

# 2021 MUNICIPAL PRIMARY UMOVA NOTICE

## What the Notice Must Include

- A list of all offices and ballot measures (referenda) that the county expects to be on the ballot at the upcoming primary or election.
- Specific instructions for how a covered voter is to indicate his/her choices for each office and each ballot measure on the Federal Write-in Absentee Ballot (FWAB)

## When the Notice Must be Available

- A county must prepare the election notice at least 90 days before a primary or election
- For a special election, the notice must be prepared at soon as practicable

## Availability of the Notice

- A county that maintains a publicly accessible website MUST make the notice and updated versions of the notice available on its website.
- If a covered voter requests a copy of the notice, the county must deliver it by fax, email, over the Internet or by regular mail as the voter requests.

## Updating the Notice

- As the names of candidates for the various offices and ballot questions become available, the notice must be promptly updated to include the names of those candidates and specific information about the ballot questions.
- The updated notice must be publicly available.

**NOTE: It is sufficient to provide a list of candidates as an addendum to the notice, provided the list clearly identifies the office for which each candidate is running.**

## Instructions

*The notice must contain the following instructions regarding voting by absentee ballot:*

- You may request an absentee ballot from this office at any time prior to a primary or election. However, if time does not permit you to receive and return an official absentee ballot, you are also entitled to vote using the Federal Write-in Absentee Ballot (FWAB).
- You may use the FWAB to vote for candidates for **all** state and local offices, and ballot initiatives.
- To vote, refer to page 3 of the FWAB.
  - To vote for state and local offices or for ballot initiatives – write the names of candidates or the ballot initiative in the Addendum Section of the FWAB
    - Under the **Office/Ballot Initiative** heading, enter the office the candidate is running for or the title of the Ballot Initiative (referendum).
    - Under the **Candidate Name, Party Affiliation or Initiative Vote** heading, list the name of the candidate you wish to vote for, or if you are voting on a Referendum question write “yes” or “no.”

# Official Notice of Election for Military and Overseas Voters

## County of LUZERNE

### 2021 Municipal Primary (May 18, 2021)

This is an official notice of a Primary election to be conducted on 5/18/2021 in Luzerne County. You may register to vote and request an official absentee ballot by using the Federal Postcard Application (FPCA), available at [www.votespa.com](http://www.votespa.com) or [www.fvap.gov](http://www.fvap.gov). You may apply for an absentee ballot by submitting your FPCA by fax to (570) 820 - 6399, or by email to [elections@luzernecounty.org](mailto:elections@luzernecounty.org)

You may request an absentee ballot from this office at any time prior to a primary or election. However, if time does not permit you to receive and return an official absentee ballot, you are also entitled to vote using the Federal Write-in Absentee Ballot (FWAB). Military electors may also use the FWAB to register to vote and vote simultaneously.

You may use the FWAB to vote for all state and local offices, and ballot initiatives.

To vote, refer to page 3 of the FWAB.

To vote for state and local offices or for ballot initiatives, write the names of candidates or ballot initiatives in the Addendum section of the FWAB. Under the **Office/Ballot Initiative** heading, enter the office the candidate is running for or the title of the Ballot Initiative (referendum). Under the **Candidate Name, Party Affiliation or Initiative Vote** heading, list the name of the candidate you wish to vote for, or if you are voting on a Referendum question write "yes" or "no."

#### DEMOCRATIC BALLOT

JUSTICE OF THE SUPREME COURT -- Vote for One -- All Precincts within Luzerne County

JUDGE OF THE SUPERIOR COURT -- Vote for One -- All Precincts within Luzerne County

JUDGE OF THE COMMONWEALTH COURT -- Vote for Two -- All Precincts within Luzerne County

JUDGE OF THE COURT OF COMMON PLEAS -- Vote for Two -- All Precincts within Luzerne County

DISTRICT ATTORNEY -- Vote for One -- All Precincts within Luzerne County

CONTROLLER – Vote for One –All Precincts within Luzerne County

COUNTY COUNCIL – Vote for Five – All Precincts within Luzerne County

SCHOOL DIRECTOR

TOWNSHIP SUPERVISOR

CONSTABLE

MAYOR

BOROUGH COUNCIL

AUDITOR

TAX COLLECTOR

JUDGE OF ELECTIONS

INSPECTOR OF ELECTIONS

PROPOSED CONSTITUTIONAL AMENDMENT – ARTICLE III, SECTION 9  
RELATING TO TERMINATION OR EXTENSION OF DISASTER EMERGENCY DECLARATIONS

***Ballot Question***

Shall the Pennsylvania Constitution be amended to change existing law and increase the power of the General Assembly to unilaterally terminate or extend a disaster emergency declaration—and the powers of Commonwealth agencies to address the disaster regardless of its severity pursuant to that declaration—through passing a concurrent resolution by simple majority, thereby removing the existing check and balance of presenting a resolution to the Governor for approval or disapproval?

*Plain English Statement of the Office of Attorney General*

JOINT RESOLUTION NO. 2021-1

RELATING TO THE TERMINATION OR EXTENSION OF DISASTER EMERGENCY DECLARATIONS

JOINT RESOLUTION NO. 2021-1 proposes to amend Article III, Section 9 of the Pennsylvania Constitution to provide a new exception to traditional legislative procedure by allowing the General Assembly to terminate or extend a disaster emergency declaration or a portion of such declaration without needing the Governor's approval.

Currently, Article III, Section 9 establishes a general rule that all orders, resolutions or votes requiring approval by both the House of Representatives and Senate must be presented to the Governor for his approval or veto. Resolutions for the adjournment of the General Assembly are exempted from this process. If the order, resolution or vote is approved by the Governor, it becomes law. If the Governor vetoes the resolution, it does not become law unless two-thirds of the House and Senate vote to override the veto. The proposed amendment would create an additional exception to this customary legislative procedure for concurrent resolutions to terminate or extend, in whole or in part, a disaster emergency declaration issued by the Governor.

The proposed amendment will also have the effect of reversing a recent ruling of the Pennsylvania Supreme Court which held the Pennsylvania Constitution prohibited the General Assembly from passing a concurrent resolution to terminate the Governor's Covid-19 disaster emergency declaration without presenting it to the Governor for his approval. It will change the law to allow the General Assembly to terminate or extend a disaster emergency declaration through a concurrent resolution approved by only a majority of the members of the House and Senate, without having to present the resolution to the Governor for his approval or veto.

The proposed amendment is limited in that it only changes the traditional legislative process for terminating or extending disaster emergency declarations issued by the Governor. The amendment will not alter the current legislative procedure with respect to which orders, resolutions or votes of the

General Assembly must be presented to the Governor for his approval on any other subject matter.

PROPOSED CONSTITUTIONAL AMENDMENT – ARTICLE IV  
DISASTER EMERGENCY DECLARATION AND MANAGEMENT

***Ballot Question***

Shall the Pennsylvania Constitution be amended to change existing law so that: a disaster emergency declaration will expire automatically after 21 days, regardless of the severity of the emergency, unless the General Assembly takes action to extend the disaster emergency; the Governor may not declare a new disaster emergency to respond to the dangers facing the Commonwealth unless the General Assembly passes a concurrent resolution; the General Assembly enacts new laws for disaster management?

*Plain English Statement of the Office of Attorney General*

Joint Resolution No. 2021-1

Disaster Emergency Declaration and Management

JOINT RESOLUTION NO. 2021-1 proposes adding a new section to Article IV of the Pennsylvania Constitution. This amendment incorporates disaster emergency declaration and management powers directly into the Constitution by:

- Granting the Governor authority to declare a disaster emergency declaration by proclamation or executive order;
- Requiring each declaration to indicate the nature, location and type of disaster;
- Granting the General Assembly authority to pass laws providing for the manner in which each disaster shall be managed;
- Limiting the duration of a Governor's declaration to 21 days, unless otherwise extended, in whole or in part, by a concurrent resolution of the General Assembly;
- Preventing the Governor, upon the expiration of a declaration, from issuing a new declaration based upon the same or substantially similar facts, unless the General Assembly passes a concurrent resolution expressly approving a new declaration.

Currently, disaster emergency declaration and management powers are delegated by statute to the Governor. The Governor has the sole authority to issue and manage all disaster emergency declarations, which cannot extend beyond 90 days unless renewed by the Governor. The General Assembly may override a Governor's disaster emergency declaration by concurrent resolution that must be presented to the Governor for his approval or veto.

If approved, the amendment would transfer certain of the Governor's existing authority to respond to and manage disaster emergencies to the General Assembly. The Governor would retain the authority to issue an initial disaster emergency declaration but the declaration's permissible length would be reduced from 90 to 21 days. The sole authority to extend a declaration would lie with the General Assembly; presently, this power rests with the Governor. Upon expiration of the initial declaration, the amendment prohibits the Governor from issuing a new declaration based upon the same or

substantially similar facts without the approval of the General Assembly. The Governor would no longer have unilateral authority to manage disasters, but would have to do so consistent with the laws passed by the General Assembly.

If approved, the General Assembly would be required to pass new laws establishing the manner in which each type of disaster shall be managed. If added to the Pennsylvania Constitution, the proposed amendment cannot be modified or repealed except by a judicial decision finding all or part of the proposed amendment unconstitutional or by the approval of a subsequent constitutional amendment.

PROPOSED CONSTITUTIONAL AMENDMENT – ARTICLE I  
PROHIBITION AGAINST DENIAL OR ABRIDGEMENT  
OF EQUALITY OF RIGHTS BECAUSE OF RACE OR ETHNICITY

***Ballot Question***

Shall the Pennsylvania Constitution be amended by adding a new section providing that equality of rights under the law shall not be denied or abridged because of an individual's race or ethnicity?

*Plain English Statement of the Office of Attorney General*

**Joint Resolution No. 2021-1**

Prohibition Against Denial or Abridgment of Equality of Rights Because of Race and Ethnicity

JOINT RESOLUTION NO. 2021-1, if approved by the electorate, will add a new section to Article I of the Pennsylvania Constitution. This amendment creates a constitutional prohibition against restricting or denying an individual's equal rights under Pennsylvania law because of race or ethnicity.

Generally, inclusion of this amendment within the Pennsylvania Constitution signifies that freedom from discrimination based on race or ethnicity is an essential principle of liberty and free government. This amendment applies to all Pennsylvania state, county and local governmental entities, and guarantees equality of rights under the law. The amendment, if enacted, will become a part of the Pennsylvania Constitution. As such, its provisions must be applied consistent with the other provisions of the Constitution.

This equal right to be free from racial or ethnic discrimination will exist independent from any such rights under the United States Constitution or corresponding federal law. If the current federal protections proscribing racial or ethnic discrimination are abolished, the prohibition against such discrimination will remain in the Pennsylvania Constitution. The amendment is limited in that it creates a right only under Pennsylvania law.

Once added to the Pennsylvania Constitution, the right to be free from racial or ethnic discrimination under the law cannot be eliminated except by a judicial decision finding the amendment unconstitutional or the approval of a subsequent constitutional amendment. If approved, the General Assembly may pass new laws to implement the amendment, but it may not pass a law inconsistent with it.

**REPUBLICAN BALLOT**

JUSTICE OF THE SUPREME COURT -- Vote for One -- All Precincts within Luzerne County

JUDGE OF THE SUPERIOR COURT -- Vote for One -- All Precincts within Luzerne County

JUDGE OF THE COMMONWEALTH COURT -- Vote for Two -- All Precincts within Luzerne County

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## PROPOSED CONSTITUTIONAL AMENDMENT – ARTICLE IV DISASTER EMERGENCY DECLARATION AND MANAGEMENT

### ***Ballot Question***

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## **NON-PARTISAN BALLOT**

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Once added to the Pennsylvania Constitution, the right to be free from racial or ethnic discrimination under the law cannot be eliminated except by a judicial decision finding the amendment unconstitutional or the approval of a subsequent constitutional amendment. If approved, the General

Assembly may pass new laws to implement the amendment, but it may not pass a law inconsistent with it.

# Federal Write-In Absentee Ballot

- If you do not receive your absentee ballot in enough time to meet your state's deadlines, use this ballot as a backup. If you send in this ballot and receive your state's ballot later, you should fill out and return your state ballot as well. Your election office will count only one ballot.
- The following require you to register and request an absentee ballot before filling out this form: AL, AS, AR, CT, FL, GU, HI, ID, IL, IN, KS, LA, NH, NJ, NM, NY, PA, PR, RI, SD, TX, WI, WV, and WY. If your state or territory is listed, complete a Federal Post Card Application (FPCA) online at [FVAP.gov](http://FVAP.gov).
- If you already registered and requested a ballot, send in the *Voter Information* page and the *Official Backup Ballot*.
- Please be aware that some states will accept this form as registration and as an absentee ballot request for future elections.

## Use this form if you are:

- On active duty in the Uniformed Services or Merchant Marine
- An eligible spouse or dependent
- A U.S. citizen living outside the United States

## You can vote wherever you are. This is how.

1. Fill out your *Voter Information* page completely and accurately.
  - Your U.S. voting residence address is used to determine where you are eligible to vote absentee. For military voters, it is usually your last address in your state of legal residence. For overseas citizens, it is usually the last place you lived before moving overseas. You do not need to have any current ties with this address. DO NOT write a PO Box # in section 2.
  - Most states allow you to provide a Driver's License number or the last 4 digits of your SSN. Some states require a full SSN. See your state's guidelines at [FVAP.gov](http://FVAP.gov).
  - If you cannot receive mail at your mailing address, please specify a mail forwarding address.
  - Most states require you to specify a political party to vote in primary elections. This information may be used to register you with a party.
  - **Section 6 Requirements:** Alabama requires two witness signatures; Alaska, Virginia and Wisconsin, require one witness signature; Puerto Rico requires your mother's and father's first name; Vermont requires a voter's oath. Additional state instructions can be found at [FVAP.gov](http://FVAP.gov).
  - Remember to sign the bottom of the *Voter Information* page!
2. Carefully fill out and seal your *Official Backup Ballot*.
  - DO NOT sign your ballot or include any personal information. Keep your ballot anonymous.
  - If using a self-sealing form, remove the adhesive liner, fold and seal tightly.
  - If you printed out the form, fold the voted ballot and seal it in an envelope marked "ballot enclosed".
3. Assemble your documents for mailing.
  - Put your *Voter Information* page and *Official Backup Ballot* into the mailing envelope.
  - You can find the address for your election office at [FVAP.gov](http://FVAP.gov).
  - All states accept this form by mail, but they vary on email and fax. See your state's rules in the *Voting Assistance Guide* online at [FVAP.gov](http://FVAP.gov).

### Agency Disclosure Statement

The public reporting burden for this collection of information is estimated to average 15 minutes per response, including time to review instructions, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden to: Department of Defense, Washington Headquarters Services, Executive Services Directorate, Information Management Division, 4800 Mark Center Dr., East Tower, Suite 03F09, Alexandria, VA 22350-3100. [OMB Control #0704-0502]. Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number. DO NOT RETURN YOUR FORM TO THE ADDRESS ABOVE.

### Privacy Advisory

When completed, this form contains personally identifiable information and is protected by the Privacy Act of 1974, as amended.

## Questions?

Email [vote@fvap.gov](mailto:vote@fvap.gov)

# Voter Information

## Federal Write-In Absentee Ballot (FWAB)

Print clearly in blue or black ink, please see back for instructions.

**Have you already registered and requested an absentee ballot?**

Some states allow you to use this form to register and request ballots for future elections. Visit [FVAP.gov](http://FVAP.gov) for more details.

### 1. Who are you? Pick one.

For absent Uniformed Service members, their families, and citizens residing outside the United States.

- I am on active duty in the Uniformed Services or Merchant Marine -OR-  I am an eligible spouse or dependent.  
 I am a U.S. citizen living outside the country, and I intend to return.  
 I am a U.S. citizen living outside the country, and my intent to return is uncertain.  
 I am a U.S. citizen living outside the country, and I have never lived in the United States.

Last name

Suffix (Jr., II)

Sex  Female  
 Male

First name

Previous names (if applicable)

Middle name

Birth date (MM/DD/YYYY) / /

Social Security Number - -

Driver's license or State ID #

### 2. What is your U.S. voting residence address?

Your voting materials will not be sent to this address. See instructions on other side of form.

Street address

Apt #

City, town, village

State

County

ZIP

### 3. Where are you now? You MUST give your CURRENT contact information.

Your mailing address. (Different from above)

Your mail forwarding address. (If different from mailing address)

### 4. What is your contact information? This is so election officials can reach you about your request.

Provide the country code and area code with your phone and fax number. Do not use a Defense Switched Network (DSN) number.

Email:

Phone:

Alternate email:

Fax:

### 5. What are your preferences for future elections?

A. Do you want to register and request a ballot for all elections you are eligible to vote in?

- Yes  
 No

B. How do you want to receive voting materials from your election office?

- Mail  
 Email or online  
 Fax

C. What is your political party for primary elections?

### 6. What additional information must you provide?

The following need more information: Alabama, Alaska, Puerto Rico, Vermont, Virginia and Wisconsin, see back for instructions. *Additional state instructions can be found at [FVAP.gov](http://FVAP.gov).*

### 7. You must read and sign this statement.

I swear or affirm, under penalty of perjury, that:

- The information on this form is true, accurate, and complete to the best of my knowledge. I understand that a material misstatement of fact in completion of this document may constitute grounds for conviction of perjury.
- I am a U.S. citizen, at least 18 years of age (or will be by the day of election), eligible to vote in the requested jurisdiction, and
- I am not disqualified to vote due to having been convicted of a felony or other disqualifying offense, nor have I been adjudicated mentally incompetent; or if so, my voting rights have been reinstated; and
- I am not registering, requesting a ballot, or voting in any other jurisdiction in the United States, except the jurisdiction cited in this voting form.
- In voting, I have marked and sealed this ballot in private and have not allowed any person to observe the marking of this ballot, except those authorized to assist voters under State and Federal law.

Sign here X

Today's date  
(MM/DD/YYYY) / /

# Official Backup Ballot

## Federal Write-In Absentee Ballot (FWAB)

Print clearly in blue or black ink.

Vote by writing the NAME or PARTY of the candidates you choose. To find out about specific federal candidates and races go to [FVAP.gov](http://FVAP.gov).

### Instructions

- This ballot can be used to vote for federal offices.
- DO NOT write your name or any identifying number (SSN, driver's license) on this ballot.
- Photocopy this page if you require additional room for candidates or ballot initiatives.
- If you are voting in American Samoa, Guam, Puerto Rico, or the U.S. Virgin Islands, you may vote for Delegate or Resident Commissioner, and in presidential primaries.
- State laws vary about using the FWAB for other offices like Governor or Mayor. Learn more online at [FVAP.gov](http://FVAP.gov).

### Federal offices

President and Vice President

U.S. Senator

U. S. Representative, Delegate, or  
Resident Commissioner to Congress

### Non-federal offices

Office

Candidate name

Political party

### Ballot initiatives or other items



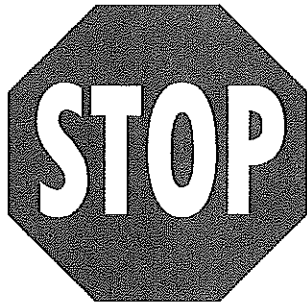
# Official Ballot

Federal Write-In Absentee Ballot

**Private**

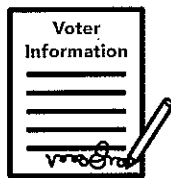
Fold your ballot and keep it private. Put it in the envelope.

# Before you seal this envelope:

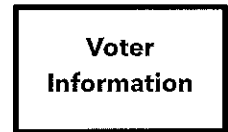


1. Sign and fold your *Voter Information* page.
2. Fold and seal your *Official Backup Ballot*.
3. Put both inside this envelope, and mail it to your election office. The address can be found at [FVAP.gov](http://FVAP.gov).

①

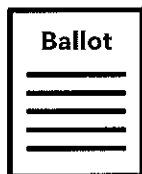


Fold in half



Voter  
Information

②

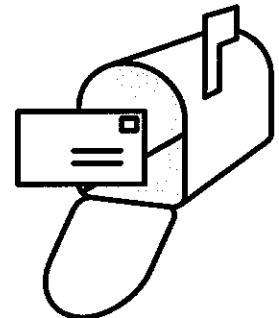
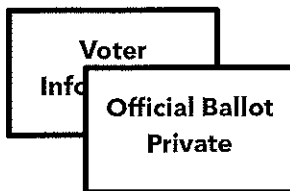


Fold and seal



Official Ballot  
Private

③



## For election officials:

This is an official Federal Write-In Absentee Ballot authorized by 52 U.S.C. § 20301.

If you have questions about it, contact your State officials.

U.S. Postage Paid  
39 USC 3406

PAR AVION



From

(Your name and mailing address.)

Four horizontal lines for entering the sender's name and mailing address.

International airmail postage is required if not mailed using the U.S. Postal Service, APO/FPO/DPO system, or diplomatic pouch.

**I have enclosed my ballot for the**  /  **election.**

MM / YYYY

OFFICIAL ABSENTEE BALLOTING MATERIAL – FIRST CLASS MAIL

NO POSTAGE NECESSARY IN THE U.S. MAIL – DMM 703.8.0

To

(Fill in the address of your election office. The address can be found online at [FVAP.gov](http://FVAP.gov).)

Five horizontal lines for entering the recipient's address.