

# EXHIBIT C

# NOTICES

## DEPARTMENT OF STATE

### What Constitutes a Vote

[33 Pa.B. 3935]

Attached are the standards for what constitutes a vote required pursuant to section 301(a)(6) of the Help America Vote Act (HAVA) of 2002, at 42 U.S.C. § 15481(a)(6), and section 204 of Act No. 2002-150, at 25 P. S. § 2624. Section 301(a)(6) of HAVA provides: "Each state shall adopt uniform and nondiscriminatory standards that define what constitutes a vote and what will be counted as a vote *for each category of voting system* used in the State." (Emphasis added.) The Voting Standards Development Board, as constituted by Act 150, based its standards for what constitutes a vote on those contained in the Pennsylvania Election Code. In doing so, the Board recognizes that while standards may vary from one category of voting system to another, the standards within each category are uniform and nondiscriminatory, as required by HAVA and Act 150. The Board completed and adopted these standards on July 1, 2003, in compliance with Act 150.

The following individuals are members of the Voting Standards Development Board:

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PEDRO A. CORTES,  
Secretary of the Commonwealth

**Definitions for What Constitutes a Vote**

*Ballot card:*\* A card upon which the voter casts his votes by the process of punching or marking, and which is counted by automatic tabulating equipment.

*Ballot question or question:*\* The statement of a constitutional amendment or other proposition that is submitted to a popular vote at any election.

*Ballot response:* The choices available to the voter in a ballot question.

*Chad:* The small piece of a punch card ballot card that, when removed in the voting process, leaves a hole that is recognizable by automatic tabulating equipment.

*Marking device:* Any approved device for marking a paper or optical scan ballot with ink or other substances that will enable votes to be tabulated by hand or by means of automatic tabulating equipment. Paper ballots counted by hand shall be marked using black lead pencil, indelible pencil or blue, black or blue-black ink in fountain pen or ballpoint pen. If automatic tabulating equipment is used to count ballots, the marking instrument recommended by the manufacturer of the equipment for proper marking shall be used.

*Mark sense mark:* A properly cast vote on an optical scan voting system which can include blackening the oval or filling in the blank space in an arrow or line.

*Paper ballot:*\* A ballot that is marked by the voter with crosses or checks in the target areas, which is always tabulated by hand, not with automatic tabulating equipment.

*Properly marked:* A paper ballot in which the appropriate target area is marked with a cross or a check or an optical scan ballot on which the oval is blackened, or the incomplete line or arrow is connected. To be considered properly marked, the voter may not cast votes for more than the allowable number of candidates in an office or more than one choice in a ballot question.

*Properly punched:* A punch card ballot card with chad(s) completely separated or with chad (s) in which two (2) or more corners are broken or separated from the card. To be considered properly punched, the voter may not cast votes for more than the allowable number of candidates in an office or more than one choice in a ballot question.

*Target area:* The square opposite the candidate's name or ballot response on a paper ballot; the oval, incomplete line, or incomplete arrow opposite the candidate's name or ballot response on an optical scan ballot; or the perforated square opposite the candidate's name or ballot response on a punch card ballot.

\* Definitions of these terms are already included in the Election Code at 25 P. S. § 3031.1. However, they are refined here to reflect their specific use in the standards.

**Standards for  
What Constitutes a Vote  
Paper Ballots**

**Paper Ballots**

The following standards shall apply in determining whether a ballot has been properly voted and whether a vote should be counted for any office or ballot question.

These standards have been adopted in accordance with the Pennsylvania Election Code, where applicable.

**Paper Ballot 1**

A ballot that is properly marked, as specified by legally valid ballot instructions, in the target area for an office or ballot question shall be counted as a vote for that candidate or ballot response.

**For Governor  
(Vote for one)**

George Washington



Abraham Lincoln



John Adams



*Valid Vote for Washington*

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**For Governor**  
(Vote for one)

George Washington

Abraham Lincoln

John Adams

*Valid Vote for Lincoln*

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**Paper Ballot 2**

A ballot containing an "X" or a check mark, any portion of which is contained in the target area and which does not enter into another target area, shall be counted as a vote for that candidate or ballot response.

**For Governor**  
(Vote for one)

George Washington

Abraham Lincoln

John Adams

*Valid Vote for Lincoln*

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## Paper Ballot 3

A ballot that has any mark in the target area that partially extends into another target area or areas shall not be counted for that office or ballot question.

### For Governor (Vote for one)

George Washington



Abraham Lincoln



John Adams



*Invalid vote*

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## Paper Ballot 4

A ballot that is properly marked in the target area that partially extends into an area surrounding a candidate or ballot response, other than its target area, shall be counted as a vote for the candidate or ballot response so marked.

**For Governor**  
(Vote for one)

George Washington

Abraham Lincoln

John Adams

*Valid Vote for Lincoln*

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**Paper Ballot 5**

Any ballot marked by any other mark than a cross or a check in the target areas shall be void and not counted for that office or ballot question, provided, however, that no vote recorded thereon shall be declared void because a cross or a check mark thereon is irregular in form.

**For Governor**  
(Vote for one)

George Washington

Abraham Lincoln

John Adams

*Invalid vote*

---

**For Governor**  
(Vote for one)

George Washington

Abraham Lincoln

John Adams

*Valid Vote for Adams*

---

**For Governor**  
(Vote for one)

George Washington

Abraham Lincoln

John Adams

*Invalid vote*

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**Paper Ballot 6**

A ballot marked with black lead pencil, indelible pencil or blue, black or blue-black ink in fountain pen or ballpoint pen shall be counted.

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**Paper Ballot 7**

A ballot marked with more than one type of marking device shall not be counted for any office or ballot question on the ballot.

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**Paper Ballot 8**

A ballot with marks for more candidates in an office or more responses to a ballot question than permitted shall be deemed an over-vote, and no vote shall be counted for that office or question.

**For Governor**  
(Vote for one)

George Washington

Abraham Lincoln

John Adams

*Invalid vote*

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**For Governor**  
(Vote for one)

George Washington

Abraham Lincoln

John Adams

*Invalid vote*

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## Paper Ballot 9

A ballot that is properly marked in the straight party target area and with additional marks for candidates or ballot responses elsewhere on the ballot shall be counted for those candidates or ballot responses properly marked outside the straight party area. For the other offices on the ballot, the ballot shall be counted for the candidates of the political party for which the voter cast a straight party vote.

Straight Democrat  Straight Republican

### For Governor

(Vote for one)

George Washington (Democrat)

Abraham Lincoln (Republican)

John Adams (Green)

*Valid Vote for Lincoln only*

**For Senator**  
(Vote for one)

George Washington (Democrat)

Abraham Lincoln (Republican)

John Adams (Green)

*Valid Vote for Washington*

---

**Paper Ballot 10**

A ballot marked for more than one party in the straight party target areas, and with additional marks for candidates or ballot responses elsewhere on the ballot, shall be counted only for those candidates or ballot responses properly marked.

Straight Democrat



Straight Republican



**For Governor**  
(Vote for one)

George Washington (Democrat)

Abraham Lincoln (Republican)

John Adams (Green)

*Valid Vote for Adams only*

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Straight Democrat



Straight Republican



**For Governor**

(Vote for one)

George Washington (Democrat)



Abraham Lincoln (Republican)



John Adams (Green)



*Valid Vote for Lincoln Only*

---

Straight Democrat



Straight Republican



**For Governor**  
(Vote for one)

George Washington (Democrat)

Abraham Lincoln (Republican)

John Adams (Green)

*Invalid vote*

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**Paper Ballot 11**

A ballot with any writings or remarks regarding one or more candidates or ballot responses shall not be counted as a vote for that office or question, unless clarified by a cross or check in the target area(s) that indicates support for those candidates or ballot responses.

**For Governor**  
(Vote for one)

George Washington

Abraham Lincoln

**YES**  
John Adams

*Invalid vote*

---

**For Governor**  
(Vote for one)

George Washington

Abraham Lincoln

**YES**  
John Adams

*Valid Vote for Adams*

---

**For Governor**  
(Vote for one)

George Washington **YES**

Abraham Lincoln

John Adams **No Way!**

*Valid Vote for Lincoln*

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**For Governor**  
(Vote for one)

George Washington **YES**

Abraham Lincoln

John Adams

*Valid Vote for Adams*

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## Paper Ballot 12

A ballot on which the voter casts a vote on the ballot and marks the write-in target area to cast a vote for a different candidate in the write-in area shall be considered an over-vote for that office if the number of chosen candidates exceeds the number permitted to be voted for in that office and no vote shall be counted, except as provided by Paper Ballot 13.

### For Governor (Vote for one)

- |                                    |                                     |
|------------------------------------|-------------------------------------|
| George Washington                  | <input checked="" type="checkbox"/> |
| Abraham Lincoln                    | <input type="checkbox"/>            |
| John Adams                         | <input type="checkbox"/>            |
| Write-in <i>Franklin Roosevelt</i> | <input checked="" type="checkbox"/> |

*Invalid vote*

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## Paper Ballot 13

A ballot on which the voter casts a straight party vote and marks the write-in target area to cast a vote for a write-in candidate shall be counted only for the write-in candidate in that office. For the other offices on the ballot, the ballot shall be counted for the candidates of the political party for which the voter cast a straight party vote.

Straight Democrat



Straight Republican



**For Governor**  
(Vote for one)

George Washington (Democrat)



Abraham Lincoln (Republican)



John Adams (Green)



Write-In Thomas Jefferson



*Valid Vote for Jefferson*

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**Paper Ballot 14**

All properly cast write-in votes must be counted exactly as they appear on the ballot.

**For Governor**  
(Vote for one)

George Washington

Abraham Lincoln

John Adams

Write-In H. Trueman

*Valid Vote for H. Trueman only*

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**For Governor**  
(Vote for one)

George Washington

Abraham Lincoln

John Adams

Write-In A. Lincoln

*Valid Vote for A. Lincoln only*

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**Paper Ballot 15**

If a voter designates a vote for a named candidate on the ballot and also marks the write-in target area to cast a vote for the same candidate, no vote shall count for that candidate.

**For Governor**  
(Vote for one)

George Washington

Abraham Lincoln

John Adams

Write-In John Adams

*Invalid vote*

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**Paper Ballot 16**

If a voter writes in a vote for a named candidate on the ballot, the write-in vote shall not count for that candidate.

**For Governor**  
(Vote for one)

George Washington

Abraham Lincoln

John Adams

Write-In Abraham Lincoln

*Invalid vote*

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**Paper Ballot 17**

The written name of a write-in candidate in the write-in space shall be counted whether or not the target area designating the selection of a write-in candidate has been marked, provided that the number of candidates chosen does not exceed the number permitted in that office.

**For Governor**  
(Vote for one)

George Washington

Abraham Lincoln

John Adams

Write-In Andrew Jackson

*Valid Vote for Jackson*

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**Standards for  
What Constitutes a Vote**  
Optical Scan  
Electronic Voting Systems

**Optical Scan Ballots**

All optical scan ballots that are read by a ballot scanner shall be counted in accordance with applicable provisions of the Pennsylvania Election Code. The following standards shall apply in determining whether a ballot has been properly voted and whether a vote should be counted for any office or ballot question when counting ballots by hand. In the event of a recount, the board of elections or a court should provide guidance as to whether the recount shall be conducted by a ballot scanner or by hand. These standards have been adopted in accordance with the Pennsylvania Election Code, where applicable.

**Optical Scan 1**

A ballot that is properly marked, as specified by the legally valid ballot instructions, in the target area for an office or ballot question shall be counted as a vote for that candidate or ballot response.

**For Governor**  
(Vote for one)



George Washington



Abraham Lincoln








John Adams

*Valid Vote for Lincoln*

---

**For Governor**  
(Vote for one)

George Washington ←    
Abraham Lincoln ←    
John Adams ← 




*Valid Vote for Adams*

---

**Optical Scan 2**

A ballot containing a clear mark indicating the intent of the voter, any portion of which is contained in the target area and does not enter into another target area, shall be counted as a vote for that candidate or ballot response.

**For Governor**  
(Vote for one)

 George Washington  
 Abraham Lincoln  
 John Adams

*Valid Vote for Washington*

---

**For Governor**  
(Vote for one)



George Washington



Abraham Lincoln



John Adams

*Valid Vote for Lincoln*

---

**For Governor**  
(Vote for one)

George Washington



Abraham Lincoln



John Adams



*Valid Vote for Adams*

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### Optical Scan 3

A ballot that has any mark in the target area that partially extends into another target area or areas shall not be counted for that office or ballot question.

#### For Governor

(Vote for one)



George Washington



Abraham Lincoln



John Adams

*Invalid vote*

---

### Optical Scan 4

A ballot that has any mark in the target area that partially extends into an area surrounding a candidate or ballot response, other than its target area, shall be counted as a vote for the candidate or ballot response so marked.

**For Governor**  
(Vote for one)



George Washington



Abraham Lincoln



John Adams

*Valid Vote for Washington*

---

**For Governor**  
(Vote for one)

George Washington



Abraham Lincoln



John Adams



*Valid Vote for Adams*

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**Optical Scan 5**

A ballot properly marked with any device other than the marking device provided to the voter shall be counted.

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## Optical Scan 6

A ballot marked with more than one type of marking device shall not be counted for any office or ballot question on the ballot.

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## Optical Scan 7

A ballot with marks for more candidates in an office or more responses to a ballot question than permitted shall be deemed an over-vote, and no vote shall be counted for that office or ballot question.

### For Governor (Vote for one)



George Washington



Abraham Lincoln



John Adams

*Invalid vote*

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## Optical Scan 8

A ballot with a proper mark in the straight party target area and with additional marks for candidates or ballot responses elsewhere on the ballot shall be counted for those candidates or ballot responses properly marked outside the straight party area. For the other offices on the ballot, the ballot shall be counted for the candidates of the political party for which the voter cast a straight party vote.



Straight Democrat



Straight Republican

**For Governor**

(Vote for one)



George Washington (Democrat)



Abraham Lincoln (Republican)



John Adams (Green)

*Valid Vote for Lincoln*

**For Senator**

(Vote for one)



Bill Clinton (Democrat)



George Bush (Republican)



Dwight David Eisenhower (Green)

*Valid Vote for Clinton*

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## Optical Scan 9

A ballot with marks for more than one party in the straight party target areas, and with additional marks in the target areas of candidates or ballot responses elsewhere on the ballot, shall be counted only for those candidates or ballot responses properly marked.



Straight Democrat



Straight Republican

### For Governor

(Vote for one)



George Washington (Democrat)



Abraham Lincoln (Republican)



John Adams (Green)

*Valid Vote for Adams*

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Straight Democrat



Straight Republican

**For Governor**

(Vote for one)



George Washington (Democrat)



Abraham Lincoln (Republican)



John Adams (Green)

*Valid Vote for Lincoln*



Straight Democrat



Straight Republican

**For Governor**

(Vote for one)



George Washington (Democrat)



Abraham Lincoln (Republican)



John Adams (Green)

*Invalid vote*

## Optical Scan 10

A ballot on which writings or remarks in the target area appear to be ranking candidates (letters, numbers, etc.) shall be considered valid marks only if they do not exceed the number of candidates permitted to be elected for that office.

### For Governor

(Vote for one)



George Washington



Abraham Lincoln



John Adams

*Valid Vote for Lincoln*

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### For Governor

(Vote for one)



George Washington



Abraham Lincoln



John Adams

*Invalid vote*

---

**For Governor**  
(Vote for Two)



George Washington



Abraham Lincoln



John Adams

*Valid Votes for Lincoln & Washington*

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**Optical Scan 11**

A ballot with any writings or remarks regarding one or more candidates or ballot responses shall not be counted as a vote for that office or question, unless clarified by an additional mark or marks in the target area(s) that indicate support for those candidates or ballot responses.

**For Governor**  
(Vote for One)



George Washington



Abraham Lincoln



*yes*  
John Adams

*Valid Vote for Adams*

---

**For Governor**  
(Vote for One)



George Washington

*yes*



Abraham Lincoln



John Adams

*Invalid vote*

---

**For Governor**  
(Vote for One)



George Washington

*yes*



Abraham Lincoln



John Adams

*Valid Vote for Adams*

---

**For Governor**  
(Vote for one)

George Washington **LIAR** ← ██████████

Abraham Lincoln ← ██████████

John Adams **No Way** ← ██████████

*Valid Vote for Lincoln*

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**Optical Scan 12**

A ballot on which the voter casts a vote on the ballot and properly writes in a different candidate in the write-in area shall be considered an over-vote for that office if the number of chosen candidates exceeds the number permitted to be voted for in that office and no vote shall be counted, except as provided by Optical Scan 13.

**For Governor**  
(Vote for one)

George Washington

Abraham Lincoln

John Adams

Write-In Franklin Roosevelt

*Invalid vote*

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## Optical Scan 13

A ballot on which the voter casts a straight party vote and properly writes in a candidate in the write-in area shall be counted only for the write-in candidate in that office. For the other offices on the ballot, the ballot shall be counted for the candidates of the political party for which the voter cast a straight party vote.



Straight Democrat



Straight Republican

### For Governor

(Vote for one)



George Washington (Democratic)



Abraham Lincoln (Republican)



John Adams (Green)



Write-In Thomas Jefferson

*Valid Vote for Jefferson*

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## Optical Scan 14

A properly cast write-in vote shall contain a mark in the target area and, in the space provided, the written name of a candidate whose name does not otherwise appear on the ballot for that office.

**For Governor**

(Vote for one)



George Washington



Abraham Lincoln



John Adams



Write-In Thomas Jefferson

*Valid Vote for Jefferson*

---

**For Governor**

(Vote for one)



George Washington



Abraham Lincoln



John Adams



Write-In Thomas Jefferson

*Invalid vote*

---

**For Governor**  
(Vote for one)



George Washington



Abraham Lincoln



John Adams



Write-In Abraham Lincoln

*Invalid vote*

---

**For Governor**  
(Vote for one)



George Washington



Abraham Lincoln



John Adams



Write-In A. Lincoln

*Invalid vote*

---

**For Governor**  
(Vote for one)



George Washington



Abraham Lincoln



John Adams



Write-In John Adams

*Invalid vote*

---

**Optical Scan 15**

All properly cast write-in votes must be counted exactly as they appear on the ballot.

**For Governor**  
(Vote for one)



George Washington



Abraham Lincoln



John Adams



Write-In H. Trueman

*Valid Vote for H. Trueman only*

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**Optical Scan 16**

If a voter designates a vote for a named candidate on the ballot and also properly writes in the same candidate in the write-in area, no vote shall count for that candidate.

**For Governor**  
(Vote for one)



George Washington



Abraham Lincoln



John Adams



Write-In John Adams

*Invalid vote*

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**Standards for  
What Constitutes a Vote**  
Punch Card  
Electronic Voting Systems

**Punch Card Ballots**

All punch card ballots that are read by a card reader shall be counted in accordance with applicable provisions of the Pennsylvania Election Code. The following standards shall apply in determining whether a ballot has been properly voted and whether a vote should be counted for any office or ballot question when counting ballots by hand. In the event of a recount, the board of elections or a court should provide guidance as to whether the recount shall be conducted by card reader or by hand.

These standards have been adopted in accordance with the Pennsylvania Election Code, where applicable.

*Punch Card 1*

If a ballot is initially processed by a card reader, and any card stops the card reader, then the card shall be inspected and processed in accordance with the following standards.

*Punch Card 2*

A ballot that is properly marked, as specified by the legally valid ballot instructions, in the target area for an office or ballot question shall be counted as a vote for that candidate or ballot response.

*Punch Card 3*

Depressions, dimples, indentations, or other marks, which do not make a complete break on the ballot card shall be considered inadequate markings and shall not be counted as a vote.

#### ***Punch Card 4***

A ballot card with chad(s) in which two (2) or more corners are broken or separated from the card shall be considered properly punched and shall be considered a vote and counted for that candidate or ballot response.

#### ***Punch Card 5***

A ballot card with one or more candidates or ballot responses properly punched and one or more candidates or ballot responses improperly punched shall only be considered a vote for the properly punched candidate(s) or ballot response(s).

#### ***Punch Card 6***

A ballot card with more candidates or ballot responses properly punched than permitted by the office or ballot question shall be considered an over-vote, and no vote shall be counted for those candidates or ballot responses.

#### ***Punch Card 7***

A ballot properly punched in the straight party target area and with additional punches for candidates or ballot responses elsewhere on the ballot shall be counted for those candidates or ballot responses properly punched outside the straight party area. For the other offices on the ballot, the ballot shall be counted for the candidates of the political party for which the voter cast a straight party vote.

#### ***Punch Card 8***

A ballot properly punched for more than one party in the straight party target areas, and properly punched for candidates or ballot responses elsewhere on the ballot, shall be counted only for those candidates or ballot responses properly punched outside the straight party area.

#### ***Punch Card 9***

If a voter casts votes for fewer candidates or ballot responses in an office than are allowable, a vote shall be counted only for those candidates properly punched for that office or ballot question.

### ***Punch Card 10***

A ballot card on which the voter casts a vote and writes in a different candidate in the write-in area shall be considered an over-vote for that office if the number of chosen candidates exceeds the number permitted to be voted for in that office, and no vote shall be counted, except as permitted by Punch Card 13.

### ***Punch Card 11***

A ballot card on which the voter casts a straight party vote and writes in a candidate in the write-in area shall be counted only for the write-in candidate in that office. For the other offices on the ballot, the ballot shall be counted for the candidates of the political party for which the voter cast a straight party vote.

### ***Punch Card 12***

A properly cast write-in vote shall include a candidate's name, office title or write-in position number, and term of office where there is more than one term for the same office or write-in position number. A properly cast write-in vote shall also contain a punch in the target area and, in the space provided, the written name of a candidate whose name does not otherwise appear on the ballot for that office.

### ***Punch Card 13***

All properly cast write-in votes must be counted exactly as they appear in the designated area on the security envelope or in the designated area on the ballot card.

### ***Punch Card 14***

If a voter designates a vote for a named candidate on the ballot and also properly writes in the same candidate in the write-in area, no vote shall count for that candidate.

**Standards for  
What Constitutes a Vote**  
Direct Recording Electronic (DRE)  
Voting Systems

**DRE Ballots**

The following standards shall apply in determining whether a ballot has been properly voted and whether a vote should be counted for any office or ballot question.

These standards have been adopted in accordance with the Pennsylvania Election Code, where applicable.

***DRE 1***

A vote that is properly recorded, as specified by the legally valid ballot instructions, on the voting device for an office or ballot question shall be counted as a vote for that candidate or ballot response.

***DRE 2***

A properly cast write-in vote shall require the voter to write, stamp or type the name of a candidate whose name does not otherwise appear on the ballot for that office, and, in a primary election, in that political party, in or upon the proper receptacle or device provided.

***DRE 3***

All properly cast write-in votes must be counted exactly as they appear on the ballot.

**Standards for  
What Constitutes a Vote**  
Lever Machine  
Voting Systems

**Lever Ballots**

The following standards shall apply in determining whether a ballot has been properly voted and whether a vote should be counted for any office or ballot question.

These standards have been adopted in accordance with the Pennsylvania Election Code, where applicable.

*Lever 1*

A vote that is properly recorded, as specified by the legally valid ballot instructions, on the voting device for an office or ballot question shall be counted as a vote for that candidate or ballot response.

*Lever 2*

A properly cast write-in vote shall require the voter to write, stamp or affix the name of a candidate whose name does not otherwise appear on the ballot for that office, and, in a primary election, in that political party, in or upon the proper receptacle or device provided.

*Lever 3*

All properly cast write-in votes must be counted exactly as they appear on the ballot.

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