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**BOARD OF ELECTION COMMISSIONERS OF THE CITY OF CHICAGO
AS THE DULY CONSTITUTED ELECTORAL BOARD
FOR THE HEARING AND PASSING UPON OBJECTIONS
TO NOMINATION PAPERS OF CANDIDATES
FOR THE FEBRUARY 23, 1999 MUNICIPAL GENERAL ELECTION
FOR MAYOR, CLERK, TREASURER AND ALDERMAN
IN THE CITY OF CHICAGO**

Objections of: RAYMOND G. DRISH, JR.	)
	)
To the Nomination	)
Papers of: SALLY JOHNSON	) No.: 99-EB-MUN-01
	)
Candidate for the Office of	)
City Clerk in the City of Chicago	)

FINDINGS AND DECISION

The duly constituted Electoral Board, consisting of Board of Election Commissioners of the City of Chicago Commissioners Langdon D. Neal, Richard A. Cowen, and Theresa M. Petrone, organized by law in response to a Call issued by Langdon D. Neal, Chairman of said Electoral Board, for the purpose of hearing and passing upon objections ("Objection") of RAYMOND G. DRISH, JR. to nomination papers ("Nomination Papers") of SALLY JOHNSON, candidate for the office of City Clerk, for the City of Chicago ("Candidate"), having convened on December 28, 1998, at 9:00 a.m., in the City Council Chambers, City Hall, Chicago, Illinois; and having heard and determined the Objections to the Nomination Papers in the above-entitled matter finds that:

1. Objections to the Nomination Papers of the Candidate herein were duly timely filed.

2. The said Electoral Board has been legally constituted according to the laws of the State of Illinois.

3. A Call to the hearing on said Objections was duly issued by the Chairman of the Electoral Board and served upon the members of the Electoral Board, the Objector(s) and the Candidate, by registered or certified mail and by Sheriff's service, as provided by statute.

4. A public hearing held on these Objections commenced on December 28, 1998 and was continued from time to time.

5. The following persons, among others, were present at such hearing: the members of the Electoral Board, the Objector(s), RAYMOND G. DRISH, JR., by his counsel, and the Candidate SALLY JOHNSON, by her counsel.

6. The Electoral Board assigned this matter to Hearing Examiner GREGORY GINEX for further hearings and proceedings.

7. Paragraph 5 of the Objector's petition alleges that the Candidate's Nomination Papers contain nominating petition sheets that are not original petition sheets signed by the voters and the circulator but are photocopies or duplicates of sheets in violation of Section 10-4 of The Election Code.

8. Paragraph 6 of the Objector's petition alleges that the Candidate's nominating petition sheets are not numbered consecutively as required by Section 10-4 of The Election Code.

9. Paragraph 7 of the Objections alleges that the Candidate's nominating petitions contain multiple petition sheets bearing the same page number in violation of Section 10-4 of the Election Code.

10. Paragraph 11 of the Objections allege that the Candidate's Nomination Papers, excluding the photocopied petition sheets and the omitted page numbers, contain on their face far less than the 25,000 original signatures of qualified and registered voters of the City of Chicago.

11. Section 10-3.1 and 10-3 of The Election Code require that the petition of a candidate for the office of City Clerk of the City of Chicago be signed by not less than 25,000 qualified voters of the City of Chicago.

12. Section 10-4 of The Election Code provides that "No signature shall be valid or be counted in considering the validity or sufficiency or such petition unless the requirements of this Section are complied with." 10 ILCS 5/10-4.

13. Section 10-4 of The Election Code requires that all petition sheets filed with the proper election officials or election authorities be original sheets which have been signed by the voters and by the circulator, and not photocopies or duplicates of such sheets.

14. Section 10-4 of The Election Code also requires that nominating petition sheets be securely bound and numbered consecutively.

15. The Hearing Examiner ordered that a limited examination of the Candidate's nominating petition sheets be conducted by its clerks and agents under the Board's direction and supervision to determine how many, if any, of the Candidate's nominating petition sheets were photocopies, mis-numbered or missing.

16. Mr. Thomas Miller, an employee of the Board, submitted to the Hearing Examiner a one-page report, with a 41-page appendix, reporting that

    (a) There were no pages submitted with the numeric reference of 1403 through 1701;

(b) There were 1,512 photocopied petition sheets inserted throughout the Candidate's Nomination Papers in various places;

(c) Excluding the photocopied petition sheets, the Candidate's nominating petitions sheets contain, at best, only 15,541 original signatures of purportedly qualified voters of the City of Chicago.

17. The Electoral Board hereby adopts and incorporates by reference the results of the examination conducted by Mr. Miller. Mr. Miller's report is contained in the Board's file in this case and is available upon request of a party.

18. The Electoral Board finds that 1,512 of the Candidate's nominating petitions are photocopies and not original sheet containing the original signatures of voters or the circulator of said sheets. Therefore, said sheets fail to comply with Section 10-4 of The Election Code and the Electoral Board sustains paragraph 5 of the Objections.

19. The Electoral Board also finds that the Candidate's nominating petition fails to contain the original signatures of at least 25,000 qualified voters of the City of Chicago in violation of Sections 10-3.1 and 10-3 of The Election Code and the Board sustains paragraph 11 of the Objections.

20. For the reasons stated above, the Board finds that the Nomination Papers of SALLY JOHNSON are not valid.

IT IS THEREFORE ORDERED, that the Objections of RAYMOND G. DRISH, JR. to the Nomination Papers of SALLY JOHNSON, Candidate for the office of City Clerk, City of Chicago, are hereby SUSTAINED and said Nomination Papers are hereby declared INVALID and the name of SALLY JOHNSON, Candidate for the office of City Clerk, City of Chicago, SHALL NOT be printed on the official ballot for the Municipal General Election for Mayor, City Clerk, City Treasurer and Alderman to be held on February 23, 1999.

Dated: Chicago, Illinois, this Eighth day of January, 1999.

Langdon D. Neal, Chairman

Richard A. Cowen, Commissioner

Theresa M. Petrone, Commissioner

NOTICE: Pursuant to Section 10-10.1 of the Election Code (10 ILCS 5/10-10.1) a party aggrieved of this decision and seeking judicial review of this decision must file a petition for judicial review with the Clerk of the Circuit Court of Cook County within 10 days after the decision of the Electoral Board.