STATE OF ILLINOIS)
) SS. BCCON.WC
COUNTY OF COOK)

ELECTORAL BOARD
FOR THE HEARING AND PASSING UPON OBJECTIONS
TO THE NOMINATION PAPERS OF CANDIDATES FOR
THE OFFICES OF STATE SENATOR, REPRESENTATIVE IN
THE GENERAL ASSEMBLY AND WARD COMMITTEEMAN OF THE
CITY OF CHICAGO FOR THE MARCH 19, 1996
GENERAL PRIMARY ELECTION

Objections of: Dan Leary	)	
	)	
To the Nomination	)	
Papers of: Debra Seger	)	No.: 96-EB-WC-057
	)	(Rel: 96-EB-WC-061)
Candidate for the Office	)	
of Ward Committeeman for the 42nd Ward	)	
of the City of Chicago, Republican Party	)	

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 State Senator, Representative in the General Assembly and Ward Committeeman of the City of Chicago, having convened on January 2, 1996, at 10:00 a.m., and having heard and determined the Objections to the Nomination Papers in the above entitled matter finds 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 Objectors 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 5, 1996.

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

6. The Board ordered an examination of the registration records 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.

7. During this records examination 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.

8. The Board finds that on January 8, 1996, the Board's staff gave the parties notice that a records examination was to be conducted on January 9, 1996 at 8:45 a.m.. The Candidate's attorney claims that he was told that the records examination was scheduled for the following Monday at 8:45 a.m. and, as a result neither he nor the Candidate were in attendance at the records examination conducted on January 9. Because of the apparent confusion, the Hearing Examiner allowed the Candidate to request a Master File Examination by 3:00 p.m. on Saturday, January 13, 1996, on any objections ruled as not in binder. Apparently, 82 signatures were invalidated because the circulator's registration card was not in the binder. However, the Candidate failed to file a request for a Master File Examination. The Board finds that the Candidate's subsequent request for review was not timely filed and the Candidate filed no other evidence.

9. The Objector(s) and/or his duly authorized representatives having been present during the examination of registration records at all times.

10. The examination of the registration records was completed and the Board hereby adopts and incorporates by reference the results of the records examination conducted by its clerks and agents.

11. The Board has considered all evidence and arguments tendered by the parties.

12. The Board finds that:

    a. The statutory minimum of signatures required for placement on the ballot is 159;

    b. The number of signatures filed by the Candidate total 292;

    c. The number of signatures deemed invalid because of objections sustained total 261;

    d. The remaining number of signatures deemed valid total 31;

The written report of the result of the registration records examination is contained in the Board's file in this case and is available upon request of a party.

13. The Board finds that paragraph(s) 6-20 of the Objector(s)' Petition are sustained in part and overruled in part as more fully indicated in the results of the records examination.

14. The Board finds that the number of valid signatures on the Candidate's nominating petition falls below the minimum number of signatures required by law to be placed upon the ballot as a candidate for election to the office of Ward Committeeman for the 42nd Ward of the City of Chicago, Republican Party.

15. For the reasons stated above the Board finds that the Candidate's Nomination Papers are invalid.

16. The Board finds that another objection petition was filed against the Candidate's Nomination Papers in case number 96-EB-WC-061 but that said objections are rendered moot by the decision in this case.

IT IS THEREFORE ORDERED, that the Objections of Dan Leary to the Nomination Papers of Debra Seger, Candidate for election to the office of Ward Committeeman for the 42nd Ward of the City of Chicago, Republican Party, are hereby sustained and that said Nomination Papers are hereby declared INVALID and the name of Debra Seger, Candidate for election to the office of Ward Committeeman for the 42nd Ward of the City of Chicago, Republican Party, SHALL NOT be printed on the ballot for the General Primary Election to be held on March 19, 1996.

Dated: Chicago, Illinois, this 29th day of January, 1996.

Michael J. Hamblet
MICHAEL J. HAMBLET, Chairman

Jeanette R. Hubbard
JEANETTE R. HUBBARD, Member

Richard A. Cowen
RICHARD A. COWEN, Member