



LEAGUE OF WOMEN VOTERS® OF PENNSYLVANIA
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226 Forster Street, Harrisburg, PA 17102-3220 ♦♦ 717.234.1576

ELECTION LAW

POSITION IN BRIEF

Support effective elections laws that guarantee a citizen's right to vote, ensure that elections are accessible, transparent, fair, and secure, promote universal voter participation, and provide voters with meaningful choices when they go to the polls.

POSITION IN DETAIL

Registration

LWVPA supports increasing the ease and accessibility of registration including:

- Allowing eligible citizens to both register or change their registration status and cast a ballot on the day of a primary or election.
- Allowing 16 and 17 year olds to pre-register to vote.
- Allowing 17-year-olds, who will be 18 years old on or before the date of a General Election, to register and vote for candidates in the corresponding Primary.
- Automatic voter registration and universal automatic registration as long as the process adequately addresses concerns over mistakenly registering non-citizens and others who are ineligible. Those who are preregistered should be able to opt out if they so desire.
- Enabling voters to provide information that was missing on their voter registration applications when they go to vote on Primary or Election Day and to vote on a provisional ballot.

LWVPA opposes requiring documentary proof of citizenship for voter registration.

Election Procedures

LWVPA supports:

- State administered elections with a single appointed official having authority to define responsibility and to direct the activities of county and district election officials.
- Strict enforcement of present election procedures.
- Appointment of district election officers by county boards of elections from lists submitted by political parties on the basis of bipartisan representation, qualifying tests, and mandatory training.
- Use of public buildings as polling places wherever practical.
- Wearing of identification badges by election officials.
- Requiring that all poll watchers should be residents of the county in which the election district where they are assigned is located.
- Requiring that poll watchers who challenge a voter's eligibility at the polls should be required to write out their challenge and sign an affidavit (with an Elections Officer as witness) that the challenge is truthful and in good faith.
- Requiring that both poll workers and poll watchers take training authorized by the state.
- Providing registered voters with sample ballots before Election Day,

- Giving notice to voters of their appropriate polling place locations, and
- Providing public and voter notification of voter's rights at the polling place.
- Extension of election hours.
- Intensified voter education in methods of splitting a ticket.

Absentee Voting

The League supports:

- Simplified procedures for all qualified absent electors.
- Guarantees against fraud.
- Protection of the secrecy of the ballot, including the counting of absentee ballots at the county level.
- Measures to make voting more accessible by providing any registered voter with alternatives to casting a ballot in person on the day of a Primary or General Election.
- Simplifying the processes for casting an Emergency Absentee Ballot, including eliminating the need to have the application notarized.
- Utilizing the Internet to transmit applications for absentee ballots and blank ballots for all voters. Because of security concerns, at this time the return of voter absentee ballots should be by hand or via US mail.
- That the only absentee voting provision in the Constitution should be that it is mandatory upon the Legislature to provide for civilian absentee voting.

Prison Voting

LWVPA supports offering voter registration and absentee ballot applications to eligible jail and prison inmates and to inmates upon their release. Provisions in the Election Code that facilitate absentee ballot application and voting by residents of public institutions should be extended to residents of local, state and federal penal institutions who are qualified to vote. All inmates should be considered residents of the election district where they lived before they were incarcerated.

Voting Systems

LWVPA supports only voting systems that are designed so that:

- They employ a voter-verifiable paper ballot or other paper record, said paper being the official record of the Voter's intent; and the voter can verify, either by eye or with the aid of suitable devices for those who have impaired vision, that the paper ballot/record accurately reflects his or her intent;
- Such verification takes place while the voter is still in the process of voting;
- The paper ballot/recount is used for audits and recounts; and
- The vote totals can be verified by an independent hand count of the paper ballot/record; and routine audits of the paper ballot/record in randomly selected precincts can be conducted in every election, and the results published by the jurisdiction.

Election of School Directors

As an interim step toward the ultimate goal of nonpartisan election of school directors, LWVPA supports cross-filing on the ballot by candidates for school director.

Ballot Access

The League believes that

- A minor party candidate is to submit the same number of signatures on their petition as required for a major party candidate.
- When an objection is filed to the nomination of a candidate, in regard to signature irregularities, all candidates for that office will have their petitions reviewed by the appropriate election board.

Election of the President

LWVPA supports the National Popular Vote Compact between the States.

Primaries

LWVPA supports abandoning the closed primary system in favor either of the semi-open or open primary. Either approach will allow electors, regardless of initial registration status, to participate in the primary of the major party of their choice. Elections for both presidential and state/local primaries should use the same system.

Electoral Systems

An electoral system is a method used for casting and counting votes to determine election winner(s).

Single-seat Elections. In Pennsylvania, when three or more candidates seek election to a single-seat office like governor or legislator in a single-member state house or state senate district, the winners are those that receive the most votes even, if they receive less than 50 percent of the total vote (a plurality rather than a majority). Candidates, who do not themselves have a chance of winning, can be spoilers: votes cast for them can change who does win. This discourages electors from voting for minor party or independent candidates they prefer. First, LWVPA believes an electoral system should encourage electors to vote for their true favorite (sincere voting) rather than for someone whom they believe has a better chance of defeating the candidate that they like least (strategic voting). Furthermore, an electoral system used in single-seat elections should guarantee that the winner would receive a majority (not just a plurality) of votes. Some states hold runoff elections on a future date. This is costly and very likely involves a different cohort of electors than in the original round of voting. LWVPA supports adopting Instant-Runoff Voting or IRV (in which voters rank their preferences) that guarantees the choice of a winner after just one round of voting.

Legislatures, Councils and other Multiple Winner Elections. In a legislature or council elected on a partisan basis, a fair electoral system would:

- allow the party that receives the most votes across the whole system to win the most seats,
- allow minority parties that receive a significant share of votes to win a corresponding share of seats
- level the playing field for women and other consistently under-represented demographic groups.

In elections to the General Assembly, Pennsylvania uses a single-member district plurality system. Because of self-sorting and sometimes deliberate gerrymandering, district elections are often uncompetitive and can result in lopsided representation in the House or Senate. One party wins significantly fewer seats than the opposition, even though it received almost as many or even more votes statewide. It is also impossible for minor parties to win any seats. LWVPA supports a Mixed Member Proportional (MMP) system for elections to the General Assembly. In MMP, elections of most legislators remain single member district elections, as now. Additionally, a significant number of members originate from statewide lists of individuals nominated by the parties. A formula designed to establish proportionality between each party's statewide vote and its total number of legislators determines the number of additional seats allocated to each party.

MMP is not suitable for local elections to small multiple-seat legislative bodies. Block voting used in many jurisdictions can result in one party winning all the seats. To encourage minority party representation on local governing bodies, local Leagues might consider supporting alternatives. Among these Single Transferable Voting (a variant of IRV), Limited Voting (now used for three-seat county and township councils), and Cumulative Voting. Philadelphia has a mixed system of representation, by district and at large elections. The latter utilize limited voting to guarantee minority party representation on the city council.

Miscellaneous

LWVPA opposes any elected official simultaneously holding public and party offices.