Washington Secretary of State
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Advisory Issue: 05 Ballot Programming and Layout

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Ballot programming in the Presidential Primary presents challenges and requires decisions at the county level. Should separate or consolidated ballots be used? What about the pick-a-party box? How do I program my disability access unit? Below are some pros and cons for each of these questions to assist you in making these decisions. Because programming and ballot layout are complicated, there may be other issues that arise. Please feel free to contact the Secretary of State's Office with any questions you have.

Paper Ballots: Separate or Consolidated?

• Things to consider when deciding to use separate or consolidated ballots:

• Using separate ballots will require one ballot for each major party plus a nonpartisan ballot if there is a local issue in your county. This is more costly to print and mail than a consolidated ballot. Consolidated ballots contain all three ballots on one sheet of paper.

• Separate ballots will be easier to process. It is easier to identify if the voter returned the correct ballot.

Consolidated Paper Ballots: Pick-a-Party Box or Not?

The Party Declaration (oath) on the envelope or poll book determines which party votes should be counted.

For vote by mail counties, we strongly recommend you do not include the pick-a-party box on the ballots.

Reasons to not include the pick-a-party box**:**

• By providing the pick-a-party box option, it implies to the voter that the party box is a valid way to affiliate with their party. Not only is this misleading, but voters could potentially ignore the party oaths on the envelope and just use the box.

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• The Presidential Primary is different than our other partisan primaries. The pick-a-party box programming does not tabulate correctly according to the rules for this election. When using a pick-a-party box, the programming will count any votes for the marked party box and ignore other party votes. In the Presidential Primary, if a voter attempts to vote in both parties, it should be tabulated as an undervote.

• Adding the pick-a-party box would complicate duplication or resolving procedures. Counties must still manually sort and visually inspect each ballot to determine which partisan votes will count according to the party oath on the envelope. If there is a pick-a-party box on the ballot, the number of ballots needing duplication or resolution would increase.

• WAC 434-219-240 details how to process consolidated ballots without a pick-a-party box, and those *with* a pick-a-party box. There are three times the problems to deal with for ballots with pick-a-party boxes. Choosing not to print or program a pick-a-party box will help simplify the process. (See attached.)

For poll site counties, the poll site counters need to be taken into consideration. If a voter declares a party, they are also declaring they are not participating in another party's primary. A procedure must be in place to ensure the voter only votes on that party's candidates. Possible procedures to ensure this are:

• To use separate ballots.

• To use a consolidated ballot and include the pick-a-party box

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- The poll worker will check the party box on the ballot for the voter's declared party to ensure the party box and the signed party oath match.
- At that time, the poll worker could draw a line through all candidate response areas of the other party.
- If it is not possible to draw the line through the candidate response areas at the poll site, the county may need to inspect the poll site ballots after Election Day, checking for ballots where the voter marked votes for both parties. These would need to be re-tabulated.

• To use another method that will ensure voting for the declared party and the declared party only.

How do we program the DAUs?

For AutoMARK counties, paper ballots and DAUs are programmed the same.

For DRE counties, the DREs by design do not allow overvoting or cross-party voting, so they are programmed with a pick-a-party box. The voter will sign a party oath at the time they sign the poll book. To ensure the correct ballot is voted, a poll worker will input the party choice on the DRE for the voter.