

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE RESOLUTION

No. 568 Session of
2009

INTRODUCED BY MUSTIO, READSHAW, VULAKOVICH, BOBACK, CLYMER,
EVERETT, FAIRCHILD, GRELL, HARRIS, HESS, KNOWLES, MILLER,
MURT, ROHRER, SCAVELLO, SIPTROTH AND STEVENSON,
DECEMBER 14, 2009

REFERRED TO COMMITTEE ON STATE GOVERNMENT, DECEMBER 14, 2009

A RESOLUTION

1 Urging Attorney General Tom Corbett and District Attorney
2 Stephen A. Zappala, Jr., of Allegheny County to investigate
3 absentee voting irregularities in the 2009 municipal election
4 and report their findings to the General Assembly.

5 WHEREAS, Fair and free elections are necessary to maintaining
6 the people's faith in their government and the laws made by
7 government; and

8 WHEREAS, While in-person voting has been the tradition of our
9 nation and State for most of our history, Federal and State laws
10 recognize the importance of enabling individuals who are away
11 from home on election day to cast a ballot; and

12 WHEREAS, Section 14 of Article VII of the Constitution of
13 Pennsylvania provides for absentee voting and directs the
14 General Assembly to enact laws establishing procedures and time
15 frames for casting an absentee ballot; and

16 WHEREAS, Individuals in Allegheny County experienced
17 difficulty casting absentee ballots in the 2009 municipal
18 election; and

1 WHEREAS, Several voters in Allegheny County reported that
2 they applied for an absentee ballot in a timely fashion but did
3 not receive the absentee ballot and thus were not able to cast a
4 vote in the election; and

5 WHEREAS, A number of voters in Allegheny County also reported
6 that they did not receive a requested absentee ballot until the
7 day on which the ballot must be returned and thus were not able
8 to cast a vote in the election; and

9 WHEREAS, The disenfranchisement of voters is a serious matter
10 which deserves an investigation for the purpose of determining
11 the cause or causes; and

12 WHEREAS, Section 1642 of the Election Code gives the Attorney
13 General and the applicable district attorney concurrent
14 jurisdiction to investigate violations of the Election Code that
15 occur within a county; therefore be it

16 RESOLVED, That the House of Representatives urge Attorney
17 General Tom Corbett and District Attorney Stephen A. Zappala,
18 Jr., of Allegheny County to investigate incidents that occurred
19 within the county during the 2009 municipal election involving
20 the late delivery or failure to deliver absentee ballots to
21 applicants, as well as other incidents that precluded qualified
22 electors from casting absentee ballots; and be it further

23 RESOLVED, That the House of Representatives request that,
24 following the investigation, the Attorney General and the
25 district attorney of Allegheny County issue recommendations
26 regarding Allegheny County's absentee ballot processing and
27 dissemination procedures and how these processes might be
28 improved to ensure that qualified absentee voters in the county
29 are not disenfranchised; and be it further

30 RESOLVED, That the House of Representatives request that the

1 Attorney General and the district attorney of Allegheny County
2 transmit the recommendations to the Allegheny County Board of
3 Elections and the chairperson of the State Government Committee
4 of the Senate and the chairperson of the State Government
5 Committee of the House of Representatives; and be it further
6 RESOLVED, That a copy of this resolution be transmitted to
7 the Honorable Tom Corbett, Attorney General of the Commonwealth,
8 and to Stephen A. Zappala, Jr., District Attorney of Allegheny
9 County, Courthouse, Grant Sreet, Pittsburgh PA 15219.