

**FOR IMMEDIATE RELEASE:  
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**GOVERNOR RENDELL REQUESTS STATE SUPREME COURT  
TO CONSIDER VOTING CASE QUICKLY; ENSURE SMOOTH,  
EFFICIENT PRIMARY**

**HARRISBURG** — Governor Edward G. Rendell today asked the Pennsylvania Supreme Court to quickly consider the commonwealth's appeal of a decision that could make it impossible for counties to prepare for the May primary.

The Supreme Court has scheduled oral arguments in the case for Wednesday.

"Our jurists understand the importance of this case and it is good news that they have agreed to begin hearing the commonwealth's appeal next week," the Governor said. "An expedited ruling will allow our counties to prepare their ballot boxes, or buy accessible voting systems, in time for the May 16 election. "Having the Supreme Court decision will avoid confusion at the polls and it may remove the cloud over counties that are anxious to follow federal law. It's important that Pennsylvanians know their vote has been counted. It's also important that they know every step has been taken to ensure the process has run smoothly, and with integrity."

The Governor said the state's appeal of a Commonwealth Court decision prohibiting Westmoreland County from buying new electronic voting machines (*Mary Beth Kuznik, et al. v. Westmoreland County Board of Commissioners, et al.*, No. 18 M.D. 2006) rests with the state Supreme Court. But, a decision is needed from the court so all county boards of elections may work to meet requirements set by the federal Help America Vote Act, or HAVA.

Secretary of the Commonwealth Pedro A. Cortés sent a letter to county officials on Thursday apprising them of the latest details of the state's appeal and to help them prepare for the primary.

"In light of the possibility that the Supreme Court may reverse the Kuznik decision, the Department of State believes it would be appropriate for every county to be prepared to purchase HAVA-compliant voting systems that have been duly certified by the commonwealth and to prepare to use HAVA-compliant systems in the May 16, 2006, General Primary Election," Cortés wrote in his Feb. 23 letter. "It would also be appropriate for every county to consult with all vendors with whom the county might have pending or anticipated agreements for the purchase of electronic voting systems.

"The pending litigation may be concluded at a date that is too late to obtain new voting systems for use in the primary election on May 16. If that were the case, it would be prudent to take whatever course of action county officials might otherwise have taken in the normal course of events but for the Kuznik lawsuit to ensure that nothing stands in the way of the rights of citizens to cast their ballots for candidates for all offices appearing on the primary ballot."

On Tuesday, the U.S. Department of Justice said it will seek a federal court order requiring every voting district to make accessible voting systems available to voters in time for Pennsylvania's Primary Election. Cortés said that notice "offers clarification of the federal government's position" on the case. This is the third time this month that Governor Rendell has taken action to protect voter rights. On Monday, Presidents Day, the Governor promised to veto legislation requiring voters to provide identification when going to the polls. Earlier, the Governor authorized an agreement with the U.S. Department of Justice, approved by a federal court judge on Feb. 9, to protect the rights of military and overseas voters to vote in the May primary.

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**EDITOR'S NOTE:** A copy of Secretary Pedro A. Cortés' letter to county elections officials, visit <http://www.governor.state.pa.us/governor/lib/governor/EVSCountyLetter022306.pdf>