

PENNSYLVANIA DEPARTMENT OF STATE

**ATTACHMENT C TO THE DIRECTIVE FOR ELECTRONIC VOTING
SYSTEMS**

**EXPLANATION AND SELECTED EXAMPLES OF “THE PENNSYLVANIA
METHOD” OF VOTING**

The bulk of the requirements for electronic voting systems in Pennsylvania are found in the Pennsylvania Election Code at 25 P.S. § 3031.7. One of the requirements is a unique method of straight-party voting known as the “Pennsylvania method.” *See* 25 P.S. § 3031.7(3). What separates the “Pennsylvania method” from the “all states” method of straight-party voting is the requirement that a system “credit the vote for that office only for the candidate individually so selected.” That is, if the voter leaves the straight-party selection, the voter must specifically make an affirmative act to vote for a candidate and only that choice should be recorded.

To change a vote for a straight political party ticket in an election where more than one candidate is elected, § 3031.7(3) requires that the voter make a mark for a candidate in the other political party for whom the voter would like to vote. In doing so, this action requires that the votes previously made by the voter for all candidates for that office be erased. Then the voter must be able to select candidates of either party for that office up to the number allowed or write in an individual’s name.

The test cases set forth below are examples of the “Pennsylvania method” and should be tested on Ballot Marking Devices and tabulators used for tabulating voter marked paper ballots. The examples below depict the behavior on the Ballot Marking Device. In the case of tabulators, the votes must be counted properly. These examples are not meant to be an exhaustive analysis of the possibilities § 3031.7(3) may present.

**Example 1 - Select a Candidate from a Different Political Party
After a Straight Party Ticket**

Assume that there are three (3) Democratic candidates (Jones, Smith and Roberts) and three (3) Republican candidates (Perry, James and O'Donnell) for school director, where voters may select up to three (3) candidates in a general election. The voter initially selects a straight party ticket for all Democratic candidates. In this school director race, however, the voter then desires to vote for Mr. Perry, a Republican. The Pennsylvania Election Code requires that the voter be required to make one mark to vote for Mr. Perry. When the voter makes his mark for Mr. Perry, all the Democratic candidates for the office of school director are deselected at the same time. Once the Democratic candidates are deselected, the voter must be able to reenter or mark the ballot for not more than two (2) additional candidates from either party or write in not more than two additional names.

**Example 2 – Select a Candidate from the Same Political Party
After a Straight Party Ticket**

Assume that there are three (3) Democratic candidates (Jones, Smith and Roberts) and three (3) Republican candidates (Perry, James and O'Donnell) for school director, where voters may select up to three (3) candidates in a general election. The voter initially selects a straight party ticket for all Democratic candidates. In this school director race only, however, the voter desires to vote only for one Democratic candidate, Mr. Jones. The Pennsylvania Election Code requires that the voter be required to make one mark to vote for Mr. Jones. When the voter makes his mark for Mr. Jones, all the other Democratic candidates for the office of school director are deselected at the same time. Once the other two (2) Democratic candidates are deselected, the voter must be able to reenter or mark the ballot for not more than two (2) additional candidates from either party or write in not more than two additional names.

**Example 3 – Select a Write In Candidate
After a Straight Party Ticket**

Assume that there are three (3) Democratic candidates (Jones, Smith and Roberts) and three (3) Republican candidates (Perry, James and O'Donnell) for school director, where voters may select up to three (3) candidates in a general election. The voter initially selects a straight party ticket for all Democratic candidates. In this school director race, however, the voter desires to vote only for a write in candidate, Mr. Collins. The Pennsylvania Election Code requires that the voter be required to make one mark to vote for Mr. Collins. When the voter makes his write in for Mr. Collins, all the votes for the Democratic candidates for the office of school director are deselected at the same time. Once the Democratic candidates are deselected, the voter must be able to reenter or mark the ballot for not more than two (2) additional candidates from either party or write in not more than two additional names.

**Example 4 – Select a Candidate from a Different Political Party After a Straight
Party Ticket When the Straight Party Selected Nominates Less Than a Full Slate of
Candidates**

Assume that there are two (2) Democratic candidates (Jones and Smith) and three (3) Republican candidates (Perry, James and O'Donnell) for school director, where voters may select up to three (3) candidates in a general election. The voter initially selects a straight party ticket for all Democratic candidates. In this school director race only, however, the voter desires to vote only for Mr. Perry, a Republican. The Pennsylvania Election Code requires that the voter be required to make one mark to vote for Mr. Perry. When the voter makes his mark for Mr. Perry, all the Democratic candidates for the office of school director are deselected at the same time. Once the two (2) Democratic candidates are deselected by the voter's act of marking a vote for Mr. Perry, the voter must be able to reenter or mark the ballot for not more than two (2) additional candidates from either party or write in not more than two additional names.

**Example 5 – Select a Candidate from the Same Political Party After a Straight Party
Ticket When the Straight Party Selected Nominates Less Than a Full Slate of
Candidates**

Assume that there are two (2) Democratic candidates (Jones and Smith) and three (3) Republican candidates (Perry, James and O'Donnell) for school director, where voters may select up to three (3) candidates in a general election. The voter initially selects a straight party ticket for all Democratic candidates. In this school director race only, however, the voter desires to vote only for one Democratic candidate, Mr. Jones. The Pennsylvania Election Code requires that the voter be required to make one mark to vote for Mr. Jones. When the voter makes his mark for Mr. Jones, the other Democratic candidate for the office of school director is deselected at the same time. Once the other Democratic candidate is deselected by the voter's act of marking a vote for Mr. Jones, the voter must be able to reenter or mark the ballot for not more than two (2) additional candidates from either party or write in not more than two additional names.

Example 6 – Select a Write In Candidate After a Straight Party Ticket When the Straight Party Selected Nominates Less Than a Full Slate of Candidates

Assume that there are two (2) Democratic candidates (Jones and Smith) and two (2) Republican candidates (Perry and James) for school director, where voters may select up to three (3) candidates in a general election. The voter initially selects a straight party ticket for all Democratic candidates. In this school director race only, however the voter desires to vote only for a write in candidate, Mr. Collins. The Pennsylvania Election Code requires that the voter be required to make one mark to vote for Mr. Collins. When the voter makes his write in for Mr. Collins, all the votes for the Democratic candidates for the office of school director are deselected at the same time. Once the two (2) Democratic candidates are deselected by the voter's act of adding a write in for Mr. Collins, the voter must be able to reenter or mark the ballot for not more than two (2) additional candidates from either party or write in not more than two additional names.

Example 7 – Select a Cross-nominated Candidate After a Straight Party Ticket

Assume that there are two (2) Democratic candidates (Jones and Smith), two (2) Republican candidates (Perry and James), and one (1) candidate nominated by both the Democratic and Republican parties for school director, where voters may select up to three (3) candidates in a general election. The voter initially selects a straight party ticket for all Democratic candidates. In this school director race only, however, the voter desires to vote only for the cross-nominated candidate, Mr. Collins. The Pennsylvania Election Code requires that the voter be required to make one mark to vote for Mr. Collins. When the voter makes his mark for Mr. Collins, the votes for the other two (2) Democratic candidates for the office of school director are deselected at the same time. Once the other two (2) Democratic candidates are deselected by the voter's act of voting for Mr. Collins only, the voter must be able to reenter or mark the ballot for not more than two (2) additional candidates from either party or write in not more than two additional names.

Once a voter has voted a straight party and voted for a candidate of the same or another party in the same office using the "Pennsylvania method," as explained in above examples, the requirements of the Pennsylvania Election Code at 25 P.S. § 3031.7(3) no longer apply.