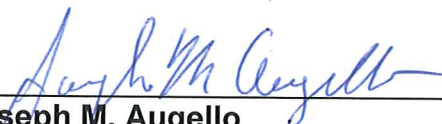


PUBLIC REPORT
2023 MUNICIPAL ELECTION
LUZERNE COUNTY

Submitted by:



Joseph M. Augello
December 15, 2023

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INTRODUCTION

During the preparation and dissemination of mail-in ballots for 2023 Municipal Election, two separate and distinct issues arose which impacted some mail-in ballots during their preparation and issuance. A segment of the mail-in ballots were issued without the required secrecy envelope and a data-file mismatch caused some Wilkes-Barre City voters to receive ballots for the wrong voting ward. Also, the Bureau failed to notify Wyoming County of a change in candidates for the two-year term for the office of school director in the Wyoming Area School District.

This report is limited in scope to these three identified problems.

We have been tasked by the County Manager to assess the causes of each "glitch," and the remedial action taken in response by the Bureau of Elections.

While there have been errors by the Election Bureau prior to those which are the subject of this report, they have been thoroughly reviewed by others and will not be reevaluated in this report. Most recently, District Attorney Samuel Sanguedolce issued a Public Report in the 2022 General Election which was a comprehensive review of the issues raised in that election.

We utilized that Public Report as a basis for some of our findings and recommendations to the extent they were relevant to the current issues.

Although the management team has changed in 2023, the limited experience of the Election Bureau's management team continues and is still relevant.

We interviewed the persons involved in the present issues including the Administrative Services Division Head, the Election Bureau Director, the Deputy Director and the Director of Operations. We further interviewed representatives of NPC, the mail service provider responsible for the omitted secrecy envelopes.

PART I

OMITTED SECRECY ENVELOPES

A. FACTUAL BACKGROUND

The County contracts with NPC, Inc., (NPC), Claysburg, PA for ballot printing and mail house services. As part of its agreed services, NPC was responsible for the inserting of components into the mailing envelopes which includes inserting the secrecy envelope. This process occurs at NPC facilities, not at the Election Bureau, and no Election Bureau representatives are present during the process.

On or about October 19, 2023, a number of alert county voters notified the Bureau that their mail-in ballot packets did not contain the required secrecy envelope.

Election Bureau officials immediately contacted NPC to determine the extent of the problem. NPC determined that six mail trays each containing 217 vote-by-mail packages were affected (Appendix "A" – Email of NPC to Luzerne County, Thursday, October 19, 2023 5:02 PM).

According to NPC, the problem was caused by the machine operator placing equipment into manual override to attend to a problem in the inserting line. The operator attempted to correct the initial problem by placing the machinery in a manual

override setting which caused the failure of the machinery to insert the secrecy envelope into a maximum 1300 vote by mail packages.

Basically, the machine operator did not realize there were two problems on the inserting line. The operator failed to address the problem of the machinery's failure to insert the secrecy envelope. The manner in which the machinery assembles the packets makes it difficult to notice the absence of the secrecy envelope in the completed packets.

B. REMEDIAL ACTION

Upon learning of the problem with the omitted secrecy envelopes, the Bureau issued a public notice alerting voters of necessity of the secrecy ballot envelope and the potential that some secrecy envelopes may not be included in their vote by mail package.

With the help of NPC, they identified approximately 1300 voters whose mail-in ballot packet may not have contained the secrecy envelope, and the Bureau mailed those voters a secrecy envelope with an accompanying instruction sheet (Appendix "B" – Voter Instructions).

C. EVALUATION

The omitted secrecy envelope in a limited amount of vote by mail packets was caused by operator error at NPC.

The Bureau moved expediently with the help of NPC to identify the affected voters and advise the affected voters of the necessity of the secrecy envelope.

The Bureau was proactive in notifying the voters and issuing secrecy envelopes to the affected voters.

The response of the Bureau was appropriate and commendable.

We recommend that the Bureau discuss with any vendor procedures that insure that the programming of their machinery processing mail packets cease whenever any required component cannot be inserted mechanically into the vote by mail packets. Also, technology exists which can gauge the thickness and weight of properly prepared mail packets. This or other safeguards should be required of the mail packet vendors. The agreement with NPC requires random spot checking of mail packets. The agreement should be modified to require more frequent package sampling than the every 2,000 pieces called for in the agreement. On November 28, 2023, the Department of State issued a directive to the counties which includes a color change to the secrecy envelope. The required color changes may make it easier to identify missing secrecy envelopes in both the process of insertion and the acceptance of the completed ballot. (Appendix "C" – Directive concerning the form of absentee and mail-in ballot materials, appendices omitted but available at dos.pa.gov).

PART II

WILKES-BARRE CITY COUNCIL BALLOT

A. FACTUAL BACKGROUND

On Saturday, October 14, 2023, an alert voter notified an employee of the Election Bureau that there was a mail-in ballot error for city council election in the City of Wilkes-Barre for the 2023 Municipal Election.

Election officials took immediate steps to identify the extent of the problem and the necessity for remedial action. It was determined that the mail-in ballot error affected 1,557 voters in 14 Wards of the City of Wilkes-Barre, Wards 2 through 8 and 14 through 20.

The error has been characterized as a "data mismatch". Wilkes-Barre City elects its city council member by districts. The voting precincts and city council districts were not matched to the proper voters due to the data merge error. This was caused by human error within the Bureau in preparing the data files for ballot preparation. While NPC does the ballot printing, it is the responsibility of the Bureau to provide the correct data to the printer.

The bureau uses a spread sheet program to map the correct ward ballot to each mail-in voter which requires the input of accurate data.

B. REMEDIAL ACTION

Upon learning of the mail-in ballot correlation problem, the Bureau immediately cancelled the affected ballots. Email notices were sent to the affected voters who had provided the Bureau with their email addresses and the public was notified via press release. Also, on the Bureau's website, a FAQ regarding the Wilkes-Barre ballot was prominently displayed. (See Appendix "D").

Email notices were sent via the SURE system, (Statewide Uniform Registry of Electors) maintained by the Pennsylvania Department of State.

The SURE system allows the use of pre-formatted emails none of which could fully identify the problem.

Each email read:

“Your ballot has been received by LUZERNE County on 10/14/2023.

Your ballot status has been updated to cancelled because your original ballot has been misplaced or damaged and it was necessary to create a new ballot or it was necessary to generate a second ballot for you for other reasons.”

Also, the Pennsylvania Department of State maintains a mail-in absentee ballot tracker at pavoterservices.pa.gov. The ballot status in the mail-in ballot tracker would indicate that the ballot was cancelled. The voter would have to be proactive in checking the ballot status.

The Bureau sent the affected voters new mail-in voter packets which noted on the outgoing envelope and the outer return envelope “Wilkes-Barre Ballot 10/15/23 Updated.”

Approximately 600 voters submitted the uncorrected mail-in ballots. It was determined that of the 600 uncorrected mail-in ballots, approximately 265 ballots were not corrected by the voter either by submitting a corrected ballot or by voting at the polls.

C. EVALUATION

The employees of the Bureau acted promptly to resolve the Wilkes-Barre mail-in ballot problem. The first notice to anyone at the Bureau that the problem existed was on a Saturday which was not a scheduled work day. Nevertheless, they took immediate

action that day to identify the problem and begin working on a remedy. The public was immediately notified.

In assessing the remedial action, we found the response of the Bureau was incomplete. Of the 1557 erroneous mail-in ballots, 17% were returned and not corrected by the voters. This could have been ameliorated by a more complete notice to the affected voters. Not all voters provided emails in their mail-in ballot applications. The email sent is vague and didn't fully identify the problem. The Wilkes-Barre FAQ was excellent but required that an affected voter search it out on the internet. No explanation was included in the updated ballot packet. A better practice would have been to include an explanation in the updated mail-in ballot packets or an explanation sent separately and contemporaneously with the packets. Fortunately, the Bureau made a concerted effort to send out all requested mail-in ballots as soon as permitted to give mail-in voters ample time to return their ballot. If there had been a delay in issuing mail-in ballot packets to the voters, there may not have been adequate time to take any corrective action.

This problem may have been prevented with a more thorough proofing process, one which includes not only a proofing of the ballot but also a proofing of the mail merge which matches the voter to the appropriate ballot.

PART III

WYOMING AREA SCHOOL DISTRICT

In the 2023 Municipal Primary, the voters of the Wyoming Area School District were asked to nominate one school director candidate for a two year term. The

individual who was nominated in the Primary Election subsequently withdrew his candidacy before the Municipal Election.

Following the primary, two candidates filed as independent for the two year school director term in the Wyoming Area School District. A portion of the Wyoming Area School District lies in Wyoming County. Wyoming Area elects its school directors at large so that the Bureau was required to remove the withdrawn candidate and add the two independent candidates to the Municipal ballot. This occurred in Luzerne County, but the Bureau failed to notify Wyoming County of the change in candidates. The Wyoming County ballot listed only the withdrawn candidate for the two-year term of school director for the Wyoming Area School District.

The Director has accepted responsibility for this failure.

No remedial action was possible because the problem was discovered on election day.

The Director plans to meet with the directors of the affected election bureaus prior to each primary and election to insure that they have properly coordinated the candidate ballot listings in multi-county districts for all offices for which this is applicable.

PART IV

RECOMMENDATIONS

(A) The management team at the Election Bureau has limited experience and limited institutional knowledge. While experience is the best teacher, you can learn from experience of others. The management team should be required to take all available

and relevant training from outside sources. This should include meetings and conferences with other election directors to share common experiences.

(B) The Bureau contracts with an election consultant who is well versed in election matters. The management team should be advised to take advantage of his knowledge and experience. The consultant's services should be continued.

(C) The management team has accepted various areas of responsibility within the Bureau with limited cross-training as to their various responsibilities. Management should begin the process of cross-training each other to insure the continuity of operations in the event of employment separations or employee unavailability. Also, to insure the continuity of institutional memory, the Bureau should consider adding to the management team an additional supervisor who can be cross-trained with existing management.

(D) A rigorous proofing process for ballots and the required matching of voters to the appropriate ballot is essential. The Bureau in conjunction with its election consultant should develop a proofing protocol which is more structured than the current ad hoc process. It should include multiple proofing by multiple individuals.

(E) The Department of State annually issues an election calendar. (Excerpt attached as Appendix "E".) The Bureau should use this calendar as a tool in developing a task calendar in response to each event listed in the state's election calendar.

For example, the election calendar provides that:

"March 22, 2023 last day for candidates who have filed nominating petitions for primary election to withdraw by 5:00 P.M."

In response, the Bureau task calendar would include a notation, inter alia, to schedule a meeting with the affected directors to review the ballot in multi-county districts.

(F) It is anticipated that there will be increased voter interest in 2024 including increased applications for mail-in ballots. Since none of the management team was in place during the 2020 presidential election, it is imperative that management debrief employees who participated in the 2020 election and reach out to other election officials and former officials to gain the benefit of their experiences in developing the internal protocols necessary for proper functioning during 2024.

(G) Transparency in the election process is paramount. Disclosure of all missteps at the earliest opportunity is essential to maintaining public trust and confidence in the election system. The Bureau should continue to disclose all "glitches" as they occur together with an explanation of the proposed remedial action.

(H) The Bureau should continue to expeditiously send mail-in ballot packets to voters as soon as permitted by law. This will insure that any "glitches" will be discovered in time to take remedial action.

CONCLUSION

We acknowledge and thank the management team at the Election Bureau for their cooperation and information during the review process. We acknowledge that they have a difficult job. It is perhaps more difficult during a municipal election year due to the expansive numbers of offices to be elected in multiple municipalities and school

districts many of which include district and regional components some of which cross county lines.

Mistakes are inevitable, but it is imperative that steps be taken to minimize their impact. While there are no indicators of intentional misconduct here, mistakes were made.

The cumulative impact of repeated mistakes erodes public trust and confidence in the election process and fosters the proliferation of conspiracy theories by disappointed candidates and their supporters. Hopefully, with more experience and training both management and employees, working as a team, can restore trust to our election process.

ACKNOWLEDGEMENT

We are grateful to Attorney Tim Gates, Luzerne County Election Consultant and Attorney Gene Molino, Assistant County Solicitor, for their assistance during the review process.

APPENDIX "A"

**EMAIL OF NPC TO LUERNE COUNTY
THURSDAY, OCTOBER 19, 2023 5:02 PM**

Pecora, Jennifer

From: Pecora, Jennifer
Sent: Thursday, November 2, 2023 10:10 AM
To: jmaugello@gmail.com
Cc: Skene, Harry; Molino, Gene
Subject: FW: [EXTERNAL]: RE: Tray list - from NPC

Your Honor,

Please see below correspondence from our printing vendor.

Respectfully,

Jennifer A. Pecora
Admin Service Division Head
Luzerne County
570-401-9699

CONFIDENTIALITY NOTICE

The information transmitted is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is prohibited. If you receive this in error, please contact the sender and delete the material from any computer.

From: Pecora, Jennifer
Sent: Thursday, October 19, 2023 6:47 PM
To: Jamie Eichenlaub <Jamie.Eichenlaub@NPCWEB.COM>; Harvey, Eryn <eryn.harvey@luzernecounty.org>; Cook, Emily <emily.cook@luzernecounty.org>
Cc: Frank Swalga <Frank.Swalga@NPCWEB.COM>; Ben Parry <Ben.Parry@NPCWEB.COM>; James Carrieri <James.Carrieri@NPCWEB.COM>; Crocarno, Romilda <Romilda.Crocarno@luzernecounty.org>
Subject: RE: [EXTERNAL]: RE: Tray list - from NPC

Can you provide us with a list?

Jennifer A. Pecora
Admin Service Division Head
Luzerne County
570-401-9699

CONFIDENTIALITY NOTICE

The information transmitted is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is prohibited. If you receive this in error, please contact the sender and delete the material from any computer.

From: Jamie Eichenlaub <Jamie.Eichenlaub@NPCWEB.COM>
Sent: Thursday, October 19, 2023 5:02 PM
To: Pecora, Jennifer <Jennifer.Pecora@LuzerneCounty.org>; Harvey, Eryn <Eryn.Harvey@luzernecounty.org>; Cook,

Emily <emily.cook@luzernecounty.org>

Cc: Frank Swalga <Frank.Swalga@NPCWEB.COM>; Ben Parry <Ben.Parry@NPCWEB.COM>; James Carrieri <James.Carrieri@NPCWEB.COM>

Subject: [EXTERNAL]: RE: Tray list - from NPC

Importance: High

WARNING: This message is from an external email address. Do not click any links or open any attachments unless you recognize the sender AND you know that the contents of the email are safe to open.

Jen/Eryn/Emily,

We reviewed our records for the 15 affected voters you provided to us earlier today. These voter packages were sporadically placed in six mail trays: one mail tray had nine affected voters; one had two affected voters; and four mail trays each had one affected voter. Each of these trays contained 217 vote by mail packages. We can supply you with a list of names for each voter package in these trays.

We believe that this issue occurred only sporadically and did not impact all, or even a large number, of the packages in these trays. Based on our further review, we believe the machine operator placed the inserting equipment into a manual override while he attended to a nonconformity that was detected at the beginning of the inserting line. While the nonconformity was being corrected at the beginning of the line and because the machine was in a manual override setting, the machine continued to run slowly through its normal pulling sequence for other inserts down the line (in this case, the secrecy envelope, which was missed). Because the machine was only in override mode for short periods, we do not believe the omitted secrecy envelope issue is widespread.

We have retrained the operator to not allow the machine to continue to operate in override mode.

Again, I want to reiterate that NPC is committed to working with Luzerne County to remedy the issue as best we can. We are willing to send replacement secrecy envelopes to Luzerne County for its voters; mail secrecy envelopes directly to voters who reported not receiving these envelopes; and/or we are willing to re-mail complete ballot packages to affected voters, if necessary and requested by the County. Please let us know what is best for the County.

Thank you,

Jamie Eichenlaub

Account Manager, Survey Data Collection

NPC, Inc.

13710 Dunnings Hwy
Claysburg, PA 16625

P: 814.239.8787 x1197

M: 814.330.0451

Connect with me on LinkedIn | Twitter

www.npcweb.com/surveys

APPENDIX "B"

**VOTER INSTRUCTIONS
OMITTED SECRECY ENVELOPES**

Voter Instructions

Dear Voter,

You are receiving this secrecy envelope because it was not included in your original ballot packet. Please use this secrecy envelope to return your ballot.

If you already returned your ballot and did not have a secrecy envelope please contact the Election Bureau immediately at 570-825-1715.

If your original ballot packet included a secrecy envelope, please disregard this correspondence and mail your ballot in as instructed.

Thank you,

Luzerne County Bureau of Elections

APPENDIX "C"

DIRECTIVE CONCERNING THE FORM OF ABSENTEE AND MAIL-IN- BALLOT MATERIALS



Directive Concerning the Form of Absentee and Mail-in Ballot Materials

Date: November 28, 2023

Version: 1.0

Directive 6 of 2023

The following Directive is issued October 22, 2023, by the Secretary of the Commonwealth ("Secretary") pursuant to authority contained at Sections 201, 1304, and 1304-D of the Pennsylvania Election Code, 25 P.S. §§ 2621, 3146.4, 3150.14.

Background

Pennsylvania law requires county officials to provide qualified electors voting by absentee or mail-in ballot with "two envelopes, the official [] ballot, lists of candidates, when authorized by [law], the uniform instructions in form and substance as prescribed by the Secretary of the Commonwealth and nothing else."¹ Moreover, certain counties are subject to Section 203 of the federal Voting Rights Act ("Section 203"),² requiring them to provide voting materials in non-English languages.

This Directive prescribes these forms and provides English, bilingual, and in some instances, trilingual versions. This Directive also prescribes a process for counties to seek a variance where necessary to accommodate equipment limitations or specifications. The highlighted portions of each form in **Appendix A** are those whose contents may be altered to provide information unique to the county, voter, or election, without requesting permission for a variance as provided in Section 6. These alterations may be made to the content of the text. As discussed further in Sections 2 and 5, Counties are left with discretion to arrange text orientation, and to enlarge text font sizes, in order to best serve their voters and accommodate different equipment specifications. Likewise, counties may adjust the orientation in order to accommodate envelopes with dimensions different from those presented in the samples.

The forms prescribed under this Directive will also be provided to counties under separate, secure, cover, in a digital format that can be directly used for printing and formatting. This Directive provides only minimum requirements for compliance with Pennsylvania law and the Secretary's prescriptions. Although nothing in this Directive is intended to be incompatible with known county equipment requirements, each county is responsible for ensuring that their iterations of the forms are compliant with their existing equipment and postal selections. Likewise, each county should verify with the United States Postal Service (USPS) that their materials comport with the election mail specifications set by USPS.

¹ 25 P.S. §§ 3146.4, 3150.14.

² 52 USC § 10503.

Mailing Envelopes³

Mailing envelopes are used to send outgoing mail-in and absentee balloting materials to qualified electors. The Department has provided samples in two sizes, attached as **Appendix B**. These samples include different language configurations, which can be adopted by any county, provided that all counties subject to Section 203 use a form including all required languages.

Counties should use the font sizes, logos, and colors,⁴ as provided. Counties may use envelopes of a size different than presented, provided that the size of the envelope is large enough to include all other materials described herein. So long as the content, font type, font size, logos, logo sizes, and coloration are maintained, the arrangement of the materials on these forms are at discretion of the counties to orient. Counties may adjust as necessary to accommodate, among other things, additional bar code tracking materials.

Secrecy Envelopes/Inner Envelopes

Pennsylvania law provides that two envelopes shall be mailed to each absentee or mail-in elector; the smaller of these envelopes is sometimes referred to alternatively as the "secrecy envelope," or "inner envelope."

The secrecy envelope shall be rectangular and of a size large enough to contain all content included on the prescribed forms. For example, a standard size nine envelope (3.875" by 8.875") would comply.

The secrecy envelope should be in a yellow color, such as the samples shown in **Appendix C**. These samples include different language configurations, which can be adopted by any county, provided that all counties subject to Section 203 use a form including all required languages.

Pennsylvania law requires the inner envelope to bear the text "official election ballot."⁵ The samples in Appendix B contain watermarking with the statutorily-required language.

Uniform Instructions

The uniform instructions shall be printed on paper no smaller than a standard paper size of 8.5" by 11". The paper must be of a non-white color.

³ The Department of State will continue to provide directly to counties those mail ballot envelopes which can be adjusted to accommodate voters who have a qualifying visual impairment.

⁴ The blue color is used to ensure it is a familiarized color recognized by the USPS as outgoing election mail.

⁵ 25 P.S. §§ 3146.4, 3150.14(a).

The text font, text size, logos, and language, must be in conformance with the samples prescribed in **Appendix D**. Each sample includes a different language configuration, which can be adopted by any county, provided that all counties subject to Section 203 use a form including all required languages.

Outer Envelopes/Declaration Envelopes

Pennsylvania law provides that two envelopes shall be mailed to each absentee or mail-in elector; the larger of these envelopes is sometimes referred to alternatively as the “outer envelope” or “declaration envelope.” Samples of the prescribed forms are shown in Appendix E. These samples include different language configurations, which can be adopted by any county, provided that all counties subject to Section 203 use a form including all required languages.

The outer envelope shall be rectangular and of a size large enough to contain all prescribed content. For example, a standard size ten envelope (4.125” by 9.5”) would comply.

The flap of any such envelope must leave proper space to include the designs prescribed in **Appendix E**.

Counties that use mail envelopes with “windows” may make alterations to the arrangements of the contents to accommodate the placement of barcodes and unique identifiers in places that will be visible through the window. Such minor alterations, so long as they do not alter the font size or content, may be implemented without seeking a variance. Likewise, so long as the content, font type, minimum font size, logos, logo sizes, and coloration are maintained, the arrangement of the materials on these forms are at discretion of the counties to orient or enlarge.

Counties may replace the portions of the samples in **Appendix E** which are in purple color, with any other non-white and non-black color ink. Such counties should coordinate with all bordering counties to minimize the possibility that neighboring counties will use the same non-purple color. This replacement does not require the seeking of a variance, but counties must update the graphics and text in the uniform instructions to reflect the colors of their declaration envelopes.

The Department further notes that any county opting to use green colored ink is not permitted to allow the green coloring to wrap over the top of the envelope, in order to avoid interference with USPS sorting equipment. The Department again advises that counties vet all mail ballot materials through the USPS procedures.

Lastly, counties may apply a hole punch in the outer envelope without seeking a variance.

Variance Procedures

Any county that believes they are unable to comply with the prescriptions of this Directive may seek permission from the Department for a prescribed variance. A variance will only be granted where the county demonstrates that compliance with this Directive will prove a substantial hardship, and that a variance will allow the county to avoid this hardship while continuing to provide mail ballot materials that are clear and convenient for voters, and that are as close as possible to the uniform materials prescribed herein.

A county seeking a variance must provide the Bureau of Elections with a proposed alternative to the prescribed forms, as well as the additional information described in this section, at least 60 days before the election for which the materials will be used.

###

Version	Date	Description
1.0	11/28/2023	Initial document release

APPENDIX "D"

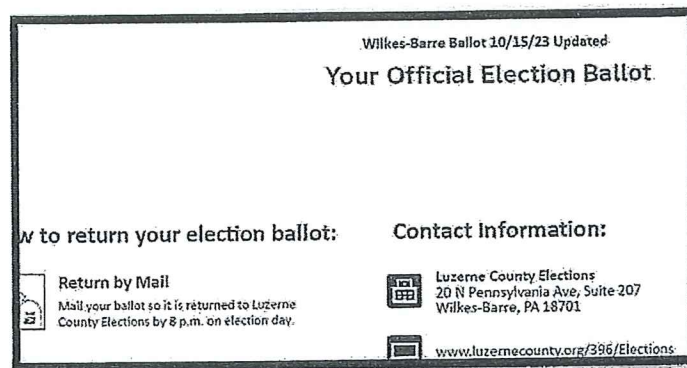
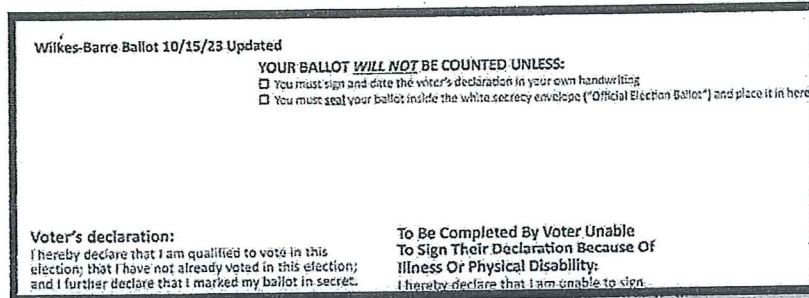
**FAQ REGARDING THE WILKES-BARRE
BALLOT ON COUNTY WEBSITE**

FAQ about Wilkes-Barre Ballots

- **What happened?**
 - There was an issue with mailed ballots printed for Wilkes-Barre City Wards 2-8 and 14-20 with approximately 1,557 voters affected.
- **Why were the ballots wrong?**
 - The issue was not related to the ballots themselves. The ballot content for these precincts is correct the issue stems from a data mismatch with the file that correlates the precinct and the ballot file to be mailed.
- **Why did I receive this email?**
 - Impacted voters received the following email from the SURE system when the incorrect ballot labels were cancelled:

"Your ballot has been received by LUZERNE County on 10/14/2023.
Your ballot status has been updated to cancelled because your original ballot has been misplaced or damaged and it was necessary to create a new ballot or it was necessary to generate a second ballot for you for other reasons."
- **Will I have the opportunity to vote more than once?**
 - No. Ballots that are returned with the cancelled label will not be accepted. Those ballots will remain segregated.
 - Voters that return the old ballot will be contacted by the Bureau to let them know that we received this ballot. Explain that there was a data error. They will be receiving a new ballot via the mail it will have noted on the flap of the outgoing envelope and the outer return envelope "Wilkes-Barre Ballot 10/15/23 Updated".
- **When can I expect my new ballot?**
 - The Bureau is working with our vendor and the USPS to have the new ballots delivered to the impacted voters within the next 5-7 days.

- **How will I know which ballot is the new one?**
 - The correct ballots have a note on the top flap of the outgoing envelope and the outer return envelope that states “Wilkes-Barre Ballot 10/15/23 Updated”. (see below)



- **How many races were impacted?**
 - The only races that are impacted by this are Wilkes-Barre City Council.
- **What should I do with the old/bad ballot?**
 - Voters should destroy then discard those ballots.
- **What do I do if I don't get a new ballot in the mail?**
 - If you do not receive a ballot via the mail by 10/27 you can contact the Bureau for additional options such as coming to the Bureau in person, or voting provisionally on Election Day. If you have not received your ballot contact the Bureau at 570-825-1715.
- **Have you received any ballots back?**
 - No. The Bureau did not receive any ballots back before this issue was reported. There have not been any ballots accepted that have been impacted.

APPENDIX "E"

**EXCERPT
DEPARTMENT OF STATE
2023 ELECTION CALENDAR**

2023 MUNICIPAL ELECTION CALENDAR

NOTE: ALL DATES IN THIS CALENDAR ARE SUBJECT TO CHANGE WITHOUT NOTICE IN THE EVENT OF PASSAGE OF ANY AMENDATORY LEGISLATION DURING THE SESSION OF 2023-2024.

MAY 16, 2023 MUNICIPAL PRIMARY
NOVEMBER 7, 2023 MUNICIPAL ELECTION
DECEMBER 30, 2022 On or before this day, elected judges seeking retention in 2023 must file their declarations of candidacy for retention election in the office of the SECRETARY OF THE COMMONWEALTH .
JANUARY 9, 2023 Last day for justices or judges to resign in order for the seat to be placed on the ballot for the municipal election.
JANUARY 31 Last day for all candidates and all political committees and lobbyists to file annual expense reports in the office of the SECRETARY OF THE COMMONWEALTH or the county boards of elections. Such reports shall be complete as of December 31, 2022.
FEBRUARY 6 Deadline for county boards of elections to mail absentee ballot applications to individuals on the permanent absentee ballot list.
FEBRUARY 6 Deadline for county boards of elections to mail mail-in ballot applications to individuals on the permanent mail-in ballot list.
FEBRUARY 6 Last day to submit the 90-day post-election report for counties that received EIGP grants.
FEBRUARY 14 Last day for each county board of elections to transmit to the SECRETARY OF THE COMMONWEALTH a list of the organizations which qualify as political parties within the county pursuant to Section 801(b) of the Pennsylvania Election Code, 25 P.S. § 2831(b).
FEBRUARY 14 Last day for the SECRETARY OF THE COMMONWEALTH to transmit to each county board of elections a list of the organizations which qualify as political parties within the State pursuant to Section 801(a) of the Election Code, 25 P.S. § 2831(a).
FEBRUARY 14 Last day for the clerks or secretaries of cities, boroughs, towns, townships and school districts to file with their respective county boards of elections a written notice of all offices to be nominated at the ensuing primary.
FEBRUARY 14 Last day for the SECRETARY OF THE COMMONWEALTH to send to the county boards of elections a written notice designating the public offices for which candidates are to be nominated at the ensuing primary and for which candidates are required to file nomination petitions in the office of the SECRETARY OF THE COMMONWEALTH .
FEBRUARY 14 Last day for a justice or a judge, who has filed a declaration of candidacy for retention under the provisions of Article V, Section 15 of the Constitution of the Commonwealth of Pennsylvania, to revoke the declaration by notifying the SECRETARY OF THE COMMONWEALTH in writing. The SECRETARY OF THE COMMONWEALTH shall include such office in certifications under the provisions of Section 905 of the Pennsylvania Election Code, 25 P.S. § 2865.
FEBRUARY 14 First legal day to circulate and FILE nomination petitions.

<p>FEBRUARY 15 Last day for any business entity which was awarded nonbid contracts from the Commonwealth or its political subdivisions during 2022 to report to the SECRETARY OF THE COMMONWEALTH an itemized list of all political contributions made during 2020 by (1) any officer, director, associate, partner, limited partner, individual owner or member of their immediate family when the contribution exceeded an aggregate of one thousand dollars (\$1,000) by any Individual; or (2) any employee or members of his/her immediate family when the contribution exceeded an aggregate of one thousand dollars (\$1,000).</p>
<p>FEBRUARY 15 Not later than this day, the county boards of elections must prepare an election notice to be used by military-overseas voters in conjunction with the Federal Write-in Absentee Ballot (FWAB).</p>
<p>FEBRUARY 21 Not earlier than this day nor later than February 28, the county board of elections shall begin to publish in newspapers the names of all public offices for which nominations are to be made and the names of all party offices for which candidates are to be elected at the ensuing primary.</p>
<p>MARCH 7 Last day to circulate and FILE nomination petitions.</p>
<p>MARCH 7 Last day for STATE LEVEL PUBLIC OFFICE CANDIDATES to FILE "Statements of Financial Interests" with the State Ethics Commission, Room 309 Finance Building, P.O. Box 11470, Harrisburg, PA 171081470. A copy of the "Statement" must also be appended to the nomination petition. Last day for candidates for county or local level public office to file the "Statement" with the governing authority of the political subdivisions in which they are candidates. A copy of the "Statement" must also be appended to the nomination petition.</p>
<p>MARCH 8 First legal day to circulate and FILE nomination papers nominating independent candidates of political bodies or candidates of minor political parties.</p>
<p>MARCH 14 Last day to file OBJECTIONS to nomination petitions.</p>
<p>MARCH 15 Day for casting of lots in the office of the SECRETARY OF THE COMMONWEALTH for position of names upon the primary ballot.</p>
<p>MARCH 17 Last day that may be fixed by the Court of Common Pleas or the Commonwealth Court for hearings on objections that have been filed to nomination petitions.</p>
<p>MARCH 22 Last day, if possible, for the Court of Common Pleas or the Commonwealth Court to render decisions in cases involving objections to nomination petitions.</p>
<p>MARCH 22 Last day for candidates who have filed nomination petitions for the primary election to withdraw, by 5:00 P.M.</p>
<p>MARCH 27 Last day for the SECRETARY OF THE COMMONWEALTH to transmit to each county board of elections a list of all candidates who filed nomination petitions with him and who are not known to have withdrawn or been disqualified.</p>
<p>MARCH 27 Not later than this day, the county boards of elections must begin to transmit ballots and balloting materials to all covered voters under the Uniformed Military and Overseas Voters Act (UMOVA) in extremely remote or isolated area, who by that date, submit a valid military-overseas ballot application.</p>
<p><i>[The preceding includes qualified electors who are Uniformed-Service voters (members of the active or reserve components of the Army, Navy, Air Force, Marine Corps or Coast Guard of the United States who are on active duty; members of the United States merchant marine, the Commissioned Corps of the Public Health Service of the Department of Health and Human Services or the Commissioned Corps of the National Oceanic and Atmospheric</i></p>