

LUZERNE COUNTY BOARD OF ELECTIONS AND REGISTRATION
AGENDA

Jan. 27, 2022 at 5:00 P.M.
Council Meeting Room
Luzerne County Courthouse
200 N. River Street Wilkes-Barre, PA 18701
And
Video/Teleconference via ZOOM

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

ADOPTION OF AGENDA

PUBLIC COMMENT ON AGENDA ITEMS

This is an opportunity for members of the public to address the Board on matters listed on the agenda. (limited to 4 minutes & one comment time per person) Please refer to the Board of Elections and Registration Online page of County's Website at <https://www.luzernecounty.org/1282/ABC-Meetings-Online> for information on how to participate in Public Comment via technology.

APPROVAL OF MEETING MINUTES FROM: January 12, 2022 (pp. 4-8)

AGENDA ITEMS - SOLICITOR

1. Ratification of Election Bureau's Termination of Contract with ElectionIQ -
Explanation by Solicitor, Board Member Discussion & Vote

AGENDA ITEMS - BUREAU OF ELECTION

1. Letter to Poll Workers on New Mandated Training Per Year & Change in
Compensation for Trainings Going Forward - Status

2. Status of Licensing Bureau Employees Relocation Out of Election Bureau Office -
Status

3. Information on Approximately 25 Voters' Names not in Pollbook on November Election Day- Explanation
4. Special Election Status & Target Dates for Mail-In/Absentee Ballots to go out for Special Election & Primary Election (See attached Special Election & Primary Election Timelines pp. 10-13)
5. Proposed Ballot Drop Box Sites for Special Election
6. Consultant for Evaluation of Elections Bureau/Board of Elections & Registration Website Pages - Status
7. Status/Plan for Completion of #7 & #9 Directives (See p. 9)
8. Mail-in / Absentee Vendor Change - Status
9. Upcoming Permanent Mail-in/Absentee Voter Mailer - Status
10. Certification of Political Parties for Luzerne County - information
11. Status: Follow-Up / Summary Report from "The Election Group"
12. Races and Ballot Questions on Primary Ballot

AGENDA ITEMS - BOARD OF ELECTIONS & REGISTRATION

1. 2022 Board of Elections & Registration Meeting Dates (See p.14) - information
2. Quorum for Board of Elections & Registration - information & discussion
3. Write-In Candidate Name Accumulation Process - information, discussion & vote

COMMENT ON NON-AGENDA ITEMS

This is an opportunity for members of the public to address the Board on matters not listed on the Agenda but which must be within the subject matter jurisdiction of the Board. Please refer to the Board of Elections and Registration Online page of County's

Website at <https://www.luzernecounty.org/1282/ABC-Meetings-Online> for information on how to participate in Public Comment via technology.

MOTION TO ADJOURN

ADJOURNMENT

LUZERNE COUNTY BOARD OF ELECTIONS
AND REGISTRATIONS MEETING MINUTES
January 12, 2022

CALL TO ORDER 5:02 PM

EXECUTIVE SESSION

Denise Williams reported that there was an executive session held on December 8, 2021 9:00- 9:20 AM to discuss Bureau personnel matters.

And on January 5, 2022 10:13-10:25 AM to discuss the election issue that was referred to the DA's office for investigation.

PLEDGE OF ALLEGIANCE

ROLL CALL

Audrey Serniak here, Patrick Castellani here , Denise Williams here

APPROVAL OF AGENDA

Motion to approve the agenda made by Patrick Castellani 2nd Audrey Serniak, unanimous

PUBLIC COMMENTS (4 minutes)

Walter Griffith-Suggested that campaign finance reports should be accurate on face before they are accepted. He also asked the IT check to see if all participants in the Zoom meetings can be seen by the public.

Mark Rabo, Hazleton City-Concerned that out-of-state donors to campaigns are not registered with the state or county. Regarding the special election, he would like a thorough explanation, (including the Spanish-speaking community) of the process and timeline.

MINUTES

Motion to approve the 12/6/2022 minutes made by Audrey Serniak 2nd Patrick Castellani, unanimous

BUREAU OF ELECTIONS REPORT

Denise Williams welcomed the new director, Mike Susek, to the Bureau.

SURE system training-The state is short a trainer so the Bureau will follow-up on the formal training. Short term the veteran staff members are mentoring who have access. Access to the system has been cut back and they are looking into disabling access between elections for temporary workers. The system can only be accessed in the office and can be monitored.

The process of relocating the Licensing Bureau is ongoing.

The Bureau is in communication with ES&S regarding some voters not appearing in the poll books; tabled.

Directives 7 and 9-Regarding codifying basic procedures and a timeline, the Board would like a time frame for completing the project and progress reports. Regarding the website, it should be clear and user friendly. Denise Williams said she would like information on conducting a write-in campaign included. Mike Susek said they could look into hiring a consultant and advised Design for Democracy and Civic Plus (hosts our website) have resources available.

Campaign finance-The current process is to receive, post, retain and make available to the public. There is no tracking system. A simple system to track what has come in has been set up for committees filing and when they are due. There won't be any legacy tracking at this time; there are penalties for late filings (up to \$250). There needs to be an awareness that we are tightening this up.

Special Election for the 116th PA representative seat will be on April 5th. And the seat will also be on the primary ballot. Hazleton is the population center. Tentatively the filing deadline is 2/14/2022 with 3/6/2022 for the state to get the nominations to the county. The cost will be covered by the state. The Bureau is working on polling places, mail in ballots and reaching out to poll workers, arranging training, and will be meeting with Dominion. Voters can their registration at Vote.PA.Gov. They can come to the Bureau if they call ahead (Covid restrictions) or update by mail.

The process for municipalities to place races on the ballot needs to be formalized . Tweaking the current process to put it into writing. There's opportunities to go electronic processing to eliminate transcribing forms. Tabled for the moment.

Cybersecurity-The ballot tabulation is completely off-line and the SURE system can only be accessed at the Bureau office and that access is controlled. Staff is taking a cybersecurity course to raise awareness. There will be a statewide a Homeland Security call and a state conference.

The Bureau is getting quotes for mailing the paper applications for mail-in ballots to voters on the 'permanent mail-in voter list'.

BOARD OF ELECTIONS REPORT

Denise Williams thanked Rick Nardone and Kathy Roth for their service on the Board.

Survey letter sent to people who received a paper ballot but did not vote it-
 Overview: Sent to 1382 out of 6226 with 106 responses (about 8%) responded;
 responses came from all over Luzerne County and were split between absentee and
 mail-in ballots; 75 received them, 31 did not receive a ballot at all.
 Ballots need to be mailed out earlier.

The letter on poll worker training and pay is still in progress; Mike Susek would
 like to get it out as soon as possible.
 Denise Williams said there was a much better training response for the general
 election compared to the primary election.

Meeting dates-waiting for County Council to set-up their schedule; the Board's
 next meeting will be advertised.

The Election Group report status-Mike Susek will find out.

PUBLIC COMMENTS (4 minutes)

Walter Griffith-Thanked the Board for addressing matters that are important for the
 public. Ballots need to go out sooner; the survey was informative. Polling place
 leases should address political signage which has caused problems at some places.
 Incomplete campaign finance reporting can lead to a loss of revenue.

Jessica Morgan, Dallas-What happens to the undeliverable ballots? (They are
 retained.) Said those voters should be removed from the rolls. (Wrong addresses
 are not usually enough to warrant removal.) Says there is a cavalier attitude
 towards access to the SURE system. Believes the VP for Dominion had access to
 the system. Over 900 ballots were received after election day and believes that
 mailing them on the 19th, a Friday was partly responsible for delayed ballots.
 (Denise Williams advised that the 19th was a Tuesday.) Administrative assistants
 in the Bureau didn't get the memo that it is illegal for one person to drop more
 than one ballot in the drop boxes. A woman tried to do this and the woman said she
 had been there all week.

Denise Williams said that the woman was instructed not to deposit multiple ballots
 and that there is nothing to prevent people from mailing multiple ballots. This is a
 matter for our legislature.

Steve Urban-Regarding the incident Jessica Morgan spoke about, perhaps it should
 be reviewed and forwarded. Regarding the drop boxes, he would like them to be

opened and closed at the same time each day; wants equal access for all voters. Regarding the special election, if machines are sequestered are there plans to have equipment available for the primary? Mike Susek advised that the Bureau would be addressing this with Dominion and that additional equipment can be leased if needed.

Mark Rabo-If someone is dropping off a ballot for someone else, they must have the notarized form. The polling places for the special election need to be publicized earlier. Denise Williams advised that the affidavits do not have to be notarized, just signed. Mike Susek said the Bureau is working on the polling places and his intent is to keep them the same.

Richard Manta, Back Mountain-Why was the acting manager there on election night? Can people who's mail-in ballot was returned 'not delivered' vote? Can people come to the Bureau to change their registration? The last two elections did not go smoothly.

Denise Williams responded that members of the public, which includes the acting manager, are allowed to observe on election night. Voters who did not receive a ballot can vote provisionally.

Mike Susek said people can come into the Bureau, but, because of Covid restrictions, must call first. The Bureau will also mail forms if requested.

NEXT MEETING

Will be advertised

MOTION TO ADJOURN

Made by Patrick Castellani 2nd Audrey Serniak, unanimous

ADJOURNED 7:15 PM

Board of Elections & Registration Directives to Bureau of Elections

1. Written **Outline of Process for Handling Complaints or Issues at State or Local Level & Report of Follow Up to Complaints or Issues from the May 2021 Primary**. Submit both to Board of Elections & Registration by July 9, 2021
2. **Posting of May 2021 Primary Campaign Finance Reports** to county website in a “user-friendly” manner. Complete by July 16, 2021.
3. Written plan/process created and completed for May 2021 Primary **Pollworker Feedback**. All feedback received will be shared with the Board of Elections & Registration. Complete by July 30, 2021
4. Creation of plan - going forward - to post **Campaign Finance Reports** on the website after each of the pre-election and post-election mandated dates for campaign finance reporting. Submit plan to Board of Elections & Registration by August 13, 2021.
5. Plan and Implementation of an **Election Day Poll Worker/Bureau Staff Direct Communication Means**. Submit plan to Board of Elections & Registration by August 30, 2021
6. Evaluation/Review of current **poll worker training program** with focus on attendance and understanding of directions and ways to improve both. Submit findings and proposed changes for improvement by August 30, 2021
7. Written **outline of basic procedures and practices for “Election Operations of the Bureau”** (Pre-Election Day Procedures, Election Day Procedures, Adjudication Procedures, and Post-Election Day Procedures). Submit by September 30, 2021
8. Documentation of/**outline of job descriptions** for each position in the Bureau of Elections. This should be specific and itemized to the fullest extent possible. Overlap with duties and responsibilities between positions should be noted in job description. Submit by October 15, 2021
9. Research for, and **upgrade of the Bureau of Elections Website** to a more “user-friendly” platform with well-formatted content that is easy to scan. Complete by October 30, 2021

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COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BUREAU OF ELECTIONS AND NOTARIES
**CALENDAR FOR THE SPECIAL ELECTION TO BE HELD APRIL 5, 2022
REPRESENTATIVE IN THE GENERAL ASSEMBLY FOR THE 116TH DISTRICT
IN THE COUNTY OF LUZERNE**

1. Writ, prepared by presiding officer,
served on the Secretary of the Commonwealth January 10, 2022
(At least 60 days prior to the special election. 25 P.S. § 2778)

2. First day for political parties and minor political parties to nominate
candidates by filing nomination certificates January 10, 2022
(25 P.S. § 2779)

3. First day for political bodies to circulate and file nomination
papers nominating candidates January 10, 2022
(25 P.S. § 2779)

4. Last day to file nomination certificates and
nomination papers February 14, 2022
(50 days prior to date of special election. 25 P.S. § 2779)

5. Last day to file objections: 3 days after the deadline for filing February 17, 2022
(25 P.S. § 2782)

6. Last day for Commonwealth Court to set a hearing
on objections: 7 days after deadline for filing February 22, 2022
(25 P.S. § 2782)
(Because February 21, 2022, is a legal holiday, the deadline moves to the next business day,
which is February 22, 2022. 25 P.S. § 2603(e)).

7. Last day to withdraw: 7 days after the deadline for filing February 22, 2022
(25 P.S. § 2783)
(Because February 21, 2022, is a legal holiday, the deadline moves to the next business day,
which is February 22, 2022. 25 P.S. § 2603(e)).

8. Last day to file substituted nomination
certificates: 7 days after the deadline for filing February 22, 2022
(25 P.S. §2784(c))
(Because February 21, 2022, is a legal holiday, the deadline moves to the next business day,
which is February 22, 2022. 25 P.S. § 2603(e)).

9. Last day to file objections to substituted nominations:
3 days after substituted nomination certificate is filed Depends on filing date
(25 P.S. § 2785)
10. Last day for Secretary of the Commonwealth to
certify names and residence of all candidates March 6, 2022
(30th day preceding the day fixed for the special election. 25 P.S. § 2786)
11. Last day to register to vote before the election March 21, 2022
(15 days before the special election. 25 P.S. § 3071(b))
12. Last day before the election on which official applications for
civilian absentee and mail-in ballots may be received by the county board of
elections March 29, 2022
(Tuesday before special election. 25 P.S. §§ 3146.2a(a), 3150.12a(a))
13. All civilian absentee ballots must be received by the county board of elections
no later than 8:00 P.M. on this day to be counted..... April 5, 2022
(On the day of the special election. 25 P.S. § 3146.6(a))
14. All mail-in ballots must be received by the county board of elections
no later than 8:00 P.M. on this day to be counted..... April 5, 2022
(On the day of the special election. 25 P.S. § 3150.16(c))
15. Last day for county boards of elections to receive voted military and
overseas absentee ballots April 12, 2022
(By 5:00 P.M. on the 7th day following a primary or election and must be voted no later than
11:59 P.M. on April 4th, 25 P.S. § 3146.8(g)(1) & 25 Pa.C.S. § 3511(a)).

ADDITIONAL INFORMATION

- A. Political Parties, including Minor Political Parties, file nomination certificates, nominating candidates in accordance with party rules.
- B. Candidates of political bodies file nomination papers, obtaining signatures equal to 2% of the largest vote cast for any elected officer in that district at the last preceding election or the number of signatures required on a nomination petition for a political party candidate, whichever is greater. Signers of such papers must be qualified, registered electors of the district. **The number of signatures required on nomination papers to be filed by candidates of political bodies for the Special Election for the 116th Legislative District is 384.** All nomination papers must be accompanied by a properly completed candidate's affidavit and a copy of the Statement of Financial Interests required to be filed with the State Ethics Commission. In addition, a filing fee of \$100.00 must be submitted with each set of nomination papers and must be paid by certified check or money order payable to the "Commonwealth of Pennsylvania."

NOTE: The Election Code provides that no person “who is a registered and enrolled member of a party (shall) be eligible to be the candidate of a political body for a special election.” 25 P.S. § 2911.1.

CAMPAIGN FINANCE REPORTING DEADLINES

<i>Report</i>	<i>Complete Up To And Including</i>	<i>Filing Deadline*</i>
2nd Friday Pre-Election <i>(Complete as of 15 days prior to the special election. 25 P.S. § 3246(d)).</i>	March 21, 2022	March 25, 2022
24 Hour Reporting 25 P.S. § 3248	<i>March 22, 2022 (begins)</i>	<i>April 5, 2022 (ends/includes)</i>
30 Day Post-Election <i>(Complete as of 10 days after the special election. 25 P.S. § 3246(e))</i>	April 15, 2022	May 5, 2022

*Postmarks are acceptable as proof of timely filing when reports are postmarked by the U.S. Postal Service no later than the day before the filing deadline.

ETHICS LAW INFORMATION

All candidates for the Special Election must file Statements of Financial Interests with the State Ethics Commission and a copy of the Statement of Financial Interests with their nomination certificates or nomination papers. For further information, please call the State Ethics Commission at (717) 783-1610.

BUREAU OF ELECTIONS AND NOTARIES

2022 PENNSYLVANIA ELECTIONS IMPORTANT DATES TO REMEMBER

First day to circulate and file nomination petitions	February 15
Last day to circulate and file nomination petitions	March 8
First day to circulate and file nomination papers	March 9
Last day for withdrawal by candidates who filed nomination petitions	March 23
Last day to REGISTER before the primary	May 2
Last day to apply for a mail-in or civilian absentee ballot	May 10
Last day for County Board of Elections to receive voted mail-in and civilian absentee ballots (must be received by 8:00 P.M.)	May 17
GENERAL PRIMARY	May 17
First day to REGISTER after primary	May 18
Last day for County Board of Elections to receive voted military and overseas absentee ballots (submitted for delivery no later than 11:59 P.M. on May 16)	May 24
Last day to circulate and file nomination papers	August 1
Last day for withdrawal by candidates nominated by nomination papers	August 8
Last day for withdrawal by candidates nominated at the primary	August 15
Last day to REGISTER before the November election	October 24
Last day to apply for a mail-in or civilian absentee ballot	November 1
Last day for County Boards of Elections to receive voted mail-in and civilian absentee ballots (must be received by 8:00 P.M.)	November 8
GENERAL ELECTION	November 8
First day to REGISTER after November election	November 9
Last day for County Board of Elections to receive voted military and overseas absentee ballots (submitted for delivery no later than 11:59 P.M. on November 7)	November 15

Note: All dates in this calendar are subject to change without notice.

(UPDATED) 2022 Election Board Meeting Dates

January 12, 2022 (already held)
(Thursday) January 27, 2022
February 9, 2022
February 23, 2022
March 9, 2022
March 23, 2022
April 27, 2022
May 11, 2022
June 22, 2022
July 20, 2022
August 10, 2022
August 24, 2022
September 7, 2022
September 21, 2022
(Monday) October 17, 2022
October 26, 2022
December 14, 2022

****All on Wednesdays except two noted above**

****All start at 5:00 PM**