

MOTION EXPRESSING THE SENSE OF COUNCIL OF ALLEGHENY COUNTY

Urging the Allegheny County Board of Elections to conduct a review of a possible issue with the number of ballots cast in Wilkinsburg Ward 1, District 6, in the course of the 2008 General Election, and to make information regarding the conduct of each election available to the public.

WHEREAS, the Help America Vote Act mandated the replacement of Allegheny County's lever voting machines in time for the May 2006 Primary Election; and

WHEREAS, Allegheny County ultimately replaced its lever voting machines with iVotronic touch screen machines, in compliance with the requirements of the Help America Vote Act; and

WHEREAS, it has been asserted that iVotronic machines in Wilkinsburg Ward 1, District 6 recorded multiple blank ballots in the November 2008 General Election, resulting in a greater number of ballots being cast in the precinct than registered electors voting; and

WHEREAS, by definition, blank ballots do not contain votes for any candidate or on any ballot question, and thus, even if factually correct, the assertion of the existence of blank ballots does not, in and of itself, suggest that any candidate or question received more votes than were actually cast; and

WHEREAS, blank ballots therefore do not appear to trigger the mandatory investigation requirements contained within the Pennsylvania Election Code pertaining to overvotes, 25 P.S. §13154(b); however, it is the judgment of Council that it would be prudent for the Board of Elections to review the circumstances that lead to the creation of blank ballots in Wilkinsburg Ward 1, District 6 in the November 2008 General Election; and

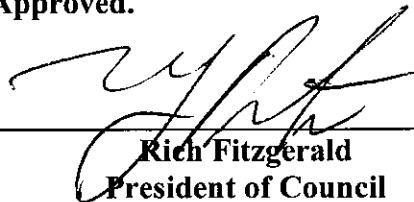
WHEREAS, it is further the judgment of Council that it would also be prudent for the Board of Elections to make information regarding the conduct of each election available to the public, in order to foster confidence in the Board's responses to issues that are identified or asserted;

NOW THEREFORE, IT IS MOVED, AND IT IS THE SENSE OF THE COUNCIL OF ALLEGHENY COUNTY, the Allegheny County Board of Elections meet in order to authorize a review of a possible issue with the number of ballots cast in Wilkinsburg Ward 1, District 6, in the course of the 2008 General Election, and to formulate a policy for making information regarding the conduct of each election available to the public.

PRIMARY SPONSOR: VICE PRESIDENT MARTONI

In Council December 16, 2008.

Read and Approved.



Rich Fitzgerald
President of Council

Attest: John Mascio
John Mascio
Chief Clerk of Council

Mascio, John R.

From: Mascio, John R.
Sent: Friday, December 19, 2008 12:18 PM
To: Onorato, Daniel; Defazio, John P; McCullough, Charles P.
Subject: Bill No. 4539-08 Motion of County Council
Attachments: 4539-08.PDF

At the Regular meeting of Allegheny County Council held on December 16, 2008; Council unanimously approved the attached Motion sponsored by Council Vice President Chuck Martoni. As you will read, the Motion urges the Allegheny County Board of Elections to conduct a review of a possible issue with the number of ballots cast in Wilkinsburg Ward 1, District 6, in the course of the 2008 General Election, and to make information regarding the conduct of each election available to the public.

Your attention to this Motion is requested.

John Mascio
Chief Clerk
Allegheny County Council