

first ballot page shall list in the order that such political parties are entitled to priority on the ballot, the names of such political parties with designating arrows so as to indicate the voting square or position on the ballot card where the voter may insert by one mark or punch the straight party ticket of his choice.

(3) In a primary election the pages placed on the voting device may be arranged with the entire ballot label consisting of several groups of pages, so that a separate group can be used to list the names of candidates seeking nomination of each qualified political party, with additional groups used to list any nonpartisan offices or measures. Groups of pages may be identified by color or other suitable means, and voters shall be instructed to vote only for candidates of the party of their choice and thereafter to vote for any nonpartisan candidates or measures.

(b) Ballot labels shall be printed in plain clear type in black ink, of such size and arrangement as to fit the construction of the voting device; and they shall be printed on clear white material or on material of different colors to identify different ballots or parts of the ballot and in primary elections to identify each political party.

(c) On all ballot labels the titles of offices and the names of candidates shall in all elections be arranged in columns or rows in a series of separate pages and, in primary elections, the names of candidates for an office shall appear in the order that was established under the provisions of sections 915 and 916. The office titles shall be printed above or at the side of the names of candidates so as to indicate clearly the candidates for each office and the number to be elected. In partisan elections the party designation of each candidate shall be printed to the right or below the candidate's name. All candidates for one office shall be grouped on one page where practical; in case there are more candidates for an office than can be printed in one column or on one ballot page, the ballot label shall clearly indicate that the list of candidates is continued on the following column or page, and so far as possible, the same number of names shall be printed on each column or page. Arrows may be used to indicate the place to vote for each candidate and for or against every question presented.

(d) In partisan elections the ballot cards shall include a voting square or position whereby the voter may by one punch or mark record a straight party ticket vote for all the candidates of one party or may vote a split ticket for the candidates of his choice.

(e) In primary elections, the Secretary of the Commonwealth shall choose a color for each party eligible to have candidates on the ballot and a separate color for independent voters. The ballot cards or paper ballots and ballot pages shall be printed on card or paper stock

of the color of the party of the voter and the appropriate party affiliation or independent status shall be printed on the ballot card or at the top of the paper ballot and on the ballot pages.

(f) Ballot cards, or the portion thereof on which the voter registers his vote, shall be of a size, design and stock suitable for processing by the automatic tabulating equipment used in the voting system. Each ballot card shall have an attached serially numbered perforated stub, which shall be removed by an election officer before the ballot card is deposited in the district automatic tabulating equipment or in a secure ballot box. The name of the county, and a facsimile of the signature of the members of the county board shall be printed on the ballot card stub.

(g) Sample ballots, which shall be facsimile copies of the official ballot or ballot labels, shall be provided and posted in each polling place on election day as required by law. Sample ballots may be printed on a single page or on a number of pages stapled together. 1937, June 3, P.L. 1333, art. XI-A, § 1109-A, added 1980, July 11, P.L. 600, No. 128, § 4, imd. effective.

### § 3031.10. Supplies; preparation of the voting system and of polling places

(a) Prior to any election in which an electronic voting system is to be used, the county board of elections shall furnish to each election district, at the expense of the county, the elements of such voting system, including voting devices, automatic tabulating equipment, ballot boxes, ballot labels, ballots, ballot envelopes, forms of certificates, returns and other records and supplies, as are necessary for the proper operation of the voting system at the election district level or as are required under the provisions of this act, all of which shall be in the form and according to the specifications prescribed from time to time by the Secretary of the Commonwealth.

(b) Unless the voting device itself enables the voter to register his vote in secret, the county board of elections shall provide voting booths for each election district, which shall be of a size and design which shall enable the voter to register his vote in secret. The county board shall determine the number of voting devices and voting booths to be provided in each such district in order to satisfy the minimum capacity standards prescribed by the Secretary of the Commonwealth.

(c) The county board of elections shall appoint a custodian of the electronic voting system and such deputy custodians as may be necessary, and it shall be the duty of such custodians to prepare the voting system and all of its components for use in any election in which such system is employed. Each custodian and deputy custodi-

an shall receive from the county, for each day he is actually employed under the provisions of this act, such compensation as shall be fixed by the county board of elections. Such custodian shall, under the direction of the county board of elections, have charge of and represent the county election board during the preparation of the electronic voting system as required by this act, and he and the deputy custodians, whose duty it shall be to assist him in the discharge of his duties, shall serve at the pleasure of the county board of elections. Each custodian shall take the constitutional oath of office, which shall be filed with the county board of elections.

(d) On or before the fortieth day preceding any election, the county board of elections shall mail to the chairman of the county committee of each political party which shall be entitled under existing laws to participate in primary elections within the county, and to the chairman or presiding officer of any organization of citizens within the county which has as its purpose or among its purposes the investigation or prosecution of election frauds and which has registered its name and address and the names of its principal officers with the county board of elections at least fifty days before the election, a written notice stating the times when and the place or places where preparation of the system and its components for use in the several election districts in the county or municipality will be started. One representative of each such political party, certified by the respective chairman of the county committee of such party, and one representative of each such organization of citizens, certified by the respective chairman or presiding officer of such organization shall be entitled to be present during the preparation of the voting system and its components and to see that they are properly prepared and are in proper condition and order for use. Such representatives shall not interfere with the preparation of the system and its components, and the county board may make reasonable rules and regulations governing the conduct of such representatives.

(e) Prior to the delivery of any automatic tabulating equipment to any election district the county board of elections shall examine or cause to have examined such equipment and shall make a certificate stating:

- (1) The identifying number and election district designation of the equipment;
- (2) That the equipment is suitable for use in the particular election district designated;
- (3) That the equipment has been tested to ascertain that it will accurately compute the votes cast for all offices and all questions;

(4) That the offices and questions on the official ballot correspond in all respects with the ballot labels assigned to such particular election district;

(5) That the public counter and the counters for each candidate position and each question are all set at zero and that element that generates a printed record of the results of the election is functioning correctly; and

(6) The number on the seal with which the equipment is sealed.

(f) At least one hour before the time set for the opening of the polls at each election, the county board of elections shall deliver to each election district any district components of the electronic voting system and any supplies necessary to prepare the automatic tabulating equipment for operation in the district, and they shall position such automatic tabulating equipment for proper use in voting. Any tabulating equipment so placed shall remain locked and sealed until its examination and preparation immediately preceding its use as prescribed by this act.

(g) The members of the district election board shall arrive at the polling place at least one-half hour before the opening of the polls. Prior to the commencement of the election, the district election board shall inspect the district components of the electronic voting system to see that they are in proper working order, and they shall check all ballots, supplies, records and forms and shall post the sample ballots, the cards of instruction and the notices of penalties. If the voting system provides for the initial computation and tabulation of votes at the district level during voting hours, the district election board shall also break the seal on the automatic tabulating equipment and insure that the equipment is properly prepared for the particular election district designated, and the district board shall then determine that the counters for each candidate position and for each question and the public counter are all set to zero. If the system provides for tabulation of ballots after the polls are closed, such test shall be conducted immediately prior to its actual use. If any such counter is not set to zero, the district election board shall immediately notify the county board of elections which shall forthwith cause one of its representatives to ascertain and correct any error. Thereupon, a zero print-out sheet or an appropriate certificate by the district election board reflecting its examination shall be posted on the wall of the polling place by the district election board and such sheet or certificate shall remain posted until the polls are closed. At the close of the polls, the district election board shall deliver such sheet or certificate together with the election returns to the county board of elections.