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ELECTION GUIDE

(Revised September 1969)

AND

1970 ELECTION CALENDAR

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE



Milton J. Shapp

~~_____~~
Governor

C. DeLores Tucker

~~_____~~
Secretary of the Commonwealth

NOTE!

ALL FORMER EDITIONS SHOULD BE DESTROYED.

ALL TIME SET FORTH IN THIS GUIDE IS PREVAILING TIME.

Powers and Duties of County Boards of Elections

The county boards of elections, which consist of the county commissioners (in Philadelphia, the city commissioners), have the following powers and duties:

(a) To investigate and report to the court of quarter sessions their recommendations on all petitions by electors (or to present such petitions of their own) for division, alteration, change or consolidation of election districts.

(b) To select and equip polling places.

(c) To purchase, store and maintain equipment of all kinds (including voting booth, ballot boxes and voting machines) and to procure ballots and all other supplies for primaries and elections.

(d) To appoint their own employes, voting machine custodians and machine inspectors.

(e) To issue certificates of appointment to watchers at primaries and elections.

(f) To make and issue rules and regulations for the guidance of election officers, machine custodians and voters.

(g) To instruct election officers in their duties and to inspect the conduct of primaries and elections in the election districts.

(h) To prepare and publish all notices required in connection with the conduct of primaries and elections.

(i) To investigate election frauds, irregularities and violations of the election laws, and to report all suspicious circumstances to the district attorney.

(j) To receive and determine the sufficiency of all nomination petitions, papers and certificates of candidates for county, city, borough, township, ward, school district and election offices, and for local party offices.

(k) To receive the returns of all primaries and elections from the district election officers, to canvass and compute them, and to certify the results to the Secretary of the Commonwealth or to such other authorities as may be required by law. The certification shall include the number of votes received in each election district by each candidate for the General Assembly.

(l) To publicly announce the results of primaries and elections for all offices enumerated

in (j) above, and to issue certificates of election to the successful candidates for such offices.

(m) To prepare, and submit, not less than twenty days prior to each primary, municipal and general election, a report to the Secretary of the Commonwealth in the form prescribed by him, which shall contain a statement of the total number of electors registered in each election district, together with a breakdown by party registration. Copies of said statement shall be furnished, upon request, to the county chairman of each political party and political body.

(n) To prepare and submit to the appropriate officers of the county an annual estimate of the cost of primaries and elections and of the expenses of the board for the ensuing year.

(o) To perform such other duties as may be prescribed by law.

Registration

Permanent registration is established by law throughout the Commonwealth. All electors, except members of the armed forces and bedridden or hospitalized veterans unavoidably absent from the county of residence, must be registered to be eligible to vote.

After registration, unless he changes his residence, an elector is not required to register again so long as he has voted at least once during the two immediately preceding calendar years.

No elector will be permitted to receive assistance in voting unless his registration card bears the notation setting forth the reason which makes assistance necessary.

Qualifications of Voters

The Constitution and laws of Pennsylvania prescribe that the following requirements be complied with by prospective voters:

They must be twenty-one (21) years of age;

They must have been citizens of the United States at least one month;

They must have resided in the State ninety days immediately preceding the election;

They must have resided in the election district, precinct or division where they offer to vote, at least sixty days immediately preceding the election. (A qualified voter who moves his residence from one district to another in Pennsylvania within sixty (60) days of an election may vote in the district from which he moved at that election);

They must have registered under the permanent registration law, except persons in military service or bedridden or hospitalized veterans unavoidably absent from the county of residence.

A voter becomes of age on the day before his twenty-first birthday.

The registration commissions may, during the regular registration period preceding any primary, special, municipal or general election, register any person whose twenty-first birthday falls on or before the day after such election, provided he is otherwise qualified.

Qualifications of Voters at Primary

The qualifications of an elector entitled to vote at a primary are the same as the qualifications of an elector entitled to vote at elections, except that he must be registered and enrolled in a qualified political party.

Residence of Electors

For the purpose of registration and voting, no person shall be deemed to have gained a residence by reason of his presence, or lost it by reason of his absence, while employed in either the civil or military service of this State or of the United States, nor while engaged in the navigation of the waters of the State or of the United States, or on the high seas, nor while a student of any institution of learning, nor while kept in any institution at public expense, nor while confined in prison, except that any veteran who resides in a home for disabled and indigent soldiers and sailors operated and maintained by the Commonwealth of Pennsylvania and who possesses all the qualifications for voting may gain a residence for registration and voting at the home. (This is not to be construed to affect the voting rights of bedridden or hospitalized veterans who choose to vote as absentee electors.)

Rules for Determining Residence

In determining the residence of a person desiring to register to vote, the following rules shall be followed so far as they may be applicable:

(a) That place shall be considered the residence of a person in which his habitation is fixed, and to which, whenever he is absent, he has the intention of returning.

(b) A person shall not be considered to have lost his residence who leaves his home and goes into another state or another election district of this State for temporary purposes only, with the intention of returning.

(c) A person shall not be considered to have gained a residence in any election district of this State into which he comes for temporary purposes only, without the intention of making such election district his permanent place of abode.

(d) The place where the family of a married man or woman resides shall be considered and held to be his or her place of residence, except where the husband and wife have actually separated and live apart, in which case the place where he or she has resided for sixty days or more shall be considered and held to be his or her place of residence.

(e) If a person removes to another state with the intention of making such state his permanent residence, he shall be considered to have lost his residence in this State.

(f) If a person removes to another state with the intention of remaining there an indefinite time and making such state his place of residence, he shall be considered to have lost his residence in this State, notwithstanding he may entertain an intention to return at some indefinite future period.

(g) If a person removes to the District of Columbia or other Federal territory or foreign country to engage in the government service, he shall not be considered to have lost his residence in this State during the period of such service, and the place where the person resided at the time of his removal shall be considered and held to be his place of residence.

(h) If a person goes into another state and while there exercises the right of a citizen by voting, he shall be considered to have lost his residence in this State.

Residence and Right to Vote of State Employees and Federal Employees

Any person employed in the service of this Commonwealth or in the service of the Federal government, and required thereby to be absent from any district wherein he resided when entering such employment, and his wife or her husband, shall be registered as of the district wherein he or she resided immediately prior to entering such service, and be enrolled as a member of the political party he or she designates, without declaring a residence by street and number. All persons employed by this Commonwealth who register in this manner, shall produce a certificate from the head of the department, board, or commission, under the seal of his office, setting forth that said person, or the husband or wife of said person, is actually

employed in the service of this Commonwealth, and also setting forth the nature of such employment and the time when such person first entered such employment.

All persons employed by the Federal government who register in this manner shall produce a certificate from the head of the proper department or chief of the proper division or bureau, under the seal of his office, setting forth that said person or the husband or wife of said person, is actually employed in the service of the United States, and also setting forth the nature of such employment and the time when such person first entered such employment.

The commission shall retain such certificates and shall cause to be noted on the registration card of each person so registered the fact that such person is an employe of this Commonwealth or of the Federal government, as the case may be.

At least once every two years the commission shall verify the employment of all persons thus registered, at either the office of the proper department, board, commission or office of the State government, or at the office of the department, division or bureau of the Federal government in whose employ such person is alleged to be. If any such person is found to be no longer an employe of this Commonwealth or of the Federal government, his registration card shall be removed from the district register until such times as said person appears at the office of the commission and declares the address of his residence in the borough, town or township.

All electors must register in person EXCEPT those described in the section immediately following this.

Registration by Mail

Act No. 380 (and for Philadelphia Act No. 432) of the 1963 General Assembly, both of which are effective January 1, 1964, provide for registration by mail for certain categories of Pennsylvania citizens who meet the qualifications for residence, citizenship and age described in the preceding section.

Included in these provisions are all of the categories of citizens, recommended in the "Federal Voting Assistance Act of 1955," namely:

(1) Persons in military service and their spouses and dependents;

(2) Persons in religious and welfare groups officially attached to and serving with the armed forces, and their spouses and dependents;

(3) Civilian employes of the United States outside the territorial limits of the several States and the District of Columbia and their spouses and dependents;

(4) Members of the Merchant Marine of the United States employed as officers or members of crews of vessels owned by the United States or of vessels of foreign-flag registry under charter to or control of the United States who are in service in waters OTHER THAN the Great Lakes and the inland waters of the United States, and their spouses and dependents.

How to Register by Mail

Any person entitled to register by mail may write to the Registration Commission for a registration card and such card in duplicate will be sent to him or her. Both copies must be executed, sworn to before any person authorized to administer oaths and returned to the registration commission.

Registrations in this manner may be made at any time by persons described above; and in addition, the commissions may consider a request for an absentee ballot from these persons as an application for a registration card and may forward registration card in duplicate together with the absentee ballot. In such case, the registration card, in duplicate, must be completed and sworn to before or concurrently with the time of voting the absentee ballot (see later section on ABSENTEE VOTING).

Absentee Registration by Certain Ill or Disabled Persons

Any elector who is unable to appear in person to register because of illness or physical disability may also apply to the commission for a registration card. The card will be sent in duplicate and both copies must be executed, sworn to before any person authorized to administer oaths and returned to the commission.

Registrations by these persons may also be made at any time, BUT when they are received by the commission at any time when registration by personal appearance could not be made the application must be retained by the commission until the beginning of the next period during which registrations could be made in person. At that time the applicant, if otherwise entitled, shall be duly registered.

Registration Cards Not Properly Completed

Any registration cards received by mail which are not properly completed shall be rejected, marked "Application Rejected" and retained by the commission. The persons so rejected shall be notified by mail.

Change of Party Enrollment

Persons who are entitled to register by mail may also change party enrollment by mail.

To do so, a signed written application made under oath and subscribed to before any person authorized to administer oaths must be sent to the registration commission by registered mail, return receipt required, if outside the continental limits of the United States (otherwise by certified mail, return receipt required). The application must also attest that the person is absent from his residence or is ill or disabled.

(Note:—No person who is enrolled as a member of a qualified political party may change his enrollment between a primary and the following general or municipal election, whether he has registered by mail or in person.)

Political Parties

Qualified Parties

The Political Parties which are qualified to nominate their candidates at the primary election for all offices in the State, and the order in which party names must appear on the ballot in 1970 are as follows:

REPUBLICAN
DEMOCRATIC
CONSTITUTIONAL
AMERICAN INDEPENDENT

In order to qualify under the law to have a party name on the primary ballots and to nominate candidates at a primary election, the following requirements must be met by all political parties or political bodies:

State-wide: At the general election preceding the primary, one candidate must have polled at least two per cent of the largest entire vote cast for any elected candidate in EACH of at least TEN counties, and a total vote in the State of at least two per cent of the largest entire vote cast in the State for any elected candidate. A party or political body meeting these requirements is entitled to nominate candidates at the primary for any office to be voted on throughout the State and to enjoy all other privileges of a political party provided by law.

County-wide: At either the general or municipal election preceding the primary, one candidate must have polled at least five per cent of the largest entire vote cast for any officer elected in the county. A party or political body meeting these requirements is entitled to nominate candidates at the primary for any office in the county, in all political districts within the county, and in all political districts of which the county is a part, under the provisions of law governing political party organization and nominations.

Determination and Certification of Political Parties

The Secretary of the Commonwealth shall determine which organizations are political parties within the State under the provisions above and

shall transmit to each county board of elections a list of said political parties not later than the thirteenth Tuesday preceding each primary.

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State Committee and County Committees

At the primary election in 1970, each qualified political party is entitled to elect two members of the State Committee in each Senatorial District, one of whom shall be a man and the other a woman, except in districts composed of more than one county, in which case each county shall elect one member who may be of either sex.

In each county such members and officers of County Committees as are provided by party rules also shall be elected.

Nominations—Political Parties

Nominations at Primary—1970

At the primary election in 1970, candidates shall be nominated by each qualified political party for the following offices, in which terms are due to expire:

One U. S. Senator

Governor

Lieutenant Governor

27 Representatives in Congress

25 Senators in the General Assembly in even-numbered Districts

203 Representatives in the General Assembly

Members of State Committees

(NOTE: By Constitutional Amendment, May 1967, the Governor and Lieutenant Governor will be elected jointly in the General Election by one vote. Petitions will be circulated separately in the Primary. The Governor and Lieutenant Governor may succeed themselves for one additional term—not applicable to incumbent Governor and Lieutenant Governor.)

Loyalty Oath Required of Candidates

The "Pennsylvania Loyalty Act" of 1951 requires every candidate for election to any State, district, county or local public office to take oath or affirmation prescribed therein.

(NOTE: The Loyalty Oath need not be taken by candidates for any Federal or political office.)

(a) Such oath or affirmation must be filed with the nomination petition, nomination paper or nomination certificate of each candidate; and no nomination petition, nomination paper or nomination certificate shall be accepted for filing by any county board of elections or by the Secretary of the Commonwealth without the oath or affirmation attached.

(b) Each person nominated by write-in or sticker votes must also file a loyalty oath or affirmation with the proper county board of elections or with the Secretary of the Commonwealth, as the office for which he has been nominated may require, at least eighty-five (85) days previous to the day of the next general or municipal election or such candidate's name may not appear on the ballot.

(c) The name of NO person who has failed or refused to make the required oath or affirma-

tion shall be printed on any ballot or ballot label to be used at any primary, municipal, general or special election.

(NOTE: The Secretary of the Commonwealth has undertaken to furnish to any candidate who files in the Secretary's office under (a) or (b) above a proper oath form.)

Petitions for Nomination by Political Parties

The names of candidates for nomination shall be printed upon the official ballot of each designated party if nomination petitions are filed in their behalf, signed by the prescribed number of qualified electors of the Commonwealth or of the political district, as the case may be, within which the nomination is to be made or election is to be held, verified by affidavits of the candidates as provided by law.

Petitions—Qualifications of Signers

Each signer of a nomination petition shall sign but one such petition for each office to be filled, and shall declare therein that he is a registered and enrolled member of the party designated in such petitions: Provided, however, That where there are two or more persons to be elected to the same office, each signer may sign petitions for as many candidates for such office as he could vote for at the November Election. He shall also declare therein that he is a qualified elector of the county therein named, and of the political district or division in which nomination is to be made. He shall add his occupation and residence, giving city, borough or township, with street and number, if any, and shall also add the date of signing. **NO NOMINATION PETITION SHALL BE CIRCULATED PRIOR TO THE THIRTEENTH TUESDAY** before the primary nor later than the **TENTH TUESDAY** before the primary. No signature shall be counted unless it bears date within this period.

A nomination petition may be on one or more sheets, and different sheets must be used for signers resident in different counties. Each sheet shall have appended thereto the affidavit of the circulator of the sheet, setting forth that he or she is a qualified elector duly registered

and enrolled as a member of the designated party of the State and of the political district referred to in said petition; his residence, giving city, borough or township, with street and number, if any; that the signers signed with full knowledge of the contents of the petition; that their respective residences are correctly stated therein; that they all reside in the county named in the affidavit; that each signed on the date set opposite his name; and that to the best of affiant's knowledge and belief, the signers are qualified electors, and registered and enrolled members of the designated party of the State or of the political district, as the case may be.

(NOTE: The circulators of petitions for judicial candidates need not be enrolled members of the designated party.)

Blank Forms of Petitions for Nomination

The Secretary of the Commonwealth, although not required by law to do so, will furnish a reasonable supply of blank petitions free of charge to candidates for those offices which require filing of petitions with the Secretary, solely for the purpose of uniformity and to insure compliance with all the provisions of the law relating to the filing of petitions, and to assure that the statements, affidavits, etc., are in proper form.

Number of Signatures Required

For the office of United States Senator, petitions must be signed by at least one hundred (100) registered and enrolled members of the proper party in each of at least ten (10) counties.

For the office of Governor and Lieutenant Governor, petitions must be signed by at least one hundred (100) registered and enrolled members of the proper party in each of at least five (5) counties.

For the office of Representative in Congress and Senator in the General Assembly, petitions must be signed by at least two hundred registered and enrolled members of the proper party in the district.

For the office of Representative in the General Assembly, petitions must be signed by at least one hundred registered and enrolled members of the proper party in the legislative district.

For the office of member of the State Committee, petitions must be signed by at least one hundred registered and enrolled members of the proper party from the senatorial district, except where a senatorial district is composed of one or more counties and part of other counties, in which event the petitions must be signed by at least one hundred such electors residing in that portion of the senatorial district which is electing a member.

For an office to be voted for by the electors of an entire county or city, or for district councilman in a city of the first class, petitions must be signed by at least one hundred registered and enrolled members of the proper party.

For the office of inspector of election, petitions must be signed by at least five registered and enrolled members of the proper party.

Notice to Candidates with Reference to Filing Petitions for Nomination

All nomination petitions must be filed on or before the TENTH TUESDAY prior to the primary election in the office of the Secretary of the Commonwealth or the county board of elections, as the case may be.

Under the law, nomination petitions filed in the office of the Secretary of the Commonwealth, at Harrisburg, must be received not later than five o'clock P.M., on the last day for filing.

Petitions filed with county boards of elections must be filed not later than the ordinary closing hours for such offices on the last day for filing.

None may be filed after that hour.

For their own protection, candidates are urged to file their petitions as early as possible and then, if the petitions need amendment, there will be ample time for correction, without having to seek Court approval.

Where to File Nomination Petitions

Petitions for the offices of President of the United States, U. S. Senators and Representatives in Congress, ALL State-wide offices, Judges, Senators, District Delegates and Alternate Delegates, Representatives in the General Assembly and State Committees of the Political parties are filed with the Secretary of the Commonwealth.

ALL OTHERS are filed with the proper county board of elections.

Fees for Filing Nomination Petitions for ALL Offices

All filing fees MUST accompany the nomination petitions and must be in the form of CERTIFIED CHECK or MONEY ORDER ONLY, made payable to the Commonwealth of Pennsylvania when filed with the Secretary of the Commonwealth, and in the form of certified check, money order or cash, payable to the county board when filed with the county board of elections.

The filing fees cannot be refunded in the event of the withdrawal of any candidate named in any petition, or for any other cause whatsoever.

For the office of President of the United States, or for any public office to be filled by the electors of the State at large, the filing fee is fifty dollars (\$50.00).

For the office of Representative in Congress or Judge of a Court of Record, the filing fee is thirty-five dollars (\$35.00).

For the office of Senator or Representative in the General Assembly, the filing fee is twenty-five dollars (\$25.00).

For any other office to be filled by the electors of an entire county, the filing fee is twenty-five dollars (\$25.00), with the following exceptions: jury commissioner, ten dollars (\$10.00); prison inspector, two dollars (\$2.00); County auditor in eighth class counties, five dollars (\$5.00).

For the office of district councilman in a city of the first class, the filing fee is twenty-five dollars (\$25.00).

For any office to be filled by the electors of an entire city, the following sums: a city of the first or second class, twenty-five dollars (\$25.00); a city of the second class A, fifteen dollars (\$15.00); a city of the third class, ten dollars (\$10.00).

For the office of District Delegate or Alternate District Delegate, or member of State Committee, the filing fee is ten dollars (\$10.00).

For the office of alderman, justice of the peace or constable, the filing fee is two dollars (\$2.00).

For any borough, town, township of the first class, school district or poor district office, not

otherwise provided for, the filing fee is two dollars (\$2.00).

For the office of township auditor or road supervisor, the filing fee is one dollar (\$1.00).

There is no filing fee for a nomination petition for any public office for which no compensation is provided by law, nor for any nomination petition for any public office in any township of the second class.

Time and Manner of Withdrawal of Candidates Before Primary

A candidate for nomination or election at any primary may withdraw his name as a candidate by a request in writing, signed by him and acknowledged before an officer empowered to administer oaths, and filed in the office in which his nomination petition was filed. When required to be filed in the office of the Secretary of the Commonwealth, such withdrawal to be effective, must be received in the office of the Secretary of the Commonwealth, at Harrisburg, not later than five o'clock P.M., on the seventh day next succeeding the last day for filing nomination petitions in that office, and at the regular closing hour in the offices of the county boards.

No candidate may withdraw any withdrawal notice after it has been received and filed, and thereby reinstate his nomination petition.

Manner of Filling Vacancy Caused By Death of Person Named in Nomination Petition

If the candidate named in a nomination petition dies after such petition has been duly filed for any primary and before the day of the primary election, the original signers of said petition, or the majority of them may sign another petition proposing a new candidate for said office at any time prior to the printing of the ballots or ballot labels. Such petition shall have the same force and effect as the original petition, and the name of the candidate so nominated shall be substituted for that of the deceased candidate.

Withdrawal of Candidates Nominated at Primary

Any person who has been nominated by any political party may withdraw his name from

nomination by request in writing, signed by him and acknowledged before an officer qualified to take acknowledgment of deeds, and filed in the office of the Secretary of the Commonwealth, or of the county board as the case may be.

Such written withdrawals must be filed at least eighty-five (85) days previous to the day of the general or municipal election and must be received in the office of the Secretary of the Commonwealth not later than five o'clock P.M. on the last day for filing the same, or by the regular closing hour in the county board offices.

No candidate may withdraw any withdrawal notice after it has been received and filed, and thereby reinstate his nomination.

Vacancy in Party Nomination by Failure to Pay Filing Fee

Every person nominated at the primary election as the candidate of any political party for any office, other than a borough, town, township or school district office, or the office of alderman, justice of the peace, or constable, who has not paid the required fee for filing a nomination petition for such office, shall pay the amount of such fee to the Secretary of the Commonwealth, or to the county board of elections, as the case may be, at least eighty-five (85) days previous to the day of the general or municipal election at which such candidate's name would appear on the ballot. Failure to do so will result in a vacancy in such party nomination, which shall be filled in the manner provided in the case of death or withdrawal of any nominee.

Filling Vacancies Caused by Death or Withdrawal of Candidates Nominated at the Primary

Any vacancy happening or existing after the date of the primary in any party nomination, by reason of the death or withdrawal of any candidate after nomination, or by reason of the death before or on the day of the primary election of a candidate for nomination who had received a plurality of votes of his party for the office for which he sought nomination, may be filled by a substituted nomination made by such committee as is authorized by the rules of the party to make nominations in the event of vacancies on

the party ticket: Provided, however, That no substitute nomination certificate shall nominate any person who has already been nominated by any political party or by any other political body for the same office.

When such substituted nomination is made in accordance with the party rules, it is the duty of the chairman and secretary or secretaries of the party committee making the nomination to file with the Secretary of the Commonwealth or with the proper county board of elections a nomination certificate which must be signed by the chairman and secretary or secretaries of the party committee, and must set forth the following: (a) The office and district, if any, for which it is filed; (b) the cause of the vacancy; (c) the rule or rules of the political party applicable to a substituted nomination; (d) that a quorum of the committee, caucus or convention, as provided by the party rules, duly convened, and the names of those present at said meeting, or their proxies, and that said persons are the duly appointed or elected members of said committee, caucus or convention; (e) the name, residence and occupation of the candidate duly nominated at said meeting. Every such certificate of nomination must be sworn to or affirmed by the chairman and secretary or secretaries before an officer qualified to administer oaths.

A Loyalty Oath executed by the substituted candidate must be attached to the certificate.

Such substituted nomination certificate to fill a vacancy caused by the withdrawal of a candidate nominated at the primary must be filed at least seventy-five (75) days before the day of the general or municipal election.

Substituted nomination certificates to fill vacancies caused by the death of candidates nominated at primaries must be filed at any time prior to the day on which the printing of the ballots is started, or while it is still possible to correct ballots by Court order.

(NOTE: In order to facilitate the printing of the ballots, political committees are urged to file substituted nomination certificates as early as possible.)

Casting of Lots for Position of Name on Primary Ballot

Immediately after the last day fixed for filing nomination petitions with them, the Secretary of the Commonwealth or the county board of elections, as the case may be, must fix a day for the casting of lots for the position of names upon the primary ballot, and must give notice to the candidates to appear for that purpose. The candidates may appear in person, or by agent duly authorized by letter of attorney, signed and acknowledged by an officer empowered to take acknowledgments. If a candidate is not present in person or by representative at the time of casting of lots, it shall be the duty of the Secretary of the Commonwealth or of the county board of elections to appoint some person to represent such absentee. After lots are cast, the Secretary of the Commonwealth or the county board must establish the order in which the names of said candidates are to appear upon the primary ballot and certify the same for placing upon the official ballot.

Nominations—Political Bodies

Nomination of Independent Candidates by Nomination Papers

(NOTE: Nomination of this kind should not be confused with political party nominations named at primaries as a result of filing nomination PETITIONS.)

Restriction on Names

All nomination papers must specify the name of the political body which the candidates represent. The name can consist of NOT MORE THAN THREE WORDS. No word may be used which is identical, or similar to, any words used in the name of any existing political party, or of any political body which has already filed nomination papers for the same office or offices.

Committee to be Named

All nomination papers must contain the names and addresses of a Committee of not less than three (3) nor more than five (5) persons, authorized to fill vacancies if they occur.

Number of Signers Required

If the nomination is for an OFFICE TO BE FILLED BY THE VOTERS OF THE ENTIRE STATE, the minimum number of signatures required is equal to ONE-HALF OF ONE PER CENT of the largest entire vote cast for any candidate elected to a State-wide office in the last preceding election at which State-wide candidates were voted for. (For the current year, the minimum number of signatures for State-wide office is designated by the Secretary of the Commonwealth on request.)

In the case of all other nominations, the minimum number required is equal to TWO PER CENT of the largest entire vote cast for any Officer EXCEPT A JUDGE OF A COURT OF RECORD elected at the last preceding election held in the same electoral district, but it shall in no case be less than the number required for nomination petitions for party candidates for the same office. (For the current year, consult the Secretary of the Commonwealth for those offices

for which nominations are filed with him. For other offices, consult your County Board of Elections.)

(NOTE: More than one candidate, and candidates for more than one office, may be nominated by one set of nomination papers, provided that all offices for which such nominations are made are either State-wide or entirely within the same electoral district in which the signers are eligible to vote.)

Signers of Nomination Papers

All signers must be qualified electors of the State or district. They may sign only as many nomination papers as there are persons to be elected and offices to be filled. Each person must personally sign his name, his place of residence, his occupation and the date of signing.

(NOTE: The name of the Borough, City or Township **MUST BE GIVEN, UNLESS THE ELECTORAL DISTRICT IS ENTIRELY WITHIN ONE MUNICIPALITY**, as well as the street address, if any. The date of signing may be expressed in words or numbers, e.g.—March 1, 1960 or 3/1/60. Different sheets must always be used for residents in different counties; and whenever more than one sheet is used, they must be fastened together and numbered consecutively.)

Affidavits

Every sheet of the nomination papers **MUST** have the affidavit of the qualified elector who circulated it.

Each candidate named in the nomination papers need take the Candidate's affidavit on only one sheet and need have his **LOYALTY OATH** attached only to one sheet.

(NOTE: Candidates for Representative in Congress, United States Senator, President and Presidential Elector need not file Loyalty Oath.)

Circulation of Nomination Papers

Signatures can be secured **ONLY** during the period between the **TENTH** Wednesday prior to the primary and the **SEVENTH** Wednesday prior to the primary; and the last day for Filing is the **SEVENTH** Wednesday prior to **THE**

PRIMARY ELECTION. (See election calendar for exact dates.)

Where to File

Nomination papers for all State-wide and Federal offices, as well as for State Senator, Representative in the General Assembly and Judges of the District Courts are filed in the office of the Secretary of the Commonwealth. For all other offices they are filed with the proper County Board of Elections. All must be RECEIVED in the proper office not later than the closing hour for that office on the last day for filing.

Filing Fee

The filing fee for each candidate on nomination papers is the same as the filing fee required with nomination petitions for each party candidate for the same office, but in no case less than \$5.00.

Filing fee will be accepted **ONLY** when paid by **CERTIFIED CHECK OR MONEY ORDER**, made **PAYABLE TO THE COMMONWEALTH OF PENNSYLVANIA** or to the proper county, as the case may be. **CASH OR PERSONAL CHECKS WILL NOT BE ACCEPTED.**

Withdrawal of Candidates Nominated by Nomination Papers

Any person who has been nominated by any political body by nomination papers may withdraw his name from nomination by request in writing, signed by him and acknowledged before an officer qualified to take acknowledgment of deeds, and filed in the office of the Secretary of the Commonwealth or of the county board, as the case may be.

Such written withdrawals must be filed at least eighty-five (85) days previous to the day of the General or Municipal Election and must be received in the office of the Secretary of the Commonwealth not later than five o'clock P.M. on the last day for filing the same, or by the regular closing hour in the county board offices.

No candidate may withdraw any withdrawal notice after it has been received and filed, and thereby reinstate his nomination.

**Filling Vacancies Caused by Death or
Withdrawal of Candidates Nominated
by Nomination Papers**

In case of the death or withdrawal of any candidate nominated by any political body by nomination papers, the committee named in the original nomination papers may nominate a substitute in his place by filing a substituted nomination certificate, which shall set forth the facts of the appointment and powers of the committee (naming all its members), and of the death or withdrawal of the candidate and of the action of the committee thereon, giving the name, residence and occupation of the candidate substituted thereby. The truth of these facts shall be verified by affidavit annexed to the certificate by at least two members of the committee.

In case of a vacancy caused by the death of any candidate, the substituted nomination certificate must be accompanied by a death certificate, properly certified.

No substitute nomination certificate shall nominate any person who was a candidate for nomination by any political party for any office to be filled at the ensuing November election, whether or not nominated for such office by such political party, or who has already been nominated by any other political body for any office to be filled at the ensuing November or special election.

Substituted nomination certificates to fill vacancies caused by the withdrawal of candidates nominated by Nomination Papers must be filed at least seventy-five (75) days before the day of the General Election.

Substituted nomination certificates to fill vacancies caused by the death of candidates nominated by Nomination Papers must be filed prior to the day on which the printing of ballots is started, or while it is still possible to correct ballots by Court order.

Nominations—Unexpected Vacancies in Public Offices

Nominations to Fill Certain Vacancies by Nomination Certificates and Nomination Papers

Act No. 434 of the 1953 General Assembly, effective January 1, 1954, provides methods and procedure for filling certain vacancies not heretofore included in the Election Code.

If a vacancy occurs in an elective office, including that of a judge of a court of record, at a time when such vacancy is required by the Constitution or laws of Pennsylvania to be filled at the ensuing election, BUT at a time when nominations cannot be made under any other provision of the Election Code, any nomination to fill such vacancy shall be made:

(a) by political parties in accordance with party rules for filling vacancies by nomination certificates, as provided by law;

(b) by political bodies by nomination papers, as provided by law.

No such nomination certificates or papers shall nominate any person already nominated by any political party or body for the same office or for any office to be filled at the ensuing November election, unless such person is a candidate for judge of a court of record.

Time and Place to File Nomination Certificates and Papers

Nomination certificates and papers, if for State offices and judges of courts of record, shall be filed with the Secretary of the Commonwealth at least fifty (50) days prior to a general or municipal election as the case may be.

Nomination certificates and papers, if for offices in counties, cities, boroughs, towns, townships, wards, school districts, and for the offices of aldermen and justices of the peace, shall be filed with the proper county board of elections at least fifty (50) days prior to a municipal election.

Form and Content of Nomination Certificates and Papers

The form and content of nomination certificates to fill vacancies under this act shall be the

same as those already required by law for filling vacancies caused by death or withdrawal of duly nominated candidates.

The form and content of nomination papers shall be the same as in any other nomination by papers in all respects except dates of filing, etc. (See previous section.)

It shall be the duty of the Secretary of the Commonwealth or the proper county board of elections, as the case may be, to examine such certificates or papers for legal sufficiency in the same manner as they would do in the case of substituted nominations or nomination papers as aforesaid, and to refuse to file them if they are manifestly defective. Such refusal may be reviewed by the Court of Common Pleas of the proper county upon an application for mandamus.

Objections to such nomination certificates and papers must be filed within three (3) days next succeeding the last day for filing them.

Withdrawals of candidates so nominated must be made in writing and acknowledged before an officer authorized to administer oaths, and filed in the appropriate office with which the nomination certificates or papers were filed within three (3) days next succeeding the last day for filing the said nomination certificates or papers.

Vacancies occurring by such withdrawal or by death may be filled by substituted nominations in the manner already provided by law. In cases of withdrawal, such substituted nominations must be filed not later than seven (7) days after the last day for filing the original certificates or papers. In case of death, such substituted nominations must be filed at any time prior to the day in which the printing of ballots is started.

Exceptions

The provisions of this act DO NOT apply to elective offices in any of the following situations:

(1) If a method is provided by law for holding special elections for the office;

(2) If the vacancy occurs in the office of presidential elector;

(3) If the provisions of any law require the vacancy to be filled at the next election APPROPRIATE to the office when the vacancy occurs within TWO calendar months immediately preceding a general or municipal election, as the

case may be, or within **THREE** calendar months of such election in the case of a Judge of a Court of Record.

Special Elections

Special Elections for United States Senator

Whenever a vacancy occurs in the office of United States Senator, the Governor shall issue a writ of election within ten (10) days after the happening of the vacancy naming the next general or municipal election, occurring at least ninety (90) days after the happening of the vacancy, as the date for the special election. Candidates to fill the unexpired term are nominated by political parties in accordance with their party rules and by political bodies by means of nomination papers. The nomination certificates and nomination papers must be filed in the office of the Secretary of the Commonwealth at least sixty (60) days prior to the date of the special election.

Special Elections for Representative in Congress

Whenever a vacancy occurs in the office of Representative in Congress, the Governor shall issue a writ of election within ten (10) days after the happening of said vacancy naming a date for the special election. This date may be the next ensuing primary or municipal election but shall not be less than sixty (60) days after the issuance of said writ. Candidates to fill the unexpired term are nominated by political parties in accordance with their party rules and by political bodies by means of nomination papers. Nomination certificates and nomination papers must be filed in the office of the Secretary of the Commonwealth not later than fifteen (15) days after the issuance of the writ of election.

Special Elections for Senator and Representative in the General Assembly

Whenever a vacancy occurs in either House of the General Assembly, the presiding officer of such House shall issue the writ of election fixing the date for a special election, which date may be the next ensuing primary, municipal or general election but shall be not less than sixty (60) days after the issuance of the writ. Candidates to fill the unexpired term are nominated by political parties in accordance with their party rules and by political bodies by means of nomination

papers. Nomination certificates and nomination papers must be filed in the office of the Secretary of the Commonwealth not later than fifteen (15) days after the writ of election.

Special Elections for Members of Councils or Legislative Bodies of Cities, Boroughs Towns and Townships

In all cases where, under any law now or hereafter enacted, a special election is required to fill a vacancy in the office of Members of Council or Legislative body of any city, borough, town or township, a special election shall be held on the day fixed in the writ or provided by law, which day shall be within sixty (60) days after the issuance of the writ or the happening of the vacancy, as the case may be. Candidates to fill the unexpired term are nominated by political parties in accordance with their party rules and by political bodies by means of nomination papers. Nomination certificates and nomination papers must be filed in the office of the County Board of Elections not later than fifteen (15) days after the issuance of the writ of election.

Form of Nomination Certificate

Nomination certificates shall set forth the following:

(1) The office and district, if any, for which it is filed;

(2) The cause of the vacancy;

(3) The rule or rules of the political party, setting forth the provisions applicable to the nomination of a candidate or candidates to fill said vacancy;

(4) That a quorum of the committee, caucus or convention as provided by the party rules, duly convened, and the names of those present at said meeting, or their proxies; that said persons are the duly appointed or elected members of said committee, caucus or convention;

(5) The name, residence and occupation of the candidate duly nominated at said meeting.

Every such certificate of nomination shall be signed by the presiding officer and the secretary or secretaries of the committee, caucus or convention, and shall be sworn or affirmed to by them before any officer qualified to administer oaths.

The candidate's loyalty oath must be attached, except for the offices of United States Senator and Representative in Congress.

Examination of Nomination Certificates and Nomination Papers by the Secretary of the Commonwealth and County Boards of Elections

It is the duty of the Secretary of the Commonwealth or the proper county board of elections, as the case may be, to pass upon the legal sufficiency of all nomination certificates and nomination papers. If said nomination certificate or nomination paper is refused for filing, an application for mandamus to compel its filing may be presented to the court of common pleas of the proper county.

Objections to Nomination Certificates and Nomination Papers

All objections to nomination certificates or nomination papers must be filed within three (3) days after the last day for filing said certificates or papers. Upon filing objections, the court shall fix a day for the hearing which shall not be later than seven (7) days after the last day for filing nomination certificates or papers.

Withdrawals of Candidates Nominated for Special Election

Any person nominated by a political party or political body may withdraw his name by a request in writing signed by him and acknowledged before a properly qualified officer and filed with the office with which the nomination certificate or papers were filed. Such withdrawal must be filed within three (3) days after the last day for filing nomination certificates or papers.

Substituted Nomination Certificates

Where a candidate nominated for a special election has withdrawn, a substituted nomination certificate may be filed not later than seven (7) days after the last day for filing nomination certificates or papers.

Vacancies caused by the death of candidates nominated for a special election shall be filled by

filing substituted nomination certificates at any time prior to the day on which the printing of ballots is started.

Certification by Secretary of the Commonwealth of Candidates for Special Elections

Not later than the thirtieth (30th) day preceding the day fixed for any special election to fill a vacancy in the offices of United States Senator, Representative in Congress, Senator and Representative in the General Assembly, the Secretary of the Commonwealth shall certify to the proper county board or boards of elections the names and residences of all candidates whose nomination certificates or nomination papers have been duly filed, together with the names of their respective political parties or political bodies, substantially in the form of the ballots to be used.

Conduct of Special Elections

All special elections shall be conducted in all respects in accordance with the provisions relating to November elections. This provision of law includes the payment of the established filing fees for nominations made by nomination papers. There is no similar provisions for nominations made by certificate.

Primary and Election Expenses

Lawful Primary and Election Expenses

No candidate or treasurer of any political committee shall pay, give or lend or agree to pay, give or lend, directly or indirectly, any money or other valuable thing or incur any liability on account of, or in respect to, any primary or election expenses whatever, except for the following purposes:

FIRST. For printing and traveling expenses and personal expenses incident thereto, stationery, advertising, postage, expressage, freight, telegraph, telephone and public messenger service;

SECOND. For the rental of radio facilities and amplifier systems;

THIRD. For political meetings, demonstrations, and conventions, and for the pay and transportation of speakers;

FOURTH. For the rent, maintenance and furnishing of offices;

FIFTH. For the payment of clerks, typewriters, stenographers, janitors, and messengers actually employed;

SIXTH. For the transportation of electors to and from the polls;

SEVENTH. For the employment of watchers at primaries and elections to the number and in the amount permitted by law;

EIGHTH. For expenses, legal counsel, incurred in good faith in connection with any primary or election;

NINTH. For contributions to other political committees.

Expense Accounts to Be Filed

Every candidate for nomination or election, and every treasurer of a political committee, or person acting as such treasurer, must, within thirty days after every primary and election at which such candidate was voted for or with which such political committee was concerned, if the amount received or expended or liabilities incurred exceeds the sum of one hundred fifty dollars, file a true and detailed account, subscribed and sworn to by him, setting forth each and every sum of money received, contributed or disbursed by him for primary or election expenses, the date of each receipt, contribution

and disbursement, the name of the person from whom received or to whom paid, and the specific object or purpose for which the same was disbursed.

NOTE: Act No. 141 of 1963 further requires that the account shall also include ALL RECEIPTS AND DISBURSEMENTS FROM THE PUBLICATION AND SALE OF ALL PUBLICATIONS AND FROM THE TIME OF THE LAST ACCOUNT (or from the time of the formation of the political committee if no prior account has been filed).

Such account shall also set forth the unpaid debts and liabilities of any such candidate or committee for primary or election expenses, with the nature and amount of each, and to whom owing. In the case of the treasurer of a political committee, the account shall include any unexpended balances of contributions or other receipts appearing from the last previous account filed by him. In the case of a candidate for election who has previously filed an account of his primary expenses as a candidate for nomination, the account shall only include receipts, contributions and disbursements subsequent to the date of such prior account.

If the aggregate receipts or disbursements and liabilities of a candidate or a political committee in connection with any primary or election do not exceed one hundred fifty dollars, the candidate or treasurer of the committee, as the case may be, must, within thirty days after the primary or election, certify that fact under oath to the officer or board with whom expense accounts are required to be filed.

If a candidate or political committee does not receive any contributions or make any disbursements or incur any liabilities, he or it is not required to file any account or to make any affidavit, but such candidate or political committee shall be deemed for all purposes of this act to have filed an expense account showing no receipts, disbursements or liabilities for primary or election expenses.

Every expense account filed shall be accompanied by vouchers for all sums expended amounting to more than ten dollars. It is unlawful for any candidate, agent or treasurer to disburse any money received from any anonymous source.

With Whom Expense Accounts Shall Be Filed

Every account concerning primary or election expenses incurred by or in regard to candidates for office to be voted for by the electors of the State at large must be filed with the Secretary of the Commonwealth, and every account concerning expenses incurred by or in regard to candidates for other offices must be filed with the county board of elections of the county wherein the candidate resides: Provided, however, That if any account concerns expenses in regard to candidates who do not all reside in the same county, a duplicate of such account shall be filed in the office of the county board of elections of each county in which any such candidate (not being a candidate for an office to be voted for by the electors of the State at large) resides.

If any account of any political committee concerns the primary or election expense in regard to both a candidate or candidates for an office or offices to be voted for by the electors of the State at large and also candidates for other offices, such account shall be filed with the Secretary of the Commonwealth.

Contributions to Be Made to Candidates or Treasurers

A person who is neither a candidate nor a treasurer of any political committee may not pay, give or lend, nor agree to pay, give or lend any money or any other valuable thing to, nor incur any liability for, any primary or election expense whatever in behalf of any person or persons, except a candidate or a political committee having a treasurer.

Corporation or Association Contributions Prohibited

A corporation, or unincorporated association, or an officer or agent thereof, whether incorporated under the laws of this or any other state or any foreign country, except those formed primarily for political purposes or a political committee, may not pay, give or lend, nor authorize to be paid, given or loaned, either directly or through any other person, or in reimbursement of any such payment, gift or loan

by any other person, any money or other valuable thing belonging to such corporation or unincorporated association or in its custody or control, to any candidate or political committee for the payment of any primary or election expenses for any political purpose whatever.

“Candidate” Defined in Connection with Expense Accounts

“Candidate for nomination” shall mean a candidate at any primary for nomination to any public office to be voted for in this State, and shall not be limited to mean a person by or on behalf of whom a nomination petition has been filed in the manner provided by law, and whose name is printed on the ballots or ballot labels to be used at such primary, but shall include any person whose name is written in on the ballot by electors, or inserted by means of stamps or stickers.

“Candidate for election” shall mean a candidate for election to any public office to be voted for in this State, and shall not be limited to mean a person who has been nominated at a primary or by a nomination certificate or nomination paper, in accordance with the provisions of the law, and whose name is printed on the ballots or ballot labels to be used at such election, but shall include any person whose name is written on the ballot by electors, or inserted by means of stamps or stickers.

“Political Committee” Defined in Connection with Expense Accounts

“Political committee” shall include every two or more persons, who shall be elected, appointed or chosen, or who have associated themselves or cooperated for the purpose, wholly or in part, of raising, collecting or disbursing money, or of controlling or directing the raising, collection or disbursement of money for primary or election expenses.

Treasurer of Political Committee

Every political committee shall appoint and constantly maintain a treasurer to receive, keep and disburse all sums of money which may be collected or received by such committee or by any of its members for primary or election ex-

penses; and unless such treasurer is first appointed and thereafter maintained, it is unlawful for a political committee or any of its members to collect, receive or disburse money or incur liability for any such purpose. All money collected or received by any political committee, or by any of its members for primary or election expenses, shall be paid over and made to pass through the hands of the treasurer of such committee and shall be disbursed by him; and it is unlawful for any political committee or any of its members, to disburse any money for primary or election expenses, unless such money has passed through the hands of the treasurer.

Authorization of Political Committee to Act for Candidates for Nomination and Election

A treasurer of any political committee may not receive or disburse any money or incur any liability for primary expenses in furtherance of the candidacy of any candidate for nomination, until such political committee has been authorized in writing by the candidate to receive and disburse money and incur liability for his primary expense, and until a copy of such written authorization has been filed in the office of the Secretary of the Commonwealth, in the case of State-wide committees, or in the office of the county board of elections of the county in which such treasurer maintains his office, in the case of other committees.

A treasurer of any political committee may not receive or disburse any money or incur any liability for election expenses in furtherance of the candidacy of any candidate for election, until such political committee has been authorized in writing by the candidate to receive and disburse money and incur liability for his election expenses, and until a copy of such written authorization has been filed in the office of the Secretary of the Commonwealth, in the case of State-wide committees, or in the office of the county board of elections of the county in which such treasurer maintains his office, in the case of other committees. The treasurer of any State, county, city, borough, township, ward or other regularly constituted party committee of any political party or political body, is authorized to receive and disburse money and incur liability for the election expenses of the candidates of

such political party or political body, without special written authorization from such candidates.

Oath of Office

It is unlawful to administer the oath of office to any candidate elected to any public office, until the accounts and affidavits required by law to be filed in respect of the primary expense (if such candidate was nominated at a primary) and election expenses incurred by or in regard to such candidate have been filed by the candidate and by the treasurer of every political committee authorized, under the law, to receive and disburse money and incur liability for his primary or election expenses, or which, to his knowledge, has received or disbursed money or incurred liability for his primary or election expenses, whether authorized as aforesaid or not, and a person so elected shall not enter upon the duties of his office until the said accounts and affidavits have been filed, nor shall he receive any salary or other compensation appurtenant to the office for any period prior to the filing of such accounts and affidavits.

Inspection and Preparation of Accounts and Affidavits

All expense accounts and affidavits shall be open to public inspection in the office where they are filed, and shall be carefully preserved by the officer or board in charge thereof, and shall not be removed for a period of two years after filing, except upon the order of a competent court.

Federal Regulations for U. S. Congress

The Federal Corrupt Practices Act requires all candidates for the offices of United States Senator and Representative in Congress to file, not less than ten (10) days nor more than fifteen (15) days before any general or special election, and also within thirty (30) days after an election, a full, correct and itemized statement of all moneys and things of value received by him or by anyone for him with his knowledge or consent, from any source, in aid or support of his candidacy, together with the names of all those who have furnished the same in whole or in part; and such statements must contain a true and itemized account of all moneys and things of value given, contributed and in his behalf with his knowledge and consent, expended, used, or promised by him or by his agent, representative, or other persons for him, together with the names of all those to whom and all such gifts, contributions, payments or promises were made for the purpose of procuring his election. With this statement the candidate must enclose a report based on the records of the Secretary of the Commonwealth stating the number of votes cast for all candidates for the office in which he seeks election at the last preceding general election.

A candidate for United States Senator may spend \$10,000.00 or an amount equal to three cents (.03¢) times the total votes cast at the last general election for all candidates for that office, but in no event in excess of \$25,000.00. A candidate for Representative in Congress may spend \$2,500.00 or an amount equal to three cents (.03¢) times the total votes cast at the last general election for all candidates for that office, but in no event in excess of \$5,000.00. Moneys expended by a candidate for filing fees, personal traveling and subsistence expenses, money for stationery, postage, writing, printing (other than for use on bill boards or in newspapers), distribution of letters, circulars, posters, or for telegraph or telephone services, are not considered part of the expenditure limitations.

A similar statement must also be filed within thirty days after the general or special election.

Any committee, association or organization accepting contributions or making expenditures for the purpose of influencing the election of candidates for United States Senator or Congressmen must keep a detailed exact account of all contributions, showing the name and address of the persons to whom the expenditures are made and the dates thereof. All expenditures exceeding \$10.00 must be verified by a receipted bill which must be kept for two years. Accounts must be filed with the Clerk of the House of Representatives of the United States between the first and tenth days of March, June and September of each year. Accounts must also be filed on the first day of January for the preceding calendar year showing the names and addresses of persons contributing \$100.00 or more, the sum of all other contributions, and the total contributions for the year. The report must also show the names and addresses of persons to whom expenditures were made of \$10.00 or more showing the amount, date and purpose, the total of all other smaller expenses, and the total expenditures.

National banks, corporations organized by Congressional Law or labor organizations may not make contributions or expenditures in connection with any election to any political office, or in connection with any primary election or political convention or caucus held to select candidates for any political office, or in connection with any election at which Presidential electors or a United States Senator or Representative in Congress are to be voted for, or in connection with any primary election or political convention or caucus held to select candidates for any of the foregoing offices, or for any candidate, political committee, or other person to accept or receive any such prohibited contribution. Corporations or labor organizations violating these provisions shall be subject to a fine of not more than \$5,000.00 and every officer or director consenting thereto shall be subject to a fine of not more than \$1,000.00 or imprisonment for not more than one year, or both.

Every corporation or labor organization which makes any contribution or expenditure in violation of this section shall be fined not more than \$5,000.00; and every officer or director of any corporation, or officer of any labor organization,

who consents to any contribution or expenditure by the corporation or labor organization, as the case may be, and any person who accepts or receives any contributions, in violation of this section, shall be fined not more than \$1,000.00 or imprisoned not more than one year, or both; and if the violation was willful, shall be fined not more than \$10,000.00 or imprisoned not more than two years, or both.

For the purposes of this act "labor organization" shall mean any organization of any kind, or any agency or employe representation committee or plan, in which employes participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work.

The statements filed by the United States Senators and Congressmen must be filed with the Secretary of the United States Senate or the Clerk of the House of Representatives, Washington, D.C., as the case may be.

Blank forms of statements will be furnished upon application to the Secretary of the United States Senate or the Clerk of the House of Representatives at Washington, D.C.

HATCH ACT

The Federal Law, known as "The Hatch Act," among other restrictions on political activity, prohibits interference with free elections for Federal officers and for Presidential Electors. It prohibits any political activity by certain Federal employes and certain employes and officers of any state agency or local agency of an activity financed in whole or in part by Federal loans or grants. It prohibits solicitation of campaign funds from persons receiving Federal work relief or other relief. It prohibits the promise of Federal employment as a reward for political activity. It prohibits the purchase of advertising, goods and commodities or articles of any kind, the proceeds of which are to be used for the benefit of any candidate for Federal office. It limits campaign contributions for candidates for Federal office. It prohibits persons contracting or negotiating to contract with the United States or its agencies for services, supplies, or sale of land or buildings, which contract is to be paid from Congressional appropriations,

from being solicited to make or making contributions for political purposes; and it provides procedure for enforcement and penalties for violation of its provisions.

According to an opinion of the Attorney General, covering National Guard personnel when not in Federal service:

a. Members of the National Guard when not in active Federal service are not prohibited from engaging in political activities as individuals providing their connection with, or their position in, the Guard is not their sole occupation or principal means of employment.

b. Anyone whose connections with, or position in, the Guard is his sole occupation or principal means of employment is prohibited from engaging in political activity.

Absentee Voting (New)

Act No. 375 of the 1968 General Assembly effected a number of important changes in Pennsylvania's Absentee Voting Law. The highlights of the new law include an expanded definition of "Duties, Occupation or Business" to include leaves of absence for teaching, vacations, sabbatical leaves, and all other absences associated with the elector's duties, occupation or business—including also the elector's spouse who accompanies the elector.

The following provisions must, in all cases, be examined jointly with the earlier sections on "Registration" and "Registration by Mail."

The new amendment requires the voter either to appear in person at the election board to procure an application form, or to submit by mail a personally signed request for the application form. The following classes of electors are excepted from this provision:

Military personnel, their spouses and dependents, and Federal Service employees and their spouses and dependents, all of whom are qualified to make application on the Federal Government Absentee Ballot Application form or on a similar form available at the board of elections. Applications on behalf of a Military elector must now be made by an adult member of his immediate family. All other Federal Service applicants, including military spouses, must sign own application.

For voters who are patients in public institutions, such as a county home or veterans' hospital, the new law provides that special teams composed of one representative of each political party be designated to visit each public institution in the county to receive and list the names of persons desiring applications for absentee ballots. The teams shall give such lists to the Board of Elections which shall mail to each individual patient so listed an application for an absentee ballot. The County Board of Elections (County Commissioners) shall then appoint teams of three members, each Commissioner to appoint one member of each team, to travel to each public institution on the Friday preceding the election to conduct the election at such in-

stitution by absentee ballot. After the votes are cast, such teams shall collect the absentee ballots and return them unopened to the Election Board for delivery to the District Election Boards at the respective polling places and to be so counted by them at the close of the polls on election day together with the ballots of the other absentee voters.

The new law also stipulates that no absentee ballot will be counted which is received by the Board of Elections later than 5 P.M. on the Friday before the election. The law also provides that such ballots must be delivered either by mail or by the absentee voter in person.

Concerning the counting of the absentee ballots, the new amendment provides that the absentee ballots shall be delivered, along with the election supplies, to the respective District Election Board; that the Election Board at the polling place count such absentee ballots immediately at the close of the polls on election day.

Absentee voters who are back in their county of residence on election day, or who have recovered from their illness on election day, are now required to appear at the polling place and vote. A Court Order is no longer required.

With respect to challenging absentee ballots or absentee ballot applications, the new law provides that a deposit of ten dollars (\$10.00) be submitted by the challenger for each such challenge made. This deposit must be in cash at the time of the challenge and is payable to the Judge of Elections (if the ballot is challenged), or to the Board of Elections (if the application is challenged).

The new law further provides that any person who shall violate any of the provisions of the Absentee Voting Law shall be guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced to pay a fine not exceeding \$1,000, or, to undergo imprisonment of not more than one year, or both, in the discretion of the Court.

The amendment reduces the time from a week to three days for filing an Emergency Application form for voters who experience unexpected illness, accident, business trip, etc., which occurs after the deadline for filing application.

Retained are the full benefits of the "Federal Voting Assistance Act of 1955" under which Congress requested all States to give spouses and dependents of servicemen the right to register by mail concurrent with the time of voting their absentee ballot. This provision also qualified overseas Federal personnel, members of the Merchant Marines, voters in services attached to and serving with the Armed Forces (Red Cross, U.S.O., etc.), and the spouses and dependents of the above.

Eligibility of Absentee Voters

As a general rule, the same eligibility exists for an absentee voter as for a polling place voter, i.e., he must be registered and must be a constitutionally qualified elector. The constitutional qualifications are:

Elector must have attained the age of 21 the day after the election primary to be eligible to vote at the election. He must have been a citizen of the United States for at least one month; a resident of Pennsylvania for at least ninety days, and a resident of his election district for at least sixty days.

All absentee voters must be registered electors except those in Military Service and Veterans who are bedridden or hospitalized outside the county of their residence. As you will note in the discussion which follows, Pennsylvania now permits absentee registration in certain cases.

Who May Vote by Absentee Ballots

(1) Members of the armed forces whether registered or not and hospitalized or bedridden veterans OUTSIDE the county of residence, whether registered or not (no change from prior law).

(2) Spouses and dependents of members of the armed forces residing with or accompanying them and absent from the county of residence, IF REGISTERED or entitled to ABSENTEE REGISTRATION;

(3) Members of the Merchant Marine, and their spouses and dependents residing with or accompanying them and absent from the State or county of residence, IF REGISTERED or entitled to ABSENTEE REGISTRATION;

(4) Persons in a religious or welfare group attached to and serving with the armed forces

and their spouses and dependents residing with or accompanying them, who are absent from the State or county of residence, IF REGISTERED or entitled to ABSENTEE REGISTRATION;

(5) Civilian employes of the United States outside the territorial limits of the United States and the District of Columbia and their spouses and dependents residing with or accompanying them, IF REGISTERED or entitled to ABSENTEE REGISTRATION;

(6) Persons who are unable to attend their polling place because of illness or physical disability, IF REGISTERED;

(7) Persons who are absent during the entire period the polls are open for voting because of duties, occupation or business, IF REGISTERED;

(8) Spouses or dependents accompanying persons employed by the Commonwealth or the Federal Government within the territorial limits of the United States and the District of Columbia in the event such employe's duties, occupation or business require him to be absent from the Commonwealth or county of residence, IF REGISTERED.

(NOTE:—In no case do these provisions include persons confined in a penal or mental institution or persons who do not meet ALL of the qualifications for voting in regard to citizenship, residence, age, etc., unless such persons shall obtain the necessary qualifications before the next ensuing election.)

How to Apply for Official Absentee Ballots

The Election Code sets forth the steps required to apply for an absentee ballot. The requirements differ depending on whether you are a military elector, a federal service employe (including a military spouse or dependent), a hospitalized or bedridden veteran outside the county of his residence, a business person, a sick or disabled person, or a patient in a public institution within the county.

Hereinafter is a list of such categories. Kindly ascertain your category and follow the instructions thereunder. Remember, a separate application must be made prior to each primary and each election.

Category I. Those in military service. Registration is not required. Must be a constitution-

ally qualified elector. Must file an Official Military Application form, or the Federal Form No. 76 distributed by the United States Department of Defense; application may be submitted by any adult member of the immediate family only. Application may be made at any time, not restricted to application deadlines.

Caution: Although not restricted by application deadlines, the new provisions in the law now require that the voted ballot must be received by the Board of Elections no later than 5 P.M. of the first Friday before the primary or election. Therefore, applications should be made in sufficient time to permit the mailing to, and the return of, the absentee ballot to meet this Friday deadline; otherwise the ballot would be void.

A military elector who is home on election day and who has not voted an absentee ballot may, if registered, appear at his district polling place and vote on a voting machine. In the event such military elector is not registered, he must procure an Emergency Court Order in order to vote at his district polling place.

Category II. Federal Service Employees (which include the following): 1. Any spouse or dependent of a military elector. 2. Any elector (or spouse or dependent thereof) who is in the service of Merchant Marine (if serving outside the Great Lakes or Inland Waterways); a religious or welfare agency officially attached to and serving with the Armed Forces; civilian employment of the U. S. Government outside the territorial limits of the United States.

Must be registered. May register by mail. Registration deadlines do not apply. Must file on Official Military Application form, or Federal Form No. 76 distributed by the U. S. Department of Defense. Must sign own application. May apply at any time, not restricted by application deadlines.

Note: Federal employees and Merchant Marines who are stationed within the territorial limits of the United States are covered in Category IV under the same provisions as civilians unavoidably absent from county on election day due to duties, occupations or business.

The new law now requires that the absentee ballot forwarded in response to such application must be voted and received back in the office of the Board of Elections not later than

5 P.M. of the first Friday before the primary or election. Therefore, applications should be made in sufficient time to permit the mailing to, and the return of, the absentee ballot to meet this Friday deadline, otherwise the ballot will be void.

Category III—Veterans who are bedridden or hospitalized outside the county of their residence. Registration is not required. Must mail a personally signed request in order to procure an application. An official veteran's application will then be forwarded to the veteran, who must execute it and return it to the Board of Elections. May apply at any time, not restricted to application deadlines. The new law now requires that the absentee ballot forwarded in response to such application must be voted and received back in the office of the Bureau of Elections not later than 5 P.M. of the first Friday before the primary or election. Therefore, applications should be made in sufficient time to permit the mailing to, and the return of, the absentee ballot to meet this Friday deadline, otherwise the ballot will be void.

Category IV—Civilians Absent From County of Residence on the day of the primary or election on account of duties, occupation or business. (The Pennsylvania General Assembly has defined the words "duties, occupation or business" to include leaves of absence for teaching, vacations, sabbatical leaves, and all other absences associated with the elector's duties, occupation or business, and also to include an elector's spouse who accompanies the elector.)

Must have been registered in the same manner as a polling place voter. Must request an application form: (1) either by appearing in person at the office of the Board of Elections to sign for the application form, or (2) by mailing a personally signed request for an application form. In the event the application form is not executed at the office of the Board of Elections by the voter in person, the Board, upon receipt of the signed, mailed request, will forward an application form to the voter at the address stated in the request. The voter should execute this application form and return it either in person or by mail as soon as possible in order to meet the application deadline of 5 P.M. of the Tuesday before the primary or election.

Although the deadline for filing the official application form remains the same, i.e., 5 P.M. of the first Tuesday prior to the primary or election, the new law now requires that the absentee ballot forwarded in response to such application must be voted and received back in the office of the Board of Elections not later than 5 P.M. of the first Friday before the primary or election. Therefore, applications should be made in sufficient time to permit the mailing to, and the return of the absentee ballot to meet this Friday deadline, otherwise the ballot will be void.

Category V—Physically sick or disabled (except patients in public institutions). Must be registered. May be registered by mail or by a visiting registrar on or before the registration deadline of 50 days before the primary or election. Written request for absentee registration must be made to the Registration Commission within a reasonable time before the registration deadline.

Must request an application form (1) either by appearing in person at the office of the Board of Elections to sign for the application form, or (2) by mailing a personally signed request for an application form. In the event the application form is not executed at the office of the Board of Elections by the voter in person, the Board, upon receipt of the signed, mailed request, will forward an application form to the voter at the address stated in the request. The voter should execute this application form and return it either in person or by mail as soon as possible in order to meet the application deadline of 5 P.M. of the Tuesday before the primary or election.

The application must be signed by the voter. However, if the voter is unable to sign he is excused from signing upon making a statement witnessed by one adult person. If the shut-in, sick or disabled voter does not have an attending physician to sign his application attesting to his illness or physical disability, then he may submit his application with the declaration and signature of a registered elector of his election district who is unrelated to him by blood or marriage. If the voter requires assistance in voting his absentee ballot, he must submit with

his application a statement setting forth the precise nature of his disability and that he will still suffer from such disability at the time of voting. This statement must be acknowledged before an officer qualified to take acknowledgments of deeds. The voter selects an adult to assist him in voting. The adult person rendering the assistance executes a declaration to that effect. If the disability is permanent and the voter will thereafter at ensuing primaries or elections require assistance, that fact must be recorded on his permanent registration voting card. The Registration Commission will supply a form for that purpose if such fact is not already entered on the registration card.

Although the deadline for filing the Official Application Form remains the same, i.e., 5 P.M. of the first Tuesday prior to the primary or election, the new law now requires that the absentee ballot forwarded in response to such application must be voted and received back in the office of the Board of Elections not later than 5 P.M. of the first Friday before the primary or election. Therefore, applications should be made in sufficient time to permit the mailing to, and the return of the absentee ballot to meet this Friday deadline. Otherwise, the ballot will be void.

Category VI—Patients in Public Institutions. Must be registered. May be registered by mail or by a visiting registrar on or before the registration deadline of 50 days before the primary or election. (Written request for absentee registration must be made to the Registration Commission within a reasonable time before the registration deadline.)

The new law now provides that special teams composed of one representative of each political party be designated to visit each public institution in the county to receive and list the names of such persons desiring applications for absentee ballots. The teams shall give such lists to the Board of Elections which shall mail to each individual patient so listed an application for an absentee ballot. The County Board of Elections (County Commissioners) shall then appoint teams of three members, each Commissioner to appoint one member of each team, to travel to each public institution on the Friday preceding the election to conduct the election at

such institution by absentee ballot. After the votes are cast, such team shall collect the absentee ballots and return them unopened to the Board of Elections for delivery to the District Election Boards at the respective polling places and to be so counted by them at the close of the polls on election day together with the ballots of the other absentee voters.

Emergency Applications. If an emergency arises (unexpected illness or business trip) after the deadline of Tuesday, 5 P.M. of the week preceding the primary or election, an Emergency Application may be obtained from the Board of Elections, either in person, by mail, or by messenger. On these forms, the fact of the emergency is attested to before a Notary Public (or any person empowered to take acknowledgments of deeds). Although the new law sets the deadline of 5 P.M. of the Friday before the primary or election for the filing of emergency applications, it also requires that the absentee ballot must be voted and received back in the office of the Board of Elections not later than 5 P.M. of the first Friday before the primary or election. Therefore, emergency applications should be made in sufficient time to permit the return of the absentee ballot to meet this Friday deadline. Otherwise the ballot will be void.

Date of Application for Absentee Ballot

Applications for absentee ballots from persons designated in groups (1), (2), (3), (4) and (5) may be made at any time prior to the primary or election.

Applications for absentee ballots from persons designated in groups (6), (7) and (8) shall be received in the office of the county board of elections not earlier than fifty (50) days before any primary or election and not later than five o'clock P.M. of the first Tuesday prior to the day of any primary or election: Provided, however, that if an elector is so physically disabled or ill that he is unable to file his application before the first Tuesday prior to any primary or election or becomes ill or disabled after the said first Tuesday and is unable to appear at his polling place, or any elector's business, duties or occupation will cause him to be absent on the day of any primary or election

unexpectedly and without having had knowledge thereof before the first Tuesday prior to any primary or election, such elector can execute an Emergency Application at any time prior to five o'clock P.M. on the Friday preceding any primary or election.

Such Emergency Application, in the case of illness or physical disability, shall contain a supporting affidavit from the attending physician stating that the elector's condition was such that he could not apply before the aforesaid Tuesday or that the illness or disability occurred after the aforesaid Tuesday.

An Emergency Application from an elector unexpectedly called away from his place of residence after the first Tuesday prior to any primary or election must contain the elector's supporting affidavit of all of the facts.

Approval of Application for Absentee Ballot

County boards of elections, upon receipt of any application filed by a qualified elector not required to be registered, shall ascertain from the information on such application, district register, or from any other source, that such applicant possesses all the qualifications of a qualified elector other than being registered or enrolled. If the board is satisfied that the applicant is qualified to receive an official absentee ballot, the application shall be marked "approved." Such approval decision shall be final and binding except that challenges may be made only on the ground that the applicant did not possess qualifications of an absentee elector. Such challenges must be made to the county board of elections prior to 5 o'clock P.M. on the first Friday prior to the election. When so approved the county board of elections shall cause the applicant's name and residence (and at a primary the party enrollment) to be inserted in the Military, Veterans' and Emergency Civilian Absentee Voters' File.

No application of any qualified elector in military service shall be rejected for failure to include on his application any information, if such information may be ascertained within a reasonable time by the county board of elections.

County boards of elections, upon receipt of any application filed by a qualified elector who

is entitled under the provisions of the Permanent Registration Law to absentee registration prior to or concurrently with the time of voting shall ascertain from the information on such application or from any other source that such applicant possesses all the qualifications of a qualified elector. If the board is satisfied that the applicant is entitled under the provisions of the Permanent Registration Law to absentee registration prior to or concurrently with the time of voting, and that the applicant is qualified to receive an official absentee ballot, the application shall be marked "approved." Such approval decision shall be final and binding except that challenges may be made only on the ground that the applicant did not possess the qualifications of an absentee elector prior to or concurrently with the time of voting. Such challenges must be made to the county board of elections prior to 5 o'clock P.M. on the first Friday prior to the election. When so approved the county board of elections shall cause the applicant's name and residence (and at a primary the party enrollment) to be inserted in the Military, Veterans' and Emergency Civilian Absentee Voters' File.

County boards of elections, upon receipt of any application of a qualified elector required to be registered, shall determine the qualifications of such applicant by comparing the information set forth on such application with the information contained on the applicant's permanent registration card. If the board is satisfied that the applicant is qualified to receive an official absentee ballot the application shall be marked "approved." Such approval decision shall be final and binding, except that challenges may be made only on the ground that the applicant did not possess the qualifications of an absentee elector. Such challenges must be made to the county board of elections prior to 5 P.M. on the first Friday prior to the election. When so approved, the registration commission shall cause an absentee voter's temporary registration card to be inserted in the district register on top of and along with the permanent registration card. The absentee voter's temporary registration card shall be in duplicate and the same size as the permanent registration card, in a different and contrasting color to the permanent

registration card and shall contain the absentee voter's name and address and shall conspicuously contain the words "Absentee Voter." Such card shall also contain the affidavit under section "Voting by Absentee Electors." Provided, however, that the duties of the county boards of elections and the registration commissions with respect to the insertion of the absentee voter's temporary registration card of any elector from the district register shall include only such applications and emergency applications as are received on or before the first Tuesday prior to the primary or election. In all cases where applications are received after the first Tuesday prior to the primary or election and before five o'clock P.M. on the first Friday prior to the primary or election, the county board of elections shall determine the qualifications of such applicant by comparing the information set forth on such application with the information contained on the applicant's duplicate registration card on file in the General Register (also referred to as the Master File) in the office of the Registration Commission and shall cause the name and residence (and at primaries the party enrollment) to be inserted in the Military, Veterans' and Emergency Civilian Absentee Voters' File. In addition, the local district boards of elections shall, upon canvassing the official absentee ballots, examine the voting check list of the election district of said elector's residence and satisfy itself that such elector did not cast any ballot other than the one properly issued to him under his absentee ballot application. In all cases where the examination of the local district board of elections discloses that an elector did vote a ballot other than the one properly issued to him under the absentee ballot application the local district board of elections shall thereupon cancel said absentee ballot and said elector shall be subject to the penalties as hereinafter set forth.

In the event that any application for an official absentee ballot is not approved by the county board of elections, the elector shall be notified immediately to that effect with a statement by the county board of the reasons for the disapproval.

Absentee Electors' Files and Lists

County boards of elections shall maintain at their offices a file containing the duplicate absentee voter's temporary registration cards of every registered elector to whom an absentee ballot has been sent. Such duplicate absentee voter's temporary registration cards shall be filed by election districts and within each election district in exact alphabetical order and indexed. The registration cards so filed shall constitute the Registered Absentee Voters File for the Primary or Election of (date of primary or election) and shall be kept on file for a period commencing the Tuesday prior to the day of the primary or election until the day following the primary or election or the day the county board of elections certifies the returns of the primary or election, whichever date is later. Such file shall be open to public inspection at all times, subject to reasonable safeguards, rules and regulations.

County boards of elections shall post in a conspicuous public place at their offices a master list, arranged in alphabetical order by election districts, setting forth the name and residence (and at primaries the party enrollment) of (1) every military elector to whom an absentee ballot is being sent (each such name to be prefixed with an "M"); (2) every bedridden or hospitalized veteran outside the county of his residence who is not registered and to whom an absentee ballot is being sent (each such name to be prefixed with a "V"); and (3) every registered elector who has filed his application for an absentee ballot too late for the extraction of his original registration card and to whom a ballot is being sent and every qualified elector who has filed his application for an absentee ballot and is entitled under provisions of the Permanent Registration Law to absentee registration prior to or concurrently with the time of voting (each such name to be prefixed with a "C"). This list shall be known as the Military, Veterans' and Emergency Civilian Absentee Voters' File for the Primary or Election of (date) and shall be posted for a period commencing the Tuesday prior to the day of the primary or election until the day following the primary or election or the day on which the county board of elections certifies the returns of the primary or election, whichever

date is later. Such file shall be open to public inspection at all times, subject to reasonable safeguards, rules and regulations. This posted list shall not contain any military address or reference to any military organization.

Upon written request, the county board shall furnish a copy of such list to any candidate or party county chairman.

Not less than five days preceding the election, the chief clerk shall prepare a list for each election district showing the names and post office addresses of all voting residents thereof to whom official absentee ballots shall have been issued. Each such list shall be prepared in duplicate, shall be headed "Persons in (give identity of election district) to whom absentee ballots have been issued for the election of (date of election)," and shall be signed by him not less than four days preceding the election. He shall post the original of each such list in a conspicuous place in the office of the county election board and see that it is kept so posted until the close of the polls on election day. He shall cause the duplicate of each such list to be delivered to the judge of election in the election district in the same manner and at the same time as are provided in this act for the delivery of other election supplies, and it shall be the duty of such judge of election to post such duplicate list in a conspicuous place within the polling place of his district and see that it is kept so posted throughout the time that the polls are open. Upon written request, he shall furnish a copy of such list to any candidate or party county chairman.

Official Absentee Voters' Ballots

In districts in which paper ballots are used, the ballots for use by such absentee electors shall be the official ballots printed for use by the electors voting in person at the polls: Provided, however, that the county boards of elections, when detaching the official ballots for absentee electors, shall be required to indicate on the stub of each ballot so detached the name of the applicant to which that precise ballot is being sent. The county boards of elections shall also be required to remove the numbered stub from each such ballot and shall thereupon print, stamp, or endorse in red color upon such official ballots the words

"Official Absentee Ballot". Such ballots shall be distributed by such boards as hereinafter provided.

In districts in which voting machines are used, and in those districts in which paper ballots are used and the county boards of elections therein do not print official absentee ballots, the ballots for use by such absentee electors shall be prepared sufficiently in advance by the county boards of elections and shall be distributed by such boards as hereinafter provided. Such ballots shall be marked "Official Absentee Ballot" but shall not be numbered and shall otherwise be in substantially the form for official ballots.

In cases where there is not time, in the opinion of the county boards of elections, to print on said ballots the names of the various candidates for district, county and local offices, the ballots shall contain blank spaces only under the titles of such offices in which electors may insert the names of the candidates for whom they desire to vote, and in such cases the county boards of elections shall furnish to electors lists containing the names of all the candidates named in nomination petitions or who have been regularly nominated, for the use of such electors in preparing their ballots.

Envelopes for Official Absentee Ballots

The county boards of elections shall provide two additional envelopes for each official absentee ballot, of such size and shape as shall be prescribed by the Secretary of the Commonwealth, in order to permit the placing of one within the other and both within the mailing envelope. On the smaller of the two envelopes to be enclosed in the mailing envelope shall be printed, stamped or endorsed the words "Official Absentee Ballot" and nothing else. On the larger of the two envelopes to be enclosed within the mailing envelope shall be printed the form of the declaration of the elector and the name and address of the county board of elections of the proper county. The larger envelope shall also contain information indicating the local election district of the absentee voter. Said form of declaration and envelope shall be as prescribed by the Secretary of the Commonwealth and shall contain, among other things, a statement of the elector's qualifications, together with a statement that such elector has not already

voted in such primary or election. The mailing envelope addressed to the elector shall contain the two envelopes, the official absentee ballot, list of candidates, the uniform instructions in form and substance as prescribed by the Secretary of the Commonwealth and nothing else. Envelopes for electors previously designated in groups (1) to (5) inclusive shall have printed across the face of each transmittal or return envelope two parallel, horizontal, red bars, each one-quarter inch wide, extending from one side of the envelope to the other side, with an intervening space of one-quarter inch, the top bar to be one and one-quarter inches from the top of the envelope, and with the words "Official Election Balloting Material via Air Mail" between the bars. There shall be printed in the upper right corner of each such envelope, in a box, the words "Free of U. S. Postage Including Air Mail". All printing on the face of each such envelope shall be in red and there shall be printed in the upper left corner of each such envelope the name and address of the county board of elections of the proper county or blank lines for return address of the sender.

The aforesaid envelope addressed to the elector may contain absentee registration forms where required, and shall contain detailed instructions on the procedures to be observed in casting an absentee ballot as prescribed by the Secretary of the Commonwealth, together with return envelope upon which is printed the name and address of the registration commission of the proper county. This envelope shall in all other respects be identical with the one described in the preceding paragraph.

Delivering or Mailing Ballots

The county boards of elections, upon receipt of an application filed by any qualified elector designated in groups (1) to (5) inclusive shall as soon as possible after the respective district ballots are printed, and in no event later than the second Tuesday prior to the day of the primary or election, commence to deliver or mail official absentee ballots to all such electors whose applications have been approved. As additional applications of such electors are received the

board shall deliver or mail official absentee ballots to such additional electors within forty-eight hours after approval of their applications.

The county boards of elections, upon receipt and approval of an application filed by any elector designated in groups (6), (7) and (8) shall commence to deliver or mail official absentee ballots on the second Tuesday prior to the primary or election. As additional applications are received and approved the board shall deliver or mail official absentee ballots to such additional electors within forty-eight hours.

Voting by Absentee Electors

At any time after receiving an official absentee ballot, but on or before 5 o'clock P.M. on the Friday prior to the primary or election, the elector shall, in secret, proceed to mark the ballot only in black lead pencil, indelible pencil, or blue, black or blue-back ink in fountain pen or ball point pen. He shall then fold the ballot, enclose and securely seal the same in the envelope on which is printed, stamped or endorsed "Official Absentee Ballot". This envelope shall then be placed in the second one on which is printed the form of declaration of the elector and the address of the elector's county board of elections and the local district of the elector. The elector shall then fill out, date and sign the declaration printed on such envelope. Such envelope shall then be securely sealed and the elector shall send same by mail postage prepaid (except where franked) or deliver it in person or by representative to said county board of elections.

Provided, however, that any elector, spouse of the elector, or dependent of the elector, designated in groups (4) and (5) as qualified to vote by absentee ballot, shall be required to include on the form of declaration a supporting declaration to be signed by the head of the department or chief of division or bureau in which the elector is employed, setting forth the identity of the elector, spouse of the elector, or dependent of the elector.

Provided, further, that any elector who has filed his application and is unable to sign his declaration because of illness or physical disability shall be excused from signing, upon making a declaration, witnessed by one adult

person, in substantially the following form: I hereby declare that I am unable to sign my declaration for voting my absentee ballot without assistance because I am unable to write, by reason of my illness or physical disability. I have made or received assistance in making my mark in lieu of my signature.

.....(Mark)

.....
(Date)

.....
(Signature of Witness)

.....
(Complete Address of Witness)

If any elector, excepting an elector in military service or any elector unable to go to his polling place because of illness or physical disability, entitled to vote an official absentee ballot, shall be in the county of his residence on the day for holding the primary or election for which the ballot was issued, or if any such elector shall have recovered from his illness or physical disability sufficiently to permit him to present himself at the proper polling place for the purpose of casting his ballot, such absentee ballot cast by such elector shall be declared void.

Any such elector who is within the county of his residence must present himself at his polling place, and shall be permitted to vote, upon presenting himself at his regular polling place, in the same manner as he could have voted had he not received an absentee ballot: Provided, that such elector has first presented himself to the judge of elections in his local election district and shall have signed the affidavit on the absentee voter's temporary registration card, which affidavit shall be in substantially the following form:

I hereby swear that I am a qualified registered elector who has obtained an absentee ballot; however, I am present in the county of my residence and physically able to present

myself at my polling place and therefore request that my absentee ballot be voided.

.....
(Signature of Elector)

.....
(Date)

.....
(Local Judge of Elections)

An elector who has received an absentee ballot under the emergency application provision, and for whom, therefore, no temporary absentee voter's registration card is in the district register, shall sign the aforementioned affidavit in any case, which the local judge of elections shall then cause to be inserted in the district register with the elector's permanent registration card.

Assistance in Voting by Certain Electors

Any elector designated in group (6) and qualified to vote an official absentee ballot may receive assistance in voting (1) if there is recorded on his registration card his declaration that he has a physical disability which renders him unable to see or mark the official absentee ballot, the exact nature of such disability being recorded on such registration card, (2) if such elector requiring assistance submits with his application for an official absentee ballot a statement setting forth the precise nature of the disability which renders him unable to see or mark the official absentee ballot and that to the best of his knowledge and belief he will still suffer from the said physical disability at the time of voting his official absentee ballot. He shall acknowledge the same before an officer qualified to take acknowledgement of deeds. Such statement shall be in substantially the following form:

Statement of Absentee Elector Requiring Assistance

I hereby
(Name of voter requiring assistance)
state that I require assistance in marking the

official absentee ballot that will be issued to me for the primary or election to be held

....., 19.....,
(Date)

for the following reason:

.....
(Insert nature of disability)

.....
(Signature or mark of elector)

.....
(Date of signature or mark)

Commonwealth of Pennsylvania } ss
County of }

On this day of 19.....

before me the under-
signed officer personally appeared

..... known to me (or satisfactorily
proven) to be the person whose signature or
mark appears on the within instrument and ac-
knowledged the same for the purposes therein
contained.

In witness whereof I have hereunto set my
hand and official seal.

.....
(Title of Officer)

Upon receipt of the official absentee ballot
such elector requiring assistance may select an
adult person to assist him in voting, such as-
sistance to be rendered in secret. The adult per-
son rendering the assistance in voting is required
to fill out, date and sign the declaration in the
form as set forth below. Such declaration form
shall be returned to the county board of elec-
tions in the mailing envelope addressed to the
county board of elections, within which the
small "official absentee ballot" is returned.

Declaration of Person Rendering Assistance

I an
(Name of Person rendering assistance)

adult person hereby declare that I have witnessed the aforesaid elector's signature or mark and that I have caused the aforesaid elector's ballot to be marked in accordance with the desires and instructions of the aforesaid elector.

.....
(Signature of Person Rendering Assistance)

.....
(Address)

Certain Electors Voting Absentee Ballots in Districts of Residence

Whenever any qualified elector in actual military service is present in his voting district of residence on any primary, special, municipal or general election day and has not already voted in such election, he may apply in person at the office of the county board of elections of the county of his residence and he shall then and there execute his application for an official absentee ballot.

Each such application shall be in the form and shall contain the information required by this act, together with a statement by the applicant that he has not already voted in the election.

The county boards of elections shall ascertain from the information on such application, or from any other source, that such applicant possesses all the qualifications of a qualified elector, other than being registered or enrolled. If the board is satisfied that the applicant is qualified to receive an official absentee ballot the application shall be marked "Approved", subject to the limitations set forth under section "Approval of Application for Absentee Ballot." When so approved, the county board of elections shall cause the applicant's name and residence (and at primaries the party enrollment) to be inserted in the "Military, Veterans' and Emergency Civilian Absentee Voters' File".

Upon receiving an official absentee ballot and envelopes therefor he shall in secret in the office

of the county board of elections vote the ballot and execute the declaration as prescribed. The elector shall then securely seal the second envelope and hand it to the chief clerk of the county board of elections, who shall securely keep same until the county board meets to canvass official absentee ballots.

Canvassing of Official Absentee Ballots

The county boards of elections, upon receipt of official absentee ballots in such envelopes, shall safely keep the same in sealed or locked containers until they distribute same to the appropriate local election districts in a manner prescribed by the Secretary of the Commonwealth.

The county board of elections shall then distribute the absentee ballots, unopened, to the absentee voter's respective election district concurrently with the distribution of the other election supplies. Absentee ballots shall be canvassed immediately and continuously without interruption until completed after the close of the polls on the day of the election in each election district. The results of the canvass of the absentee ballots shall then be included in and returned to the county board with the returns of that district. No absentee ballot shall be counted which is received in the office of the county board of election later than 5 o'clock P.M. on the Friday immediately preceding the primary or November election. Watchers shall be permitted to be present when the envelopes containing official absentee ballots are opened and when such ballots are counted and recorded.

Whenever it shall appear by due proof that any absentee elector who has returned his ballot in accordance with the provisions of law has died prior to the opening of the polls on the day of the primary or election, the ballot of such deceased elector shall be rejected by the canvassers; but the counting of the ballot of an elector thus deceased shall not of itself invalidate any nomination or election.

At such time the local election board shall then further examine the declaration on each envelope not so set aside and shall compare the information thereon with that contained in the "Registered Absentee Voters File," the absentee voters' list and the "Military Veterans

and Emergency Civilians Absentee Voters File." If the local election board is satisfied that the declaration is sufficient, and the information contained in the "Registered Absentee Voters File," the absentee voters' list and the "Military Veterans and Emergency Civilians Absentee Voters File," verifies his right to vote, the local election board shall announce the name of the elector and shall give any watcher present an opportunity to challenge any absentee elector upon the ground or grounds (1) that the absentee elector is not a qualified elector; or (2) that the absentee elector was within the county of his residence on the day of the primary or election during the period the polls were open, except where he was in military service or except in the case where his ballot was obtained for the reason that he was unable to appear personally at the polling place because of illness or physical disability; or (3) that the absentee elector was able to appear personally at the polling place on the day of the primary or election during the period the polls were open in the case his ballot was obtained for the reason that he was unable to appear personally at the polling place because of illness or physical disability. Upon challenge of any absentee elector, as set forth herein, the local election board shall mark "challenged" on the envelope, together with the reason or reasons therefor, and the same shall be set aside for return to the county board, unopened, pending decision by the county board, and shall not be counted. All absentee ballots not challenged for any of the reasons provided herein shall be counted and included with the general return of paper ballots or voting machines, as the case may be as follows. Thereupon, the local election board shall open the envelope of every unchallenged absentee elector in such manner as not to destroy the declaration executed thereon. All of such envelopes on which are printed, stamped or endorsed the words "Official Absentee Ballot" shall be placed in one or more depositories at one time and said depository or depositories well shaken and the envelopes mixed before any envelope is taken therefrom. If any of these envelopes shall contain any extraneous marks or identifying symbols other than the words "Official Absentee Ballot," the envelopes and

the ballots contained therein shall be set aside and declared void. The local election board shall then break the seals of such envelopes, remove the ballots and record the votes in the same manner as district election officers are required to record votes. With respect to the challenged ballots, they shall be returned to the county board with the returns of the local election district where they shall be placed, unopened, in a secure, safe and sealed container in the custody of the county board until it shall fix a time and place for a formal hearing of all such challenges and notice shall be given where possible to all absentee electors thus challenged and to every attorney, watcher or candidate who made such challenge. The time for the hearing shall not be later than seven (7) days after the date of said challenge. On the day fixed for said hearing, the county board shall proceed without delay to hear said challenge and, in hearing the testimony, the county board shall not be bound by technical rules of evidence. The testimony presented shall be stenographically recorded and made part of the record of the hearing. The decision of the county board in upholding or dismissing any challenges may be reviewed by the court of common pleas of the county upon a petition filed by any person aggrieved by the decision of the county board. Such appeal shall be taken within two (2) days after such decision shall have been made, whether reduced to writing or not, to the court of common pleas, setting forth the objections to the county board's decision and praying for an order reversing same. Pending the final determination of all appeals, the county board shall suspend any action in canvassing and computing all challenged ballots irrespective of whether or not appeal was taken from the county board's decision. Upon completion of the computation of the returns of the county, the votes cast upon the challenged official absentee ballots shall be added to the other votes cast within the county.

Any person challenging an application for an absentee ballot or an absentee ballot for any of the reasons provided shall deposit the sum of ten dollars (\$10.00) in cash with the local election board. In cases of challenges made to the local election board and with the county board in cases of challenges made to the county board for

which he shall be issued a receipt for each challenge made, which sum shall only be refunded if the challenge is sustained or if the challenge is withdrawn within five (5) days after the primary or election. If the challenge is dismissed by any lawful order, then the deposit shall be forfeited. All deposit money received by the local election board shall be turned over to the county board simultaneously with the return of the challenged ballots. The county board shall deposit all deposit money in the general fund of the county.

Notice of the requirements for persons who have obtained an absentee ballot and find themselves able to go to the polls on the primary or election day (set forth in "Voting by Absentee Electors") shall be printed on the envelope for the absentee ballot.

Public Records

All official absentee ballots, files, applications for such ballots, and envelopes on which the executed declarations appear, and all information and lists, are designated and declared to be public records and shall be safely kept for a period of two years, except that no information concerning a military elector shall be made public which is expressly forbidden by the War Department because of military security.

Violations of Provisions Relating to Absentee Electors' Ballots

If any person shall sign an application for absentee ballot or declaration of elector on the forms prescribed, knowing any matter declared therein to be false, or shall vote any ballot other than one properly issued to him, or vote or attempt to vote more than once in any election for which an absentee ballot shall have been issued to him, or shall violate any other provisions of the laws relating to absentee voting, he shall be guilty of a misdemeanor, and upon conviction shall be sentenced to pay a fine not exceeding one thousand dollars (\$1000), or be imprisoned for a term not exceeding one year, or both, at the discretion of the court.

If any chief clerk, member of a board of elections, member of a return board or member of a board of registration commissioners shall neglect

or refuse to perform any of the duties prescribed by the laws relating to absentee voting, or shall reveal or divulge any of the details of any ballot cast in accordance with the provisions of law, or shall count an absentee ballot knowing the same to be contrary to the provisions of law, or shall reject an absentee ballot without reason to believe that the same is contrary to the provisions of law, or shall permit an elector to cast his ballot at a polling place knowing that there has been issued to the elector an absentee ballot, he shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine not exceeding one thousand dollars (\$1000), or be imprisoned for a term of one year, or both, at the discretion of the court.

Conduct of Elections

When Elections Are Held

1. The "General Election" is the election which is held in all even-numbered years on the Tuesday next following the first Monday of November.

2. The "Municipal Election" is the election which is held in all odd-numbered years on the Tuesday next following the first Monday of November.

3. The "Primary Election" is the election held on the third Tuesday of May in all years, except in presidential years, when it is held on the fourth Tuesday of April.

Voting Hours

At all primaries and elections the polls shall be opened at 7 o'clock A.M. Prevailing Time, and shall remain open continuously until 8 o'clock P.M. Prevailing Time.

Election Officers

The election board in every district consists of a judge of election and two (2) inspectors of election. They are elected at Municipal elections and serve for a term of four years, beginning the first Monday of January following their election. In paper ballot districts each inspector shall appoint one clerk to serve at the election. In voting-machine districts one clerk shall be appointed by the minority inspector to serve at the election. In addition thereto, in each district in which more than one voting machine is used, the county board of elections shall appoint a voting machine inspector for each additional machine to be used in such district.

Each elector may vote for one inspector and the majority inspector in any district is the one who received the highest number of votes at the election. The minority inspector is the one who received the second highest number of votes at the election.

Preliminary Duties

All election officers are required to be at the polling place at least thirty (30) minutes before 7 o'clock A.M., so that the board may organize and take care of the preliminary details. The

election officers shall thereupon in the presence of each other take and subscribe in duplicate to the respective oaths of office as required by law. The minority inspector or a magistrate, alderman or justice of the peace shall administer the oath of office to the judge of election, who then shall administer the oath to the inspectors, clerks and machine inspectors. The oaths must be signed in duplicate by the persons so sworn at the time the board is being organized and before the electors are permitted to vote and must be attested by the officer who administered the oath. Any election officer who shall act as such without first being duly sworn, or any judge or minority inspector who refuses or fails to administer an oath in the manner required, shall be guilty of a misdemeanor and subject to a fine and imprisonment.

Filling Vacancies on Election Boards

If a vacancy occurs on an election board prior to the date of any primary or election, it shall be filled by appointment by the Court of Quarter Sessions of the proper county. In the case of such an appointment by the Court the person so appointed shall serve for the unexpired term of the person so succeeded.

Vacancies on election boards occurring on election day shall be filled as follows:

1. If any judge of election shall not appear at the polling place by 7 o'clock A.M., the majority inspector shall appoint a judge who is qualified to act;
2. If any majority inspector shall not appear at said hour, the judge of election shall appoint as majority inspector a person who is qualified to act;
3. If any minority inspector shall not appear at said hour, the person who received the second highest vote for judge of election at the preceding municipal election shall serve as minority inspector, if available and if qualified. If such person is not available or not qualified, the electors of the district then present shall, under the supervision of the judge of election, elect one of their number who is qualified to fill the vacancy;
4. If any clerk shall not appear at said hour, the inspector who appointed the clerk shall

appoint a qualified person to fill the vacancy;

5. If any machine inspector shall not appear at said time, the judge of election shall notify the county board of elections, who shall immediately appoint a qualified machine inspector to fill the vacancy;
6. If, for any reason any vacancy shall not have been filled by 7:30 A.M., the qualified electors of the district then present shall elect a qualified person or persons to fill such vacancies.

Any person elected or appointed at the polling place to fill a vacancy on the day of an election shall serve **ONLY FOR THAT ELECTION**. He does not serve for the unexpired term of the previously elected officer whose vacancy he is filling.

(NOTE: In Counties of the Third Class, the Court of Common Pleas may appoint additional clerks at the polling places where needed, if requested to do so by the county board of elections. In all such cases a clerk from EACH of the two political parties must be appointed.)

Qualifications of Election Officers

Election officers shall be qualified, registered electors of the district in which they are elected or appointed. No person shall be qualified to serve as an election officer who shall hold, or shall within two months have held, any office, appointment or employment in or under the Government of the United States or of this State, or of any city, county, borough, township, incorporated town, school district, poor district or of any municipal board, commission or trust in any city, save only justices of the peace and aldermen, notaries public and persons in the militia service of the State; nor shall any election officer be eligible to any civil office to be voted for at a primary or election at which he shall serve, except that of an election officer.

Organizing the Board

After the election board has been sworn, the ballot box which has been delivered to them shall be opened, and all ballots and other papers which may be found therein shall be destroyed. Then the ballot box shall be locked securely and

not, under any circumstances, be opened again until after the polls are closed.

One card of instructions and one card of penalties shall be posted in each voting booth, and three or more cards of instructions and penalties and five or more specimen ballots shall be posted in the voting room outside the guard rail (at primaries at least five specimen ballots of each party shall be posted). Cards of instructions, penalties, and specimen ballots shall be distributed to any electors who request them, as long as the supply lasts.

The instructions and penalties should be read carefully by the election board, who also should see that each booth is properly curtained and supplied with a pencil, indelible pencil or ball point pen.

The election officers shall publicly open the packages containing the ballots and supplies. If there is any shortage the county board of elections should be notified immediately. Among other contents will be blank voters' certificates with the district registers containing the permanent registration cards.

THE VOTERS' CERTIFICATES ARE TO BE HANDLED BY ELECTION OFFICERS ONLY. NO OTHER PERSON SHOULD BE PERMITTED TO HANDLE OR DISTRIBUTE VOTERS' CERTIFICATES. THE ELECTION OFFICERS WILL BE HELD RESPONSIBLE FOR ALL VOTERS' CERTIFICATES WHICH HAVE BEEN DELIVERED TO THEM.

Without any exception, ALL certificates must be returned to the county election board with the district register.

Assignment of Duties of the Board

The judge of election shall assign the duties of the election board.

He shall designate one of the inspectors to take charge of the district register and to make the required entries therein. In paper ballot districts the other inspector shall have charge of the receipt and deposit of ballots in the ballot box, the judge or one of the clerks shall issue the ballots to electors after they are found entitled to vote, and the other clerk shall have charge of the voters' certificates and shall file them as they are received and approved.

In districts in which voting machines are used, the other inspector or clerk shall have charge of the voters' certificates, and the judge shall have special charge of the operation of the voting machine. However, the judge may make other arrangements for the division of the duties imposed on the election board, so long as each election officer and clerk is assigned some specific duty to perform. If more than one voting machine is used, the judge shall assign one machine inspector to have charge of the operation of each machine. The judge shall assign two members of the election board or clerks to keep two numbered lists of voters during the progress of the voting.

Any election officer, clerk or machine inspector may be assigned by the judge of election to assist another officer, clerk or machine inspector in the performance of his duties, or to perform them for him during his temporary absence or disability.

IF AT ANY STAGE OF THE ELECTION THE OFFICERS ARE IN DOUBT AS TO ANY QUESTION OF LAW OR PROCEDURE, THEY SHOULD CALL THE COUNTY ELECTION BOARD AT ONCE.

Voting Regulations

Until the polls are closed, no person shall be allowed in the polling place outside of the enclosed space at any primary or election, except the watchers, voters (not exceeding ten at any one time) who are awaiting their turn to vote, and peace officers, when necessary for the preservation of the peace. No elector shall be allowed to occupy a voting compartment or voting machine booth already occupied by another, except when giving assistance as provided by law.

Not more than twice as many electors waiting to vote as there are voting compartments in use in the district shall be admitted within the enclosed space at any one time. Thus, if there are five voting booths, ten persons may be inside the enclosed space awaiting their turn to vote; if there are six booths, twelve persons, etc. Of course, no elector shall be permitted to enter inside the enclosed space until he shall be found to be entitled to vote.

An elector, except an election officer, clerk, machine inspector or overseer, shall not be allowed to re-enter the enclosed space after he has once left it, except to give assistance as provided by law.

A person, when within the polling place, may not electioneer or solicit votes for any political party, political body, or candidate. Written or printed matter may not be put up within the polling place, except as required by law.

All persons, except election officers, clerks, machine inspectors, overseers, watchers, persons in the course of voting, persons lawfully giving assistance to voters, and peace and police officers, when permitted by law, must remain at least ten (10) feet distant from the polling place during the progress of the voting.

When the hour for closing the polls arrives, all electors who have already qualified and are inside the enclosed space, shall be permitted to vote; and, in addition thereto, not more than ten (10) qualified electors who are in the polling place outside the enclosed space, waiting to vote, shall be permitted to vote, if found qualified, but no other person shall be permitted to vote.

It is the duty of the judge of election to secure the observance of these regulations, to keep order in the voting room, and to see that no more persons are admitted within the enclosed space than are permitted by law. The judge of election may call upon any constable, deputy constable, police officer, or other peace officer, to aid him in the performance of these duties.

Manner of Applying to Vote

Permanent registration is now State-wide. A person shall not be permitted to vote unless a registration card bearing his name appears on the district register, except by an order of the Court of Common Pleas, directing the board to permit a person to vote. Such order of Court must be obeyed.

(NOTE: The following persons may petition the Court of Common Pleas for an order of reinstatement during the period the polls are open on the day of any primary or election (except in Philadelphia):

Persons who were duly registered in the county but unavoidably failed to file a re-

moval notice or reinstatement card; persons needing assistance in voting who unavoidably failed to make application within the time prescribed by law; veterans who were discharged from service in the armed forces too late to register.

Any commissioner, chief clerk, registrar or clerk may also file a petition setting forth that a particular voter has been denied the right to vote by reason of an error by the registration commission.)

An elector who desires to vote shall announce his name distinctly and audibly to the election board. He shall sign a voter's certificate, giving his residence, and hand the same to the election officer in charge of the district register. The officer locates the elector's registration card and compares the elector's signature on the certificate with his signature on the registration card. If the signature on the voter's certificate appears to be genuine, the elector is then permitted to vote. If the signature does not appear to be genuine, the elector should be challenged as to identity, and before being permitted to vote, he must produce evidence and make a supporting affidavit attesting his identity. After the elector is found qualified, the officers having charge of the numbered lists of voters enter the name of the voter, and at primaries a letter or abbreviation designating the party in whose primary the elector votes. The officer having charge of the district register enters on the reverse side of the registration card of each voter, in the columns provided for the purpose, the date of the election or primary, the number of the stub of the ballot issued to him, and at primaries a letter or abbreviation designating the party in whose primary the elector votes, and the initials of the election officer having charge of the district register, in the column provided for that purpose.

(NOTE: When special elections for public officers or on referendum questions are held in conjunction with a primary, ALL duly qualified voters who are REGISTERED and ENROLLED AS OTHER THAN DEMOCRATIC OR REPUBLICAN PARTY MEMBERS are entitled to vote on such offices and questions, even though they may not vote in a party primary. It is the responsibility of county boards of elections to provide separate paper

ballots for this purpose in counties which use paper ballots, and also in counties which use voting machines IF they are unable to lock all party primary rows simultaneously.)

A person who applies to vote shall not be permitted by an election officer to see the signature recorded as his in the district register until after he shall have signed his name to the voter's certificate.

The officer having charge of the voter's certificate must insert the information required on each certificate and sign his name or initials; and if the elector's signature on said certificate is not readily legible, the election officer must print the elector's name on the certificate over the signature. If, because of disability, the elector was unable to sign his registration card and is unable to sign a voter's certificate, he must establish his identity to the satisfaction of the board, and one of the election officers shall prepare a certificate for him, upon which the facts as to such disability shall be noted and attested by the signature of such election officer.

IT IS A CRIMINAL OFFENSE TO FAIL TO RECORD CORRECTLY THE VOTING INFORMATION GIVEN BY EACH VOTER ON THE VOTER'S CERTIFICATE AND ON THE REVERSE SIDE OF HIS REGISTRATION CARD. THIS INFORMATION MUST BE GIVEN IN DETAIL FOR EVERY VOTER.

Voting by Paper Ballot

After an elector has been found qualified, he shall be given a ballot and permitted to enter the voting booth. After marking his ballot, he shall refold it before leaving the booth, and exhibit the number on his ballot to the judge or one of the inspectors. If it is the same number as was issued to him, he shall be authorized to remove the stub and deposit the ballot in the box.

BE CERTAIN THAT NO BALLOT IS DEPOSITED IN THE BALLOT BOX WITH THE NUMBER STUB ATTACHED. SUCH BALLOT IS COMPLETELY VOID AND MUST NOT BE COUNTED.

Voting by Machine

Where voting machines are used, the election officers shall instruct each elector before he enters the machine booth in the operation of the machine, and shall give the elector opportunity personally to operate the model. If any elector, after entering the machine booth and before closing it, asks for further instructions, any election officer may give him such instructions, and shall then retire before the elector closes the booth or votes. The election officer may not suggest or request that the elector vote for any particular ticket or candidate, or for or against any particular question.

At primary elections, before an elector is admitted to the machine booth, the machine shall be adjusted by the election officer in charge of it, so that the elector will only be able to vote for the candidates of the party in which he is registered and enrolled.

At primaries, the elector votes for candidates individually, by operating the handle adjacent to which the name of such candidate is placed.

At Municipal or General Elections, the elector may similarly vote for candidates individually, or he may vote a straight political party ticket in one operation by operating the separate straight political party lever if the machine has such lever.

To vote for any person whose name does not appear upon the voting machine as a candidate, the elector should ask an election officer for instructions.

As soon as the elector has adjusted the voting machine so that it will record his vote for candidates and on the various questions submitted, he shall operate the recording mechanism and forthwith leave the booth.

AT PRIMARIES NO PERSON IS ENTITLED TO VOTE AS A MEMBER OF ANY PARTY UNLESS HE IS REGISTERED AND ENROLLED IN THE DISTRICT REGISTER AS A MEMBER OF SUCH PARTY. THIS ENROLLMENT IS CONCLUSIVE AS TO HIS PARTY MEMBERSHIP AND IS NOT SUBJECT TO CHALLENGE.

Challenge of Voters

A challenge is the test of a person's right to vote. A person is not entitled to vote at any primary or election unless his registration card appears in the district register. However, even though his registration card is in the district register, any person may be challenged by any qualified elector, election officer, overseer or watcher, as to his identity, as to his continued residence in the election district, as to any alleged violation of the law pertaining to the signing of the voter's certificate or as to any alleged violation of the law prohibiting bribery at elections. If an elector is challenged as to identity or residence, he must produce at least one qualified elector of the election district as a witness who shall make affidavit of the elector's identity or continued residence in the election district. If challenged as to any violation of the law pertaining to the signing of a voter's certificate, or the law prohibiting bribery at elections, the elector shall not be permitted to vote until he shall have made a written affidavit, on the forms provided, that the matter of the challenge is untrue.

The inspectors of election shall investigate and pass upon the qualifications of all persons claiming the right to vote at any primary or election, and if the inspectors shall disagree upon the right of any person to vote, the judge of election shall decide the question. If the judge is unable to decide, then the overseers of election, if they be agreed, shall decide the question.

Overseers

On petition for cause of five or more duly registered electors of any election district, it is the duty of the Court of Common Pleas to appoint two electors of the said district each of a different political party, as overseers of election to supervise the proceedings and to make report of same to the Court.

Overseers shall be sworn or affirmed by the judge of elections to the faithful discharge of their duties, and they must sign the oath in duplicate. They shall have the right to be present inside the enclosed space during the entire proceedings, including the counting of votes and

making out of returns. They may keep a list of voters, may challenge any voter and interrogate him and his witnesses under oath on his right to vote. Whenever the members of the election board differ in opinion and the overseers are agreed, the overseers decide the question.

Overseers are required to sign the election returns of the district, or to write thereon the reasons for refusal to sign, and should immediately report to the Court any fraud of which they have knowledge.

Any person interfering with the carrying out of the lawful performance of the duties of the overseers is subject to the penalties provided by law.

Watchers

Each candidate at any primary is entitled to appoint two watchers in each election district in which he is voted for. Each political party and each political body which has nominated candidates shall be entitled to appoint three watchers, at any general, municipal or special election in each election district in which its candidates are to be voted for.

All watchers must be qualified registered electors of the district in which they are authorized to act.

Only one watcher for each candidate at primaries, or for each party or political body at general, municipal or special elections, shall be allowed to remain in the polling place at any one time prior to the closing of the polls. All watchers must remain outside the enclosed space. After the closing of the polls, and while the ballots are being counted or voting machines canvassed, all watchers are permitted to be in the polling place outside the guard rail. Each watcher shall be provided with a certificate from the county board of elections, stating his name and the name of the candidate, party, or political body he represents and is required to show his certificate when requested to do so. Watchers are permitted to keep a list of voters and are entitled to challenge any person making application to vote.

Act No. 453 of 1963 further amends the law concerning watchers to provide that watchers may be appointed to serve in an election district other than the district of residence, provided that

they are residents of the same municipality (city, borough or township) in which the district where they are authorized to act is located. Watchers so appointed can ONLY be appointed on petition to the proper Court of Common Pleas. The petition must show that the watcher to be appointed is a qualified voter of the municipality in which the district is located and that he is a law-abiding citizen of good repute. The Court shall consider ALL factors relevant to the petition before granting or refusing it.

No candidate or committee of a political party or political body, nor any other person, shall pay a watcher more than twenty (\$20.00) dollars per diem.

It is a criminal offense for any person, by violence or intimidation, to threaten or drive away or to prevent from doing his duty, any watcher who is legally permitted to be present at any polling place.

Police Officers

A police officer in commission, whether in uniform or in citizen's clothes is not permitted to be within one hundred (100) feet of any polling place during the conduct of any primary or election, except in the exercise of his privilege of voting, or for the purpose of serving warrants or unless called upon by the election officer to preserve the peace.

Assistance in Voting

A voter shall not be permitted to receive any assistance in voting at any primary or election, unless there is recorded upon his registration card his declaration that, because of illiteracy, he is unable to read the names on the ballot or on the voting machine labels, or that he has a physical disability which renders him unable to see or to mark the ballot or operate the voting machine, or to enter the voting compartment or voting machine booth without assistance. The exact nature of such disability must be recorded on his registration card, and the election officers must be satisfied that at the time of the election he still suffers from the same disability. Before he shall be permitted to receive assistance, such voter shall state distinctly and audibly under oath or affirmation, which shall be administered

to him by the judge of election, the reason why he requires assistance.

Any elector who is entitled to receive assistance in voting shall be permitted by the judge of election to select a registered elector of the election district to enter the voting compartment or voting machine booth with him to assist him in voting, such assistance to be rendered inside the voting compartment or voting machine booth.

In every case of assistance, the judge of election shall forthwith enter in writing in a book to be furnished by the county board of elections, to be known as the "Record of Assisted Voters": (1) the voter's name; (2) a statement of the facts which entitle him to receive assistance; and (3) the name of the person furnishing the assistance. The Record of Assisted Voters shall be returned by the judge of election to the county board of elections with the other papers, as hereinafter specified.

An elector who unlawfully receives assistance, or any election officer who shall be guilty of permitting unlawful assistance in voting, shall be guilty of a misdemeanor, and shall be subject to a fine not to exceed \$1,000 or imprisonment of not more than one (1) year, or both.

Violation of Secrecy in Voting—Penalties

SECRECY IN VOTING MUST BE MAINTAINED AT ALL TIMES. It is a criminal offense for any person to unfold or pry into any other person's ballot before such ballot is deposited in the ballot box, for the purpose of discovering the manner in which said ballot has been marked. It is also a criminal offense for an elector to allow any other person to see his ballot or the face of the voting machine voted by him, or to cast or attempt to cast any other than the official ballot which has been given him by the election officer. It is also an offense for any elector to permit another person to accompany him into the voting compartment or voting machine booth or to mark his ballot or prepare the voting machine for him, unless he has complied with the requirements of the law as to assistance, and unless the disability which he declared at the time of registration still exists. It is also an offense for a person to state falsely that he is unable, because of illiteracy, to read

the names on the ballot, or that he is unable to mark the ballot by reason of physical disability. It is also an offense for any person to be present in the voting booth while another person is voting, or to mark the ballot of another person, except in strict accordance with the provisions pertaining to assistance, or for any person giving assistance to attempt to influence the vote of the elector he is assisting, or to mark a ballot in any way other than that requested by the voter whom he is assisting, or to disclose to anyone the contents of any ballot which has been marked with his assistance, except when required to do so in a legal proceeding.

A PERSON OTHER THAN AN ELECTION OFFICER OR CLERK SHALL NOT REMOVE ANY BALLOT FROM ANY BOOK OF OFFICIAL BALLOTS. It is unlawful to remove more than one ballot from a ballot book at any one time. If a voter spoils a ballot, he may return it to the election officer to be marked "spoiled," whereupon he is entitled to receive another ballot. In such case, the election officer must be sure to change the ballot number recorded as the voter's in the district register and on the voter's certificate.

Time Allowed to Vote

An elector may not remain in the voting compartment an unreasonable length of time, and, in **NO EVENT, FOR MORE THAN THREE (3) MINUTES.** If a voter refuses to leave the booth after three minutes, he shall be removed by the election officers. However, an elector may be granted a longer time to vote if other electors are not waiting to do so.

Closing the Polls

The judge of election must close the polling place promptly at 8 o'clock P. M. Prevailing Time.

After the polls are closed the only persons permitted in the polling place while the votes are being counted are the following: judge of election, inspectors, clerks, overseers, watchers, and peace officers. Watchers and peace officers must remain outside the enclosed space unless it is necessary to enter to preserve the peace.

(See also Voting Regulations.)

Processing Absentee Ballots

Act No. 375 of 1968 provides that the county boards of election shall distribute the absentee ballots to the appropriate local election districts in a manner prescribed by the Secretary of the Commonwealth.

Since there are 67 counties to consider and approximately 67 different problems relating to this procedure, the following general procedures shall prevail for the primary and election. The county board of election shall distribute the absentee ballots to the election district officers in the following priority: to the Judge of Elections; if not available, to the Majority Inspector; if not available, to the Minority Inspector. The method of distribution shall be such as to insure accountability for the ballots, to insure that the ballots are received by the election board, and to insure that the election board is adequately informed in processing the absentee ballots.

We offer the following suggestions:

That the local election districts be informed that not all of the ballots that have been mailed to electors and whose names appear on the absentee electors list posted in the polling place are likely to be returned, so that even though a person's name appears on the absentee electors list, his ballot may not have been used or returned for counting.

That where no ballots have been issued to electors in a particular district, the local election district officers be so informed.

Military voters need not be registered, and in counting this type of ballot, the local election district officers will not find a registration card or temporary registration card in the district binder.

It is suggested that the county board of election screen the return envelopes for the proper affidavits prior to the distribution to the local boards. We suggest you do not send questionable balloting material to the local boards.

The new absentee voting law provides that "absentee ballots shall be canvassed immediately and continuously without interruption until completed after the close of the polls." Therefore, before opening the ballot box, or in districts where voting machines are used before taking the count from the voting machine, the absentee

ballots must be counted. The local election board shall proceed as follows:

1. Void the absentee ballot of any elector who had appeared at the polling place in person, signed the affidavit on his temporary registration card and voted on the voting machine. Mark such ballot envelope "VOID" and return it with election returns.

2. Void the absentee ballot of any elector who has died prior to the opening of the polls. Mark such ballot envelope "VOID—DECEASED" and return it with election returns.

3. Check the registration cards of all other absentee voters to make sure that they have not already voted at the polling place. If the election board finds that the absentee voter has already voted (i.e., voting information is recorded on his registration card, name appears on the numbered list of voters and a signed voter's certificate is on file) and such voter did not identify himself as an absentee voter at the time he voted on the voting machine, and did not sign the affidavit on his temporary (green/other color) registration card, mark such ballot envelope "CANCELLED" and return it with election returns.

4. Check the absentee voters' list furnished by the bureau of elections to make sure that the names of the absentee voters whose ballots you are about to tally appear on such list. If the name does not appear, call the county bureau of elections immediately. Make certain that you cross out the names of the absentee voters whose ballots you have "voided" or "cancelled."

5. Compare the signature of the absentee voter on his absentee ballot envelope with the signature on his registration card to assure sufficient identity of voter. If the voter was unable to sign, his mark, together with the signature and address of a witness, should appear on the affidavit on the back of the absentee ballot envelope.

6. If satisfied that the absentee ballot declaration is sufficient to verify the absentee elector's right to vote, then announce the name of such voter in order to give any watcher present the opportunity to challenge.

Challenges may be made on the grounds that the absentee voter is not a qualified elector of the election district; or the absentee voter (who

has claimed necessary absence) was in fact within the county of residence during the time the polls were open (military excepted); or the absentee voter (who has claimed illness or physical disability) was in fact physically able to come to the polls.

A deposit of ten dollars (\$10.00) in cash for each absentee ballot challenged must be submitted by the challenger. Challenger shall be given a deposit receipt. Any ballot so challenged shall be marked "CHALLENGED," a carbon copy of the deposit receipt shall be attached, together with the challenge affidavit, and shall be returned to the county bureau of elections in the proper envelope along with the election returns. Within seven (7) days after the date of the challenge, hearings will be held. The deposit will be refunded if the challenge is withdrawn within five (5) days, or if the challenge is sustained; otherwise, deposit will be forfeited.

7. After announcing the name of the absentee voter, and hearing no challenge, the envelope is then opened in such manner as not to destroy the declaration thereon. The inside envelope marked "official absentee ballot" shall then be extracted and left unopened. When all the inside envelopes have been extracted, they shall be shuffled together to avoid identification. If any of these "official absentee ballot" envelopes are unsealed or contain any extraneous matter or identifying symbols other than the words "official absentee ballot," the envelopes and the ballots are to be set aside, marked "VOID" and returned to the county board of elections with the election returns. (If assistance is received in voting the absentee ballot, the assistance affidavit ONLY should be enclosed, but outside the absentee ballot envelope.)

8. The valid official absentee ballot envelopes are then opened, the ballots removed and tallied, and the results entered under the candidates' names on the return sheets provided by the Bureau of Elections.

Counting the Vote—Paper Ballots

Before any ballot box is opened, the number of ballots issued to electors (at primaries, the number issued to the electors of each party), as shown by the stubs, and the number of ballots (at primaries, the number of ballots of each

party) spoiled and returned by voters and cancelled, must be announced to all present in the voting room, and entered on the general return sheets. The election officers must then compare the number of electors voting, as shown by the ballot stubs, with the number of names marked as voting in the district register, the voters' certificates, and the numbered lists of voters, and must announce the result and enter on the return sheets the number of electors who have voted. If any differences exist, they shall be reconciled, if possible, otherwise they shall be noted on the return sheets. Then the district register, the voters' certificates, the numbered lists of voters and the stubs of all used ballots, together with all unused ballots, and all spoiled and cancelled ballots, and all rejected voters' certificates, shall be placed in separate containers which are provided, which shall be sealed.

(Note to Election Officers:—The supply box will contain all the necessary envelopes and containers for returning the different papers. Read the instructions on the envelopes and be sure that each item is placed in the proper envelope or container.)

The ballot boxes shall then be opened and all ballots taken out (and at primaries separated according to political parties). The ballots shall then be counted one by one, and a record made of the total number cast (and at primaries of the total number cast for each party). Then the judge, under the scrutiny of the minority inspector (or the minority inspector under the scrutiny of the judge), in the presence of the other officer, clerks and overseers, and within the hearing and sight of the watchers, shall read aloud the names of the candidates marked or inserted on each ballot (at primaries the ballots of each party being read in sequence), together with the office for which the person is a candidate, and he answers to any questions submitted. The majority inspector and clerks shall carefully enter each vote as read, and keep account of the same in ink on triplicate tally papers (triplicate tally papers for each party at primaries), all three of which shall be made at the same time. Ballots, after being removed from the box, shall be kept within the unobstructed view of all persons in the voting room until replaced in the box.

No person while handling the ballots shall have in his hand any pencil, pen, stamp, or other means of marking or spoiling any ballot. The election officers shall proceed to canvass and compute the votes cast, and shall not adjourn or postpone the computation until it has been fully completed.

When the vote cast for the different persons named upon the ballots and upon the questions, if any, appearing thereon, shall have been fully recorded in the tally papers and counted, the election officers shall duly certify to the number of votes cast for each person (upon the respective party tickets at primaries), and shall prepare in ink two (2) general returns, showing, in addition to the entries made thereon as aforesaid, the total number of ballots received from the county board (the total of each party at primaries), the number of ballots cast (the number of each party at primaries), the number of ballots (of each party at primaries) declared void, and the number of ballots spoiled and cancelled, and any blank ballots cast, as well as the votes cast for each candidate. At elections, the number of votes cast for each candidate by each political party or political body of which such candidate is a nominee shall be separately stated: Provided, That the number of votes received by each set of candidates upon "straight party tickets" shall be entered opposite the names of the respective candidates in a column immediately adjoining upon the left, which column shall be of convenient width and shall be headed "number of votes received upon straight party tickets." In an immediate column to the left thereto, the number of votes received by each candidate upon all ballots other than "straight party tickets" including all ballots known as "split tickets" shall be entered, such column to be of convenient width and shall be headed "number of votes received other than upon straight party tickets." The number of votes received by each candidate as shown in the column headed "number of votes received upon straight party tickets" shall then be added, together with the number of votes received by each candidate as shown in the column headed "number of votes received other than upon straight party tickets" and thereupon, the total number of votes received by each candidate

shall be entered in a column on the extreme right-hand side of the return sheets, which column shall be of convenient width and shall be headed "total number of votes."

In returning votes for persons whose names are not printed on the ballot, the election officers shall record such names EXACTLY as they were written, stamped or applied to the ballot by sticker.

Manner of Counting Ballots

A ballot which is so marked as to be capable of identification shall not be counted. Any ballot that is marked in blue, black or blue-black ink in fountain pen or ball point pen, in black lead pencil or indelible pencil shall be valid and counted, provided that all markings on the ballot are made by the same pen or pencil.

Any ballot marked by any other mark than a cross (X) or check (✓) in the spaces provided for that purpose shall be void and not counted: Provided, however, That no vote recorded thereon shall be declared void because a cross (X) or check (✓) is irregular in form. Any erasure, mutilation or defective marking of the straight party columns at November elections shall render the entire ballot void, unless the voter has properly indicated his choice for candidates in any office block, in which case the vote or votes for such candidates only shall be counted. Any erasure or mutilation in the vote in any office block shall render void the vote for any candidates in such block, but shall not invalidate the votes cast on the remainder of the ballot, if otherwise properly marked. A ballot indicating a vote for any person whose name is not printed on the ballot, whether by writing, stamping or sticker, shall be counted as a vote for such person, if placed in the proper space or spaces provided for that purpose, whether or not a cross (X) or check (✓) is placed after the name of such person: Provided, however, That if such writing, stamping or sticker is placed over the name of a candidate printed on the ballot, it shall render the entire vote in that office block void. If an elector shall mark his ballot for more persons for any office than there are candidates to be voted for such office, or if for any reason it is impossible to determine his choice for any office, his ballot shall not be

counted for such office, but the ballot shall be counted for all offices for which it is properly marked. Ballots not marked, or improperly or defectively marked so that the whole ballot is void, shall be set aside but shall be preserved with the other ballots.

At November elections, a cross (X) or check (✓) marked in the square opposite the name of a political party or political body in the party column shall be counted as a vote for every candidate of that party or body, including its candidates for presidential electors, except for those offices as to which the voter has indicated a choice for individual candidates of the same or another party or body in any office block, in which case the ballot for such office block shall be counted only for the candidates thus individually marked, notwithstanding the fact that the voter has made a mark in the party column, and even though in the case of an office for which more than one candidate is to be voted for, he has not individually marked for such office the full number of candidates for which he is entitled to vote.

Decisions concerning questionable marks on ballots, or defacing or mutilation of ballots, and the count to be recorded thereon, shall be made by the inspectors of election. If the inspectors shall disagree, the judge shall decide the question. If the judge is unable to decide, then the overseers, if they agree, shall decide the question.

Signing and Disposition of Returns, District Register and Voting Check List; Posting; Return of Ballot Boxes

Immediately after the vote has been counted in districts in which paper ballots are used, all of the general returns shall be signed by the election officers and clerks and certified by the overseers, if any. If any election officer, clerk or overseer shall refuse to sign or certify the general returns, he shall write his reasons therefor upon the general return sheets. One of said returns shall be immediately posted for the information of the public outside the polling place, and one shall be entrusted to the judge for delivery to the county board with the package of unused ballots, etc., in an envelope provided for

that purpose. The election officers shall then replace all the ballots cast, so counted and canvassed, in the ballot boxes, including those declared void, spoiled, and cancelled, together with one set of tally papers, one numbered list of voters, sealed as aforesaid, and one oath of each election officer, and lock and seal each ballot box so that nothing can be inserted therein until it be opened again; and the judge and minority inspector shall immediately deliver the ballot boxes to the custody of the county board, and the county board shall not compute any returns from any election district until the ballot boxes therefor, as well as the package of unused ballots, etc., aforesaid therefrom, are delivered, as aforesaid. The election officers shall record the number of votes cast for each person on an official specimen ballot, shall sign the same and immediately post it outside the polling place for the information of the public.

The minority inspector shall retain one complete set of tally papers, and carefully preserve the same for a period of at least one year. The remaining tally papers, affidavits of voters and others, including oaths of election officers, and one general return sheet shall be placed in separate envelopes, to be provided for that purpose, and sealed as soon as the count is finally completed. All of such envelopes and one numbered list of voters, previously sealed as aforesaid, shall be entrusted to the judge of election to be immediately delivered to the county board.

Immediately upon completion of the count and tabulation of the votes cast, the district register and the voting check list shall be locked and sealed, and returned forthwith by the judge of election to the custody of the proper registration commission.

Counting the Vote—Voting Machines

As soon as the polls are closed and the last voter has voted, the election officers shall immediately lock and seal the operating lever or mechanism on all machines.

The officers, clerk and overseers, if any, shall then sign a certificate for each machine stating that it has been locked against voting and sealed; stating also the number shown on the public counter, the number on the seal which has been attached, the number registered on the

protective counter, and the number or other designation of the voting machine. They shall then compare the number shown on the public counter with the number of names written in the numbered lists of voters, the district register and the voting check list.

These certificates shall be returned by the judge of election to the county board with the other certificates and return sheets.

If the type of voting machine used requires the counters to be seen to canvass the vote, the election officers, in the presence of the watchers and all other persons lawfully within the polling place, shall then make them visible. If the voting machine is equipped to print paper proof sheets, the election officers shall then print enough copies (but not less than four in any case) to give one to each member of the election board, overseer, candidate, watcher, representative of a newspaper, and other persons lawfully present who request same.

The judge and inspectors shall then read off distinctly the designation (number and letter) on each counter for each candidate's name, the result shown by the counter numbers, the votes recorded for each write-in candidate, and the result for and against each question voted on. (The counters shall not be read along the party columns or rows, but always along the office columns or rows, completing the canvass for each office before proceeding to the next.)

The vote shall be entered on the required number of return sheets and certified and signed in the same manner in all respects as described for canvassing paper ballots.

The vote for each machine used shall be ascertained and recorded in like manner, and a statement of the results shall immediately be posted outside the polling place and the return sheets, etc., delivered as provided by law.

Returns Open to Public Inspection

The general returns from the districts which have been returned unsealed shall be open to public inspection at the offices of the county boards as soon as they are received from the judges of election. None of the sealed returns delivered by the judges to the county boards shall be opened by ANY person except by order

of the county board or the court of common pleas.

Compensation of Election Officers

In counties of the **first** and **second** classes, **second class A**, and **third** class, the compensation of judges of election shall be thirty dollars (\$30.00) and the compensation of inspectors, clerks and machine inspectors shall be twenty-five dollars (\$25.00) for each primary and election.

In counties of the **fourth**, **fifth**, **sixth**, **seventh** and **eighth** classes, the compensation of judges, inspectors, clerks and machine inspectors in districts using voting machines shall be fixed by the county board of elections of the county at not less than the following: judges of election, sixteen dollars (\$16.00); inspectors and clerks, fourteen dollars (\$14.00); and machine operators, twelve dollars (\$12.00); and not more than the following: judges of election, twenty-eight dollars (\$28.00); inspectors and clerks, twenty-six dollars (\$26.00); and machine operators, twenty-four dollars (\$24.00); for each primary and election. In districts using voting machines the county board of elections may, in its discretion, establish different per diem rates within the above-mentioned minima and maxima based on the number of votes cast for the following groups: 150 votes or less, 151 to 500 votes, 501 to 1000 votes, over 1000 votes. In every election district using paper ballots in such counties, the compensation of judges, inspectors and clerks shall be fixed by the county board of elections of the county at not less than sixteen dollars (\$16.00) nor more than twenty-one dollars (\$21.00) for each primary and election. In any election district using paper ballots in such counties in which more than one hundred votes are cast at any primary or election all such officers and clerks shall each receive additional compensation at the rate of two dollars (\$2.00) for each fifty votes, or fraction thereof, cast after the first one hundred votes. But in no case shall total compensation for any judge, inspector or clerk exceed the sum of thirty-nine dollars (\$39.00) for any one primary or election.

For transmitting returns of primaries and elections and the ballot box or boxes, all judges

of election shall be entitled to receive the additional sum of two dollars and fifty cents (\$2.50) and, **except in counties of the first class**, shall also be entitled to receive five cents (\$.05) per mile for mileage, as full compensation for said services.

In counties of the **second class and second class A**, the county board of elections may require the minority inspector of elections to accompany the judge of elections in transmitting returns of primaries and elections, in which case the judge of elections and minority inspector of elections shall each be entitled to receive the sum of three dollars and fifty cents (\$3.50) as full compensation for said services.

For transmitting returns of primaries and elections and the ballot box or boxes in counties of the **third, fourth, fifth, sixth, seventh and eighth** classes, all judges of election shall be entitled to receive the additional sum of three dollars and fifty cents (\$3.50) as full compensation for said services.

For transmitting the ballot box or boxes together with the judge of election as herein provided, the minority inspector of election shall be entitled to an additional sum of two dollars and fifty cents (\$2.50) in counties of the **first class**, and in **all other** counties the additional sum of three dollars and fifty cents (\$3.50) as full compensation for said services.

For transmitting the ballot box or boxes together with the judge of election as herein provided in counties of the **third, fourth, fifth, sixth, seventh and eighth** classes, the minority inspector of election shall be entitled to an additional sum of three dollars and fifty cents (\$3.50) as full compensation for said services.

The person furnishing transportation to the judge of election and the minority inspector in transmitting returns and ballot boxes, shall be entitled to ten cents (10¢) per mile circular from the polling place to the county courthouse. The name of such person shall appear on the voucher of the judge of election.

Note: When a primary and special election or a special and general or municipal election take place on the same day, they shall be construed as one election for the purpose of receiving compensation.

Computation of Votes and Canvassing of Returns

Each county board of elections shall arrange for the computation and canvassing of returns of votes cast at each primary and election at its office or at some other convenient public place at the county seat with adequate accommodations for the watchers and attorneys authorized by law to be present.

Each county board shall give at least one week's previous notice by newspaper publication in at least two and not more than three newspapers of general circulation as defined in the "Newspaper Advertising Act" of 1929, P. L. 1784, of the time and place when and where official canvass will begin. At least one of these newspapers shall represent the majority party and at least one the minority party. The county boards shall also keep copies of such advertisement posted at their offices during that period.

The public computation and canvass shall begin at noon on the Friday following the primary, municipal or general election and shall continue from day to day until completed.

Return Board Qualifications

If any member of a county board is a candidate for nomination or election to public office he shall not act as a member of said board for the computation of returns but the other members, if qualified, and if both are not members of the same political party, shall act.

In case there are not at least a majority of the members of said board so qualified, two or more judges of the court of common pleas shall be designated by said court to act as a return board provided that neither of them is a candidate for any nomination or election to public office. If there is only one judge of such court in such county, or if less than two judges are qualified and able to act, any judge who is qualified may act alone.

If there is no judge qualified, the following county officers in the order named, not being candidates for any nomination or election to any public office, shall act as the return board: the prothonotary, sheriff, county treasurer, clerk of the orphans' court, clerk of oyer and terminer

and quarter sessions court, register of wills, and the recorder of deeds.

If none of the above officers can qualify, the president judge of the court of common pleas in such county shall make a written request to the Chief Justice of the Supreme Court of Pennsylvania for the assignment of a judge from another judicial district who shall act as the return board.

The county solicitor shall serve as counsel for the return board in each county and shall receive no additional compensation therefor in addition to his compensation as county solicitor.

COMMONWEALTH OF
PENNSYLVANIA
ELECTION CALENDAR FOR 1970

(All time set forth in this calendar is
prevailing time)

* * * * *

GENERAL PRIMARY
ELECTION MAY 19

GENERAL ELECTION .. NOVEMBER 3

Last day for the chairmen of
county committees (and
in Philadelphia, the chair-
men of the city commit-
tees) of each party to send
to the county boards of
election a written notice
setting forth all party of-
fices to be filled in the
county at the ensuing pri-
mary FEBRUARY 17

Last day for the chairmen of
State Committees of polit-
ical parties to forward
to the SECRETARY
OF THE COMMON-
WEALTH and to the
respective county boards
of election, a written no-
tice setting forth the num-
ber of the members of the
State Committee to be
elected at the primary in
each county or in any dis-
trict or part of a district
within each county FEBRUARY 17

Last day for each county
board of elections to trans-
mit to the SECRETARY
OF THE COMMON-
WEALTH a list of the
organizations which are
political parties within the
county under section 801
(b) of the Pennsylvania
Election Code FEBRUARY 17

- Last day for the SECRETARY OF THE COMMONWEALTH to transmit to each county board of elections a list of the organizations which are political parties within the State under section 801(a) of the Pennsylvania Election Code FEBRUARY 17
- Last day for the SECRETARY OF THE COMMONWEALTH to send to county boards of election a written notice designating the public offices for which candidates are to be nominated at the ensuing primary, and for the nomination to which candidates are required to file nomination petitions in the office of the SECRETARY OF THE COMMONWEALTH FEBRUARY 17
- First legal day to secure signatures on nomination petitions for public offices and political party offices for the general primary .. FEBRUARY 17
- Last day for newcomers to Pennsylvania to establish residence to be eligible to vote at the primary FEBRUARY 18
- First day for county boards of elections to begin to publish in newspapers the names of all public offices for which nominations are to be made at the ensuing primary election FEBRUARY 24
- Last day for county boards of election to begin to publish in newspapers the names of all public offices for which nominations are to be made at the ensuing primary election MARCH 3

Last day to secure signatures on nomination petitions ..	MARCH	10
Last day to FILE nomina- tion petitions	MARCH	10
First legal day to secure signatures on nomination papers nominating inde- pendent candidates	MARCH	11
Last day before the primary election for electors to petition county boards of election to hold special registration days in munic- ipalities within their coun- ties EXCEPT IN PHIL- ADELPHIA	MARCH	16
Last day to WITHDRAW after filing nomination pe- titions for primary election in the office of the SEC- RETARY OF THE COMMONWEALTH — no later than 5:00 P.M. ..	MARCH	17
Last day to file OBJEC- TIONS to nomination pe- titions	MARCH	17
Casting of lots in the office of the SECRETARY OF THE COMMON- WEALTH for position of names upon the primary ballot	MARCH	19
Last day that may be fixed by the Court of Common Pleas for a hearing on objections that have been filed to nomination peti- tions	MARCH	20
Last day, if possible, for the Court of Common Pleas to render a decision in cases involving objections to nomination petitions ..	MARCH	25

Last day to REGISTER before primary election in all municipalities	MARCH	30
Last day to change party enrollment or non-partisan enrollment before the primary and general election. (Elector may not change enrollment between the primary and general election and may change it not more than once between the general election and the next primary election.)	MARCH	30
Last day before primary election on which notices of removal from one election district to another must be received by the county boards of election for all cities, boroughs, towns and townships EXCEPT PHILADELPHIA	MARCH	30
First day before primary election on which official applications for civilian ballots from certain persons listed below may be received by the county boards of election	MARCH	30
(The above lists includes qualified registered electors who will be absent from the Commonwealth or county of residence by reason of occupation, business or duties; persons unable to go to polls because of illness or physical disability; persons employed by State or Federal government and their spouses or dependents who are within the territorial limits of the United States or the District of Columbia. All other qualified absentee electors may apply at any time.)		

Last day to secure signatures on nomination papers	APRIL	1
Last day to file nomination papers nominating inde- pendent candidates	APRIL	1
Last day to file objections to nomination papers nomi- nating independent candi- dates	APRIL	8
Last day that may be fixed by the Court of Common Pleas for a hearing on ob- jections that may have been filed to nomination papers of independent po- litical bodies	APRIL	13
Last day, if possible, for the Court of Common Pleas to render decision in cases involving objections to nomination papers	APRIL	16
Last day before primary election on which notices of removal within the same election district must be received by the county boards of election for all cities, boroughs, towns and townships EXCEPT PHILADELPHIA. (Ex- cept that where removal was within the same dis- trict and no notice was filed, it may be filed on the next election day after the removal with the judge of election and the elector may vote.)	APRIL	20
Last day prior to primary election for county boards of election and the Regis- tration Commission of Philadelphia to report registration figures by		

parties and by election districts to the SECRETARY OF THE COMMONWEALTH APRIL 29

Last day before primary election for any person to file petition with the county boards of election appealing against rejection of registration. (IN PHILADELPHIA, such petition must be filed with the Registration Commission within fifteen days after rejection) MAY 4

As soon as possible after ballots are printed and in no event later than this day, county boards of election shall begin to deliver or mail all absentee ballots for the primary election MAY 5

(Note: As additional applications are received, ballots shall be mailed within forty-eight hours after approval.)

First day for county boards of election in counties of the SECOND CLASS to publish in newspapers notice of the date and hours of voting in the primary election, the places at which the primary is to be held in the various districts, the names of all public offices for which nominations are to be made at the primary MAY 9

Last day before primary election on which an elector, who has suffered a physical disability which requires him to have as-

<p>sistance in voting, may personally make application to the county boards of election in all cities, boroughs, towns and townships EXCEPT PHILADELPHIA to have such fact entered on his registration card</p>	MAY	11
<p>Last day before primary election on which notices of removal must be received by the Registration Commission in PHILADELPHIA ONLY</p>	MAY	11
<p>Last day before primary election on which an elector, who has suffered a physical disability which requires him to have assistance in voting, may personally make application to the Registration Commission in PHILADELPHIA ONLY to have such fact entered on his registration card</p>	MAY	12
<p>Last day before primary election on which official applications for civilian ballots from certain persons listed below may be received by the county boards of election</p>	MAY	12

(The above list includes qualified registered electors who will be absent from the Commonwealth or county of residence by reason of occupation, business or duties; persons unable to go to the polls because of illness or physical disability; persons employed by State or Federal government and their spouses or dependents who

are **within** the territorial limits of the United States or the district of Columbia.

Provided further that any of the above qualified electors who become ill or are called away from home by business or duties, which fact was not known or could not reasonably be known prior to the above date, shall be entitled to execute and file an Emergency Application any time prior to 5:00 P.M. on the Friday preceding the primary. The county boards of election will supply the forms.)

From this day the county boards of election shall have the Registered Absentee Voters' File available for public inspection . MAY 12

Last day for the county boards of election to post Military, Veterans' and Emergency Civilian Absentee Voters' list MAY 12

(This file to remain posted until June 8, 1970 or until returns are certified, whichever is the later date.)

On this day, the county boards of election shall have on file in their office, open to public inspection, forms of the ballot and ballot labels which shall be used in each election district at the primary election MAY 14

On this day, the county boards of election, upon request, shall furnish, without charge, to each can-

- didate whose name is printed on the primary election ballot **three** (3) specimen ballots for the entire district in which such candidate is to be voted for. (The candidate may, at his own expense, have printed on different colored paper as many copies as he requires for conducting his campaign) MAY 14
- All absentee ballots must be received by the county boards of election not later than 5:00 P.M. of this date to be counted MAY 15
- Last day for county boards of election in counties of the **SECOND CLASS** to publish in newspapers notice of the date and hours of voting in the primary election, the places at which the primary is to be held in the various districts, the names of all public offices for which nominations are to be made at the primary MAY 16
- Not earlier than this date (nor later than three-quarters of an hour before the time set for the opening of the polls for the primary election) the county boards of election shall deliver to the judges of election the keys which unlock the operating mechanism of the voting machines .. MAY 16
- Not later than this date, the county boards of election shall deliver the necessary ballots and supplies to the judges of election MAY 18

GENERAL PRIMARY:

- Polls shall remain open continuously between the hours of 7:00 A.M. and 8:00 P.M. (The Court of Common Pleas shall be in session from 7:00 A.M. to 10:00 P.M. except in judicial districts having one judge, in which case the court shall be in session from 7:00 A.M. to 12:00 Noon; from 2:00 P.M. to 5:30 P.M. and from 7:00 P.M. to 10:00 P.M.) MAY 19
- On this day, the Return Boards meet at noon to canvass and compute the votes cast at the primary election MAY 22
- First day to REGISTER after primary election in all municipalities MAY 25
- On this day, candidates receiving tie votes at the primary election cast lots at 12:00 o'clock noon before the SECRETARY OF THE COMMONWEALTH or the county boards of election, as the case may be, to determine who shall be entitled to the nomination. (If the fact of the tie vote is not authoritatively determined until after June 5th, the time for casting lots shall be 12:00 o'clock Noon on the second day after the fact of such tie vote is authoritatively determined.) JUNE 5
- Last day to file petition to contest the nomination of any candidate at the primary election JUNE 8

- Last day for county boards of election to file with the SECRETARY OF THE COMMONWEALTH returns from primary election JUNE 8
- Last day for candidates for nomination (including those nominated by write-ins or stickers) and treasurers of political committees to file primary expense accounts in the office of the SECRETARY OF THE COMMONWEALTH or the county boards of election, as the case may be .. JUNE 18
- Not later than this date county boards of election shall file with the SECRETARY OF THE COMMONWEALTH statement of expenses, in preparing, handling, mailing, delivering, counting and storing such official Military, Veterans' and Civilian Absentee ballots as they are entitled by law to receive compensation for, in the sum of forty (40¢) cents each ... JUNE 18
- Not later than this date, members of a State Political Party Committee, elected at the general primary to meet for organization, at such hour and place as shall be designated by the State Chairman of each political party.
- The State Committee of each political party may make such rules for government of the party in the State not inconsistent with the law as it deems expedi-

ent. No such rules shall be effective until certified copy thereof has been filed in the offices of the SECRETARY OF THE COMMONWEALTH ..	JUNE	24
Last day to petition the Court of Quarter Sessions for an audit of an expense account for the primary election	JULY	8
Last day for newcomers to Pennsylvania to establish residence to be eligible to register and vote in the general election	AUGUST	5
Last day for candidates nominated at the primary election by write-ins or by stickers to pay filing fee and file Loyalty Oath; otherwise office will be declared vacant	AUGUST	10
Last day for withdrawal of candidates nominated at the primary or by nomination papers	AUGUST	10
Last day to file substituted nomination certificates to fill vacancies caused by withdrawal of candidates nominated at the primary election or by nomination papers	AUGUST	20

(NOTE: Substituted nomination certificates to fill vacancies caused by the death of candidates nominated at primaries or by nomination papers shall be filed in the office of the SECRETARY OF THE COMMONWEALTH or the county boards of elections, as the case may be, at any time prior to the

day on which the printing of ballots is started. Objections to substituted nomination certificates must be filed within **three days** after filing of the substituted nomination certificate.)

Last day before the general election for electors to petition county boards of election to hold special registration days in municipalities within their counties EXCEPT IN PHILADELPHIA AUGUST 31

Last day to register before general election in all municipalities SEPTEMBER 14

Last day before general election on which notices of removal from one election district to another must be received by the county boards of election for all cities, boroughs, towns and townships EXCEPT PHILADELPHIA SEPTEMBER 14

First day before general election on which official applications for civilian ballots from certain persons listed below may be received by the county boards of election SEPTEMBER 14

(The above list includes qualified registered electors who will be absent from the Commonwealth or county of residence by reason of occupation, business or duties; persons unable to go to the polls because of illness or physical disability; persons

employed by State or Federal government and their spouses or dependents who are **within** the territorial limits of the United States or the District of Columbia. All other qualified absentee electors may apply at any time.)

- Last day before general election for political parties or political bodies to file nomination certificates or nomination papers with the SECRETARY OF THE COMMONWEALTH or the county boards of election, as the case may be, to fill vacancies in public offices which occur for any cause at a time when the Constitution or laws require them to be filled at the ensuing election, but at a time when such nominations cannot be made under any other provision of the Election Code (Sections 993-999.1 of the Election Code) SEPTEMBER 14
- Last day for **withdrawal** of candidates nominated under the provisions of Sections 993-999.1 of the Election Code SEPTEMBER 17
- Last day to file objections to nomination certificates and papers under the provisions of Sections 993-999.1 of the Election Code SEPTEMBER 17
- Last day for Court hearing on objections to nomination certificates and papers under the provisions of Sections 993-999.1 of the Election Code SEPTEMBER 21

Last day to file **substituted nomination certificates** under the provisions of Sections 993-999.1 of the Election Code **SEPTEMBER 21**

(NOTE: Substituted nomination certificates to fill vacancies caused by the death of candidates nominated under the provisions of Sections 993-999.1 of the Election Code shall be filed in the office of the **SECRETARY OF THE COMMONWEALTH** or the county boards of election, as the case may be, at any time prior to the day on which the printing of ballots is started. Objections to substituted nomination certificates, under the provisions of Sections 993-999.1 of the Election Code, must be filed within **three days** after the filing of the substituted nomination certificate.)

Last day before the general election on which notices of removal within the same election district must be received by the county boards of election for all cities, boroughs, towns and townships **EXCEPT PHILADELPHIA**. Except that where removal was within the same district and no notice was filed, it may be filed on the next election day after the removal with the judge of election and the elector may vote **OCTOBER 5**

Last day prior to general election for county boards

- of election and the Registration Commission of Philadelphia to report registration figures by parties and by election district to the SECRETARY OF THE COMMONWEALTH OCTOBER 14
- Last day before the general election for any person to file petition with the county boards of election appealing against rejection of registration, **except IN PHILADELPHIA (IN PHILADELPHIA, such petition must be filed with the Registration Commission within fifteen days AFTER rejection)** OCTOBER 19
- Not earlier than this date nor later than October 26th candidates for the office of United States Senator file with the Clerk of the Senate and candidates for the office of United States Representative, file with the Clerk of the House a statement of election contributions and expenses .. OCTOBER 19
- As soon as possible after ballots are printed and in no event later than this day, county boards of election shall begin to deliver or mail all absentee ballots for the general election OCTOBER 20
- (NOTE: As additional applications are received, ballots shall be mailed within forty-eight hours after approval.)
- Not earlier than this date nor later than October 31st, county boards of election

shall publish in newspapers notice of the date and hours of voting for the general election—the names of offices to be elected—the names of the candidates—the text of Constitutional Amendments—and other questions to be voted upon, and the places at which the election is to be held in the various districts ... OCTOBER 24

(Such notice shall be published twice in PHILADELPHIA and once in all other counties, in accordance with Section 106 of the Election Code.)

Last day before the general election on which an elector, who has suffered a physical disability which requires him to have assistance in voting, may personally make application to the county boards of election in all cities, boroughs, towns and townships EXCEPT PHILADELPHIA, to have such fact entered on his registration cards OCTOBER 26

Last day before the general election on which notices of removal must be received by the Registration Commission in PHILADELPHIA ONLY OCTOBER 26

Last day before general election on which an elector who has suffered a physical disability which requires him to have assistance in voting, may personally make application to the Registration

Commission in **PHILADELPHIA ONLY** to have such fact entered on his registration card **OCTOBER 27**

Last day before general election on which official applications for civilian ballots from certain persons listed below may be received by the county boards of election **OCTOBER 27**

(The above list includes qualified registered electors who will be absent from the Commonwealth or county of residence by reason of occupation, business or duties; persons unable to go to the polls because of illness or physical disability; persons employed by State or Federal government and their spouses or dependents who are **within** the territorial limits of the United States or the District of Columbia;

Provided further that any of the above qualified electors who become ill or are called away from home or business or duties, which fact was not known and could not reasonably be known prior to the above date, shall be entitled to execute and file an Emergency Application any time prior to 5:00 P.M. on the Friday preceding the general election. The county boards of election will supply the forms.)

From this day the county boards of election shall have the Registered Ab-

sentee Voters' file available for public inspection .	OCTOBER	27
Last day for the county boards of election to post Military, Veterans' and Emergency Civilian Absentee Voters' file	OCTOBER	27
On and after this day, the county boards of election shall have on file in their office, open to public inspection, forms of the ballot and ballot labels which shall be used in each election district at the general election	OCTOBER	29
On this day, the county boards of election, upon request shall deliver, without charge, to county chairmen or other authorized representatives of each political party and political body in the county, two specimen ballots or diagrams for each election district in the county in which their candidates are to be voted for. (Such political party or body may, at its own expense, have printed on different colored paper, as many copies as it requires for conducting its campaign	OCTOBER	29
All absentee ballots must be received by the county boards of election not later than 5:00 P.M. of this date to be counted	OCTOBER	30
Not earlier than this date (nor later than three-quarters of an hour before the time set for the opening of the polls for		

- the general election) the county boards of election shall deliver to the judges of election the keys which unlock the operating mechanism of the voting machines OCTOBER 31
- Not later than this date, the county boards of election shall deliver the necessary ballots and supplies to the judges of election NOVEMBER 2
- GENERAL ELECTION:**
Polls shall remain open continuously between the hours of 7:00 A.M. and 8:00 P.M. (The Court of Common Pleas shall be in session from 7:00 A.M. to 10:00 P.M., except in Judicial districts having one judge, in which case the court shall be in session from 7:00 A.M. to 12:00 Noon; from 2:00 P.M. to 5:30 P.M. and from 7:00 P.M. to 10:00 P.M.) NOVEMBER 3
- On this day Return Boards meet at noon to canvass and compute the votes cast at the general election ... NOVEMBER 6
- On this day, candidates receiving tie votes at the election cast lots at 12:00 Noon before the SECRETARY OF THE COMMONWEALTH or the county boards of election, as the case may be, to determine the winner. (If the fact of the tie vote is not authoritatively determined until after November 20, the time for casting lots will be 12:00 o'clock Noon on the second day after the fact of such tie

- vote is authoritatively determined.) NOVEMBER 20
- Last day for county boards of election to file with the SECRETARY OF THE COMMONWEALTH returns from the general election NOVEMBER 23
- Last day to file petitions to contest the election of any candidate NOVEMBER 23
- Last day to file expense accounts showing contributions and expenses of candidates for the office of United States Senator, file with the Clerk of the Senate and candidates for the office of United States Representatives file with the Clerk of the House .. DECEMBER 3
- Last day for candidates for election (including those elected by write-ins or by stickers) and treasurers of political committees to file general election expense accounts in the office of the SECRETARY OF THE COMMONWEALTH, or the county boards of election, as the case may be DECEMBER 3
- Not later than this date county boards of election shall file with the SECRETARY OF THE COMMONWEALTH statement of expenses in preparing, handling, mailing, delivering, counting and storing such official Military, Veterans' and Civilian Absentee ballots as they are entitled by law to receive compensation for in the sum of forty (40¢) cents each ... DECEMBER 3

First day to REGISTER after general election	DECEMBER	3
First day to change party or non-partisan enrollment after general election	DECEMBER	3
Last day to petition the Court of Common Pleas for an audit of an expense account for the general election	DECEMBER	23

(NOTE: All dates in this calendar are subject to change without notice in the event of passage of any amendatory legislation.)

INDEX

	Page
Absentee Ballots, processing	81
Absentee registration by ill or disabled persons	8
Absentee Voting, forms	57-61
Absentee Voting (New)	41
Certification of political parties	9
Committees (State & County)	10
Conduct of elections	67
Contributions, candidates or Treasurer	33
Counting the vote, ballots	83
Counting the vote, machine	88
County Board of Election, duties of	1
Election Calendar (1970)	94-115
Election Officers, compensation of	90
Elections, when held	67
Expenses, Primary & Election	31
Expense Accounts, allowable expenses ..	35
Expense Accounts, oath of office	36
Expense Accounts, political committee ..	34
Expense Accounts, to be filed	31
Expense Accounts, Treasurers of political committees	34
Expense Accounts, whom filed	33
Federal Regulations for U. S. Congress ..	37
Fees, Nomination Petitions for ALL offices	15
Hatch Act	39
Loyalty Oath required of candidates	11
Nominations, Political bodies	20
Nominations, Political parties (Nomination at Primary—1970)	11
Nominations, unexpected vacancies	24
Nomination Papers, circulation	21
Nomination Papers, filing fee	22
Nomination Petitions, blank forms	13
Nomination Petitions, signatures required .	13
Nomination Petitions, where to file	14
Overseers, appointments and duties	76
Party enrollment, change of	8
Petitions for nomination by political parties	12
Petitions, qualifications of signers	12
Political parties	9
Polls, closing of	80
Position of name on Primary Ballot, casting lots for	19
Qualification of voters	3
Registration	3

	Page
Registration cards not properly completed	8
Registration by mail	7
Residence and right to vote of State & Federal Employes	5
Return Board, qualifications	92
Returns, canvass of	92
Returns, open to inspection	89
Rules for determining residence	4
Residence of electors	4
Signatures required, number of	13
Special Elections	27
Special Elections, U. S. Senate	27
Special Elections, Congress	27
Special Elections, Local legislative bodies	27
Special Elections, nomination certificate	28
Special Elections, objections to nomination	29
Special Elections, withdrawal of candidates	29
Special Elections, substituted nomination certificates	29
Special Elections, certification of candidates by Secretary of the Commonwealth	30
Special Elections, conduct of	30
Vacancy by death of person named in nomination petition	16
Vacancy in party nomination by failure to pay filing fee	17
Vacancies caused by death or withdrawal of candidates nominated at Primary	17
Vacancies caused by death or withdrawal of candidates nominated by Nomination Papers	23
Voters, assistance to	78
Voters, challenging	76
Voting by machine	75
Voting by paper ballot	74
Voting regulations	71
Voting, secrecy of	79
Voting, time allowed	80
Watchers	77
Withdrawal of candidates before Primary	16
Withdrawal, candidates nominated at Primary	16
Withdrawal of candidates nominated by Nomination Papers	22

