



the

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New Election Laws

This year there are several new laws taking effect that will impact the Primary and General Elections. In this article we'll look at some that have already taken effect and in the late summer or early fall, we'll look at others that take effect in July.

Undervoting Ballots

One change that is receiving attention in the press is a new requirement that requires voting machines to notify the voter if he or she "undervoted," meaning the person did not vote for every state constitutional officer, which includes: governor, lieutenant governor, attorney general, comptroller, secretary of state, and treasurer. When the machine signals that the voter did not vote for all of those offices, the person can either vote for the office or offices he or she missed, or submit the ballot as it is. This change will apply to both the Primary and General Elections.

However, because of the variety of voting machines around the state, the law will affect voters differently, according to Rupert Borgsmiller, Assistant Executive Director of the Illinois State Board of Elections. "There are multiple types of voting systems in Illinois, and one, the AccuVote will give the ballot back to the voter if he or she didn't vote for all of the offices on it, not just the constitutional state officers." That was the only way the AccuVote machine could be programmed to notify the voter if he or she didn't vote for all of the state's constitutional officers, he says.

According to media reports, election officials are worried about the cost of revamping their voting machines to implement this law and critics say it invades a voter's privacy. Representative Jim Watson, a Jacksonville Republican, and Senator Bill Haine, an Alton Democrat, have separately introduced legislation that would abolish this new measure.



The Illinois Primary Election is February 2, 2010, which is the earliest that the state has ever held a non-presidential Primary.

Voter Identification

Illinoisans who rent their place of residence will now have an easier time registering to vote because of a new law that took effect this year. It allows potential voters to submit, as proof of residence, a lease or contract for a residence.

Grace Period Registration

Illinois law gives citizens a grace period to register to vote if they missed the initial registration period. In the past, the grace period started on the day after the regular registration period ended and ran through the fourteenth day before the election.

Now, it's longer. A new law mandates that the grace period run from the day after the regular registration period ends, through the seventh day before the election, according to Borgsmiller. For this year's Primary Election (on February 2), the grace period runs from January 6 through January 26. (This is the earliest non-presidential Primary Election Illinois has ever had.) For the General Election (on November 2), the grace period will run from October 6 through October 26.

To register during the grace period, Borgsmiller says you must go "in person to your County Clerk's

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office with two forms of identification, and one must show your current address.” If you are going to vote in the Primary and you’re registering to vote during the grace period, “you have to vote the day you go in to register.” The same is true for the General Election.

Absentee Voting

If a voter cannot vote on the day of an election, he or she can request a ballot from their County Clerk’s Office before the election. They can request that one be mailed to them or they can go to the County Clerk’s Office in person, request it, and vote that same day.

In the past, however, voters had to give a reason why they would not be able to vote on election day. Now, they don’t. “You can request an absentee ballot and not give a reason,” Borgsmiller says. It’s called “no-excuse absentee voting.”

Filling Ballot Vacancies

If there is a vacancy on the ballot after the Primary because no one filed to run for the office or a write-in candidate didn’t file a declaration intending

to qualify as a candidate, a person who wants to run for that office has to do more paperwork than they used to.

When a person plans to run in the Primary Election, they have to submit several documents to the Illinois State Board of Elections a few months in advance, according to Borgsmiller. But, in the past, if a person was chosen to run for an office left vacant after the Primary, he or she had to file the same paperwork as candidates who were on the Primary ballot, except for the nominating petitions. Now they have to file those, too.

“Now the person will have to circulate nominating petitions and file them with the Board of Elections within 75 days of the Primary Election,” Borgsmiller says.

Future Changes

In July, several new laws will be enacted that affect campaigns and campaign financing. We’ll look at those in a later issue.

For more information about election laws, contact the Illinois State Board of Elections: the phone number for its Springfield office is 217/782-4141, the number for its Chicago office is 312/814-6440. Find information online at: www.elections.state.il.us.



The Illinois State Board of Elections’ History

Illinois has come a long way from the days of its settlers, who voted “viva voce,” or by voice, in front of an election overseer. There was no privacy in political matters back then!

The Illinois State Board of Elections now oversees the state’s elections and campaigns. Its history dates back to 1943 when the Illinois General Assembly created the State Officers Electoral Board. This Board was comprised of the secretary of state, auditor of public accounts, and attorney general. They listened to and ruled on objections to candidate nominations for state offices. In 1951, the board’s membership was expanded to include the governor and treasurer and its duties were increased to include canvassing state election results.

According to the Illinois State Archives web site (www.cyberdriveillinois.com/departments/archives/di/407_002.htm), this board met before each Primary Election to “examine all filed petitions and certify to the county clerk of each county the names

of all candidates for president of the United States, state central committee, delegates and alternates to nominating and constitutional conventions, and for all other offices as specified in the petitions on file with the secretary of state.” In addition, the board established the order that offices and candidates’ names were listed on the Primary ballot, among other duties.

In 1967, the chairs of the Democratic and Republican State Central Committees were added to the State Electoral Board (its name was shortened in 1951). In 1973, the Illinois General Assembly created the Illinois State Board of Elections to serve as the central authority for all Illinois election law, information and procedures in Illinois. The Board is an 8-member, bipartisan panel consisting of four Republicans and four Democrats, two of each party from Cook County and two of each party from downstate. It has offices in Chicago and Springfield.



Change is in the Wind?

This year's elections will bring change to Illinois, but whether it's enough to affect the current balance of power remains to be seen. All six of our state constitutional offices (governor, lieutenant governor, attorney general, secretary of state, comptroller, and treasurer) are up for election, although two of those races are presently uncontested. In addition, all of Illinois' U.S. representatives and state representatives are up for election, as well as U.S. Senator Roland Burris's seat and one-third of the Illinois Senate seats.

The following list shows the status of each state constitutional officer's position. "Contested" means others are running for that post, "uncontested" means no one else is running for that position, and "open" means there is no incumbent or the incumbent is not running for re-election:

Constitutional Officers

Governor - Pat Quinn (Contested)

Lt. Governor - Open (former Lt. Governor Pat Quinn was named governor)

Attorney General - Lisa Madigan (Uncontested in Primary Election)

Secretary of State - Jesse White (Uncontested in Primary Election)

Comptroller - Open (current Comptroller Dan Hynes is running for governor)

Treasurer - Open (current Treasurer Alexi Giannoulas is running for the U.S. Senate)

The following lists illustrate the numbers of lawmakers who are not running, the number who are challenged in the upcoming Primary Election, and the number of seats which are open (because the incumbent is not running for re-election):

Illinois Senate (59 seats total)

Seats up for election: 20

Seats not up for election: 39

Challenged seats: 3

Unchallenged seats: 16

Open seats: 1 - Sen. James DeLeo (Dem., 10th District) is not running.

Illinois House of Representatives (118 seats total)

Seats up for election: 118

Challenged seats: 18

Unchallenged seats: 88

Open seats: 12, they are:

Rep. Arthur L. Turner (Dem., 9th Dist.) is running for lieutenant governor

Rep. John Fritchey (Dem., 11th Dist.) is running for Cook County commissioner

Rep. Elizabeth Coulson (Repub, 17th Dist.) is running for 10th Congressional District

Rep. Julie Hamos (Dem., 18th Dist.) is running for 10th Congressional District

Rep. David Miller (Dem., 29th Dist.) is running for comptroller

Rep. James Brosnahan (Dem., 36th Dist.) is not running for re-election

Rep. Bob Biggins (Repub., 41st Dist.) is not running for re-election

Rep. Paul Froehlich (Dem., 56th Dist.) is not running for re-election

Rep. Ronald Wait (Repub., 69th Dist.) is running for judge

Rep. Mike Boland (Dem., 71st Dist.) is running for lieutenant governor

Rep. Betsy Hannig (Dem., 98th Dist.) is not running for re-election

Rep. Bill Black (Repub., 104th Dist.) is not running for re-election



Primary Election - February 2, 2010

General Election - November 2, 2010

Transitions

Last November, by Executive Order, **Governor Pat Quinn** created the position of Illinois' Public Health Advocate to oversee public health strategies to prevent, diagnose, treat, and cure diseases. On January 9, he named **Dr. Quentin Young** to that post. Dr. Young was formerly Chair of the Department of Medicine at Cook County Hospital, President of the Chicago Board of Health, and President of the American Public Health Association.

On January 4, Governor Pat Quinn appointed **Manuel Flores** as Chairman of the Illinois Commerce Commission. Flores has been a Chicago City Council Alderman; his appointment awaits Illinois Senate approval.

Governor Pat Quinn named **Larry Matkaitis** the Illinois State Fire Marshal on January 2. Matkaitis served more than 30 years as a Chicago fire fighter and most recently was the Northern Regional Administrator in the Office of State Fire Marshal

On December 12, Governor Pat Quinn appointed **Marty Castro** to chair the Illinois Human Rights Commission. Castro is a lawyer, Latino community advocate, and business owner.

In Memoriam

Michael Lavelle Sr., former Chair of the Illinois State Board of Elections and the Chicago Board of Elections, died December 22. He lived in Chicago.

