipt for a Statement of Economic Interests in relation to his Candidacy. However, said receipt was not date stamped by the Cook County Clerk's Office showing that it was filed with that office.

8. The Board finds that Section 10-5 of the Election Code provides that nomination papers filed pursuant to that Section are not valid if the candidate named therein fails to file a Statement of Economic Interests as required by the Illinois Governmental Ethics Act in relation to his candidacy with the appropriate officer by the end of the period for the filing of nomination papers unless he has filed a Statement of Economic Interests in relation to the same governmental unit with that officer during the same calendar year as the year in which such nomination papers were filed. If the nomination papers of any candidate and the Statement of Economic Interests of that candidate are not required to be filed with the same officer, the candidate must file with the officer with whom the nomination papers are filed a receipt from the officer with whom the Statement of Economic Interests is filed showing the date on which such Statement was filed. Such receipt shall be so filed not later than the last day on which nomination papers may be filed.

9. The Board finds that Statements of Economic Interests required of Candidates for the office of Alderman of the City of Chicago are required to be filed with the County Clerk of Cook County by the end of filing period for nomination papers. 5 ILCS 420/4A-106.

10. The Board finds that the Candidate failed to file with the Board of Election Commissioners before the end of the filing period for Nomination Papers a receipt showing that the Candidate filed a Statement of Economic Interests in relation to her Candidacy with the Cook County Clerk's Office. The failure to file such a receipt with the Board of Election Commissioners on or before the last day on which Nomination Papers may be filed invalidates the Candidate's Nomination Papers. Bolger v. Electoral Board of City of McHenry, 210 Ill.App.3d 958, 569 N.E.2d 628 (Second District, 1991).

11. Therefore, the Board sustains the Objections to the Candidate's Nomination Papers and declares the Candidate's Nomination Papers to be invalid.

IT IS THEREFORE ORDERED, that the Objections of Doris Brown, Suggs Miller and Patricia Ann Love to the Nomination Papers of Mary Collins, Candidate for election to the office of Alderman of the 2nd Ward, are hereby sustained and said Nomination Papers are hereby declared invalid and the name of Mary Collins, Candidate for election to the office of Alderman of the 2nd Ward, shall not be printed on the ballot for the Aldermanic Election to be held on February 28, 1995.

Dated: Chicago, Illinois, this 27TH day of January, 1995.

Michael J. Hamblet

MICHAEL J. HAMBLET, Chairman

Arnette R. Hubbard

ARNETTE R. HUBBARD, Commissioner

Richard A. Love

RICHARD A. COWEN, Commissioner

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

MARY COLLINS,
PETITIONER/PLAINTIFF;
v.
CHICAGO ELECTORAL BOARD,
ET AL
RESPONDENTS/DEFENDANTS,

NO. 95 CO 0030

ORDER

THIS MATTER COMING BEFORE THIS COURT ON PETITIONER'S REQUEST TO REVIEW THE CHICAGO ELECTORAL BOARD, AND AFTER A HEARING AND BEING ADVISED IN THE PREMISES THEREOF, IT IS HEREBY ORDERED

A. THE CHICAGO ELECTORAL BOARD'S DECISION IS SUSTAINED;

B. THERE IS NO JUST REASON TO DELAY THE ENFORCEMENT OF DECISION; AND APPEALING IN ESCAME;

C. THE PARTIES MAY GO WITHOUT FURTHER DAY.

Atty No. 21845
Name ROBERT L ANDERSON
Attorney for OBJECTOR/DEFENDANT
Address 175 W. JACKSON #1822A
City CHICAGO, IL 60604
Telephone (312) 427-3536

JUDGE CURTIS HEASTON

ENTER: FEB 21 1995, 19....

CIRCUIT COURT - 225

Judge Judge's No.

printed on recycled paper

AURELIA PUCINSKI, CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS