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COUNTY SOLICITOR

October 1, 2020

Dear Editor:

The Pike County Board of Elections, which consists of the three Pike County Commissioners, is sorry for any confusion that may have been caused by the recent flyer regarding Registering to Vote in Pennsylvania.

It was never the intent of the Board of Elections to suppress voter registration. Rather, it has always been the Board of Elections' goal is to make sure every individual who resides in the Commonwealth of Pennsylvania, County of Pike, register and vote.

The flyer was drafted to address frequently asked questions being posed to Pike County Elections Office personnel by out-of-state residents unsure of whether or not they are eligible to register to vote in Pennsylvania.

Because of any suggestion that the flyer may have caused confusion, we have removed it from circulation.

The Pennsylvania Department of State's general guidance, which can be found at VotesPA.com, says: "to register to vote in Pennsylvania, you must:

- Be a citizen of the United States for at least one month before the next primary, special, municipal, or general election.
- Be a resident of Pennsylvania and the election district in which you want to register and vote for at least 30 days before the next primary, special, municipal, or general election.
- Be at least 18 years of age on or before the day of the next primary, special, municipal, or general election."

The questions posed to our Elections Office personnel were not specifically answered by those guidelines. Therefore, we reached out to the Pennsylvania Department of State for additional guidance. Here is the response that we received: "Our counsel said that any issue of voter residency is very fact intensive, and DOS is unable to provide you with any legal advice or guidance on this matter. We do recommend that you discuss this with your solicitor. Ultimately, it will be the duty of the county commissioners to decide how to proceed with the out of state registrants."

It was with this guidance, and the intention to more fully address frequent voter questions, that the flyer was drafted by the Board of Elections to provide examples of indicators that could help to determine residency, so that each person could make the right decision for their own circumstances.

We regret that our efforts were misinterpreted. No one's voter registration application form was denied or refused by the Pike County Elections Office.

To further clarify, the issue of "Residence of electors" is addressed in Section 1302 of the Pennsylvania Election Code:

1. That the place shall be considered the residence of an individual in which habitation is fixed and to which, whenever the individual is absent, the individual has the intention of returning.

...

3. An individual shall not be considered to have gained a residence in an election district if the individual comes into that district for temporary purposes only, without the intention of making that election district a permanent place or abode.

The deadline to register to vote in Pennsylvania is October 19. Applications can be found online at VotesPA.com or in the Pike County Elections Office, at 506 Broad Street, in Milford.

Sincerely,

The Pike County Board of Elections

Commissioner Chairman Matthew M. Osterberg

Commissioner Vice Chairman Ronald R. Schmalzle

Commissioner Steven Guccini