

FREDERIC M. UMANE
PRESIDENT

JULIE DENT
SECRETARY

JOSE MIGUEL ARAUJO
JUAN CARLOS "J.C." POLANCO
JAMES J. SAMPEL
NANCY MOTTOLA-SCHACHER
NAOMI C. SILIE
J.P. SIPP
GREGORY C. SOUMAS
JUDITH D. STUPP
COMMISSIONERS

MARCUS CEDERQVIST
EXECUTIVE DIRECTOR

GEORGE GONZALEZ
DEPUTY EXECUTIVE DIRECTOR

PAMELA GREEN PERKINS
ADMINISTRATIVE MANAGER

BOARD OF ELECTIONS

IN
THE CITY OF NEW YORK
EXECUTIVE OFFICE, 32 BROADWAY
NEW YORK, NY 10004-1609
(212) 487-5300
FAX (212) 487-5349
www.vote.nyc.ny.us

AGENDA COMMISSIONERS MEETING TUESDAY, MAY 19, 2009 AT 1:30 P.M.

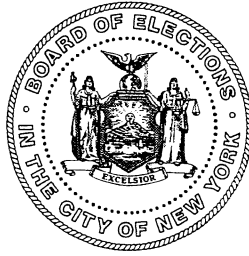
1. Hearings on Prima Facie Matters Relating to Certificates of Nomination Filed for the June 2, 2009 Special Elections for Member of the New York State Assembly in the 77th and 85th Assembly Districts, Bronx County
2. Minutes
 - a) 05/05/09
 - b) 05/12/09
3. Marcus Cederqvist
 - a) HAVA Update
 - b) Testimony before the New York City Council Committees on Finance and Governmental Operations – Fiscal Year 2010 Proposed Budget, May 18, 2009
 - c) A1436 – The “Popkin” Bill
 - d) Election Commissioners’ Association Summer Conference
 - e) Next VAC Meeting – Thursday, May 28, 2009 from 1:00 pm to 3:00 pm
4. Steve Ferguson
 - a) Disaster Recovery Plan
5. Joseph LaRocca
 - a) Draft Notice to all Candidates for the June 2, 2009 Special Election
6. Stephen Thompson
 - a) Proposal for CIDNY to Conduct Sensitivity Training for Adjunct Trainers
7. John Ward
 - a) Comparative Expenditures
8. Executive Session
 - a) Litigation

For Your Information

- Department of Justice Pre-Clearance of Submissions Numbered 2009-K02
- NYS Board of Elections Weekly Status Report for the Week of May 8, 2009 through May 14, 2009
- Full Disclosure: News from the NYC Campaign Finance Board – May 2009, No. 9
- Pre-Clearance Submission Number 2009 CW 02
- Letter to Hon. Mark Page, Director, Office of Management and Budget

News Items of Interest

- *Pressconnects.com*: 4 in 10 Absentee Votes in New York Not Counted
- *Associated Press*: Northern NY County Rejects State-Mandated Electronic Voting System
- *Election Official News*: Military and Overseas Voting – Volume 3, Issue 3, May/June 2009



FREDERIC M. UMANE
PRESIDENT

JULIE DENT
SECRETARY

JOSE MIGUEL ARAUJO
JUAN CARLOS "J.C." POLANCO
JAMES J. SAMPEL
NANCY MOTTOLA-SCHACHER
NAOMI C. SILIE
J.P. SIPP
GREGORY C. SOUMAS
JUDITH D. STUPP
COMMISSIONERS

MARCUS CEDERQVIST
EXECUTIVE DIRECTOR

GEORGE GONZALEZ
DEPUTY EXECUTIVE DIRECTOR

PAMELA GREEN PERKINS
ADMINISTRATIVE MANAGER

BOARD OF ELECTIONS

IN
THE CITY OF NEW YORK
EXECUTIVE OFFICE, 32 BROADWAY
NEW YORK, NY 10004-1609
(212) 487-5300
FAX (212) 487-5349
www.vote.nyc.ny.us

Testimony of Marcus Cederqvist, Executive Director, Board of Elections in the City of New York before the New York City Council Committees on Finance and Governmental Operations Fiscal Year 2010 Proposed Budget May 18, 2009

Chair Weprin and Chair Sears, and members of the Council's Committees on Finance and Governmental Operations, I want to thank you for giving me the opportunity to appear before you once again this morning on behalf of the Board of Elections in the City of New York and for your continuing interest in this agency. As you know, my name is Marcus Cederqvist and I am the Executive Director of the Board and am joined here today by George González, Deputy Executive Director; Pamela Perkins, Administrative Manager; Steven H. Richman, General Counsel; John Owens, Jr., Enforcement Counsel; and John Ward, Finance Officer.

We appeared before the Committee on Governmental Operations just over nine weeks ago to discuss the deleterious impact that the Mayor's Preliminary Budget for Fiscal Year 2010 would have on elections in the City of New York. I have taken the liberty of attaching a copy of the previous testimony from March's hearing to today's written testimony for your review. The major details have not changed since the last hearing so I will avoid repeating all of it here again today. Nonetheless, it is vitally important that I take this opportunity to remind you of some of the major points that we discussed previously.

As you know from our previous meetings, the past year has been one of the most challenging in the agency's history. The Board conducted four election events in 2008 that collectively saw more than four million New Yorkers cast a vote and it processed two hundred percent more voter registration forms in 2008 than it did in 2007. Already in calendar year 2009, the Board has conducted four Special Elections, including a boroughwide election in the Bronx last month, and is preparing for two Special Elections for vacant State Assembly seats in two weeks.

The story is not new – year after year the Board has historically been underfunded to complete its mandated tasks. This is punctuated by the severe pay disparity between employees of the Board of Elections and those of other City agencies. However, this institutional underfunding was severely exacerbated for Fiscal Year 2009 when the City adopted a budget that reduced the Board's budget by \$7.6 million, notwithstanding that everyone clearly knew voting activity would be exponentially greater in the 2008 Presidential Election cycle than it was in the 2007 off-year elections.

As mentioned earlier, Mayor Bloomberg issued proclamations to conduct Special Elections for three City Council vacancies and one vacant Borough Presidency so far in 2009, as he is obligated to do under the City Charter. The Board conducted those elections as is mandated under law and is preparing for the two State Assembly Special Elections that Governor Paterson called three weeks ago. As you know, none of these six elections are funded; however, the Executive Budget proposes to cover one of these elections.

There is a common and pervasive misperception where people confuse the fact that voting is a fundamental right with the fact that elections costs money. The Board of Elections does not control the level of activity required by law, court orders, and executive proclamations. Unlike many other agencies, virtually all of the Board's duties, responsibilities, and activities are prescribed by Federal, State, and local law. The Board does not have discretionary programs and activities to cut.

The Board does not have the discretion to delay or cancel an election based on municipal budget shortfalls, nor can it delay processing voter registration forms or providing language assistance to voters. We are mandated to perform these functions and others, such as processing candidate petitions. This year alone, we will process petitions for all municipal offices, including citywide offices and City Council.

The budget reductions in the Executive Budget make it impossible for the Board to properly conduct the Primary and General Elections for this year, not to mention the likely citywide run-off elections.

As you know, the staff was worked to the bone over the course of the last year to make sure that all the work was accomplished. It is the Board's understanding that it has been authorized for 351 full time positions citywide. The materials contained in the Executive Budget indicate the administration's contention of a headcount as of March 28, 2009 of 342 positions. The Executive Budget proposes a reduction of 23 full-time positions for the Fiscal Year beginning July 1st, leaving the already understaffed Board with an authorized head count of only 319 positions. Given the Board's obligations, the Executive Budget's headcount reduction cannot be achieved in a responsible manner.

Additionally, the Executive Budget for 2010 does not properly fund either the Board's overtime costs or the necessary number of temporary employees for the upcoming election cycle. As you know, both are necessary to administer the bursts of activity revolving around the busy period of designating petition review for candidate qualification as well as setting up, conducting, and recanvassing each election. If these cuts are enacted, we will not be able to execute our constitutional and statutory responsibilities in an effective and lawful manner.

Poll workers are obviously an essential part of the voting experience. The Board continues to ask the City, albeit with limited success, for support to ensure that it has the resources to adequately train the poll workers. There is an itemized list of requests in previous testimony about these new needs.

If there is one bit of good news to report, it would be that it appears that the Board will not have to replace its current voting system for the 2009 elections. As we reported in March, certification of the new voting systems by the State Board of Elections was delayed because the federal Election Assistance Commission decertified the lab that was conducting certification testing. Although an agreement between the State Board and the Department of Justice has not yet been finalized, we are cautiously pleased by reports from Albany that New York City will not be compelled to participate in a pilot program to implement the new voting systems on a limited basis this year. Nonetheless, we also realize that the new system is coming. The Election Assistance Commission reaccredited the testing lab and certification testing has resumed. Now that testing is back on track, the State reported that they anticipate certifying voting systems for use by the local Boards of Elections by November 2009 and implementation of a new system in 2010 appears certain.

In light of the impending new system implementation, we are encouraged that the unspent HAVA funds have been rolled over in the Executive Budget to FY 2010. As you know, these funds will be used for a

comprehensive voter education effort to raise awareness among voters about the new voting system. Similarly, we are pleased to see that the capital allocation for Gartner Consulting that was not included in the Mayor's Preliminary Budget has been included in the Executive Budget for Fiscal Year 2010.

Nonetheless, these developments do not vitiate the fact that the Board of Elections is underfunded and that the lack of support from City leaders has put the Board's mission to conduct fair and honest elections in jeopardy. Last year, at a time when everyone clearly anticipated historic activity and voter participation and when the Board's obligations were increased significantly by a Federal Court Order, its budget was reduced by more than \$7.6 million for the current Fiscal Year. The shortfall reflected in the Executive Budget is equivalent to the cost of conducting one entire citywide election.

I must mention yet again the severe pay disparity between employees of the Board and those of other City agencies and other Boards of Elections in neighboring jurisdictions. Clearly, the dreadful current fiscal environment does not create an ideal setting for this point but I am morally obligated to reiterate this topic on behalf of the hard-working men and women that we rely on every day to get the job done. They have even been working without a contract since June of 2008. I recently sent the reports detailing this pay inequity to the staff of this committee and would welcome the opportunity to discuss it with you further.

In conclusion, I would like to reiterate what I stated when we met in March: that the conduct of fair, honest, and open elections is a fundamental right in our democracy and the cuts made to the Board's budget in Fiscal Year 2009 and the further reductions proposed for Fiscal Year 2010 puts our democracy in peril. This is not hyperbole – it is a fact. As a result of the City's action, the Commissioners of Elections have been placed in an untenable position of either fulfilling their legal obligations despite the lack of adequate funding or deciding collectively that the City's failure to adequately fund elections relieves them of their legal obligations, thereby disenfranchising voters in New York City. Protecting the rights of the voters of this city is paramount. It is an understatement, at best, when I state that we need your support and assistance now if we are to succeed.

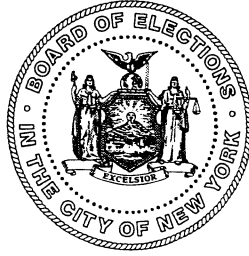
I thank you again for your time and for allowing me to come before you on behalf of the Board of Elections in the City of New York today. As always, my colleagues and I are available to answer any questions that you may have.

FY09-FY10 OTPS PROJECTION
5-18-09

	FY09		FY10
OTPS ALLOCATION	\$69,365,767		\$68,675,379
OTPS ALLOCATION Minus HAVA Funding	\$53,895,767		\$53,505,379
Minus Rent Money and Intra-City	<u>\$17,231,848</u>		<u>\$20,428,972</u>
Adj. Total	\$36,663,919		\$33,076,407
Day to Day Spending	<u>\$5,000,000</u>		<u>\$5,000,000</u>
Adj. Total	\$31,663,919		\$28,076,407
Event Codes (Actual+Mgr Est.)			
117 Postage	\$2,500,000		
412 Rental tables and chairs	\$350,000		
417 Advertising	\$400,000		
600 Contractual	\$650,000		
615 Printing	\$12,000,000		
633 Trucks-Cabs	\$4,000,000		
414 Poll sites	\$300,000		
686 Pollworker	<u>\$15,000,000</u>		
Event code Total	<u>\$35,200,000</u>	<u>\$35,200,000</u>	<u>-\$35,200,000</u>
Adj. Total	-\$3,536,081		-\$7,123,593
Other Factors			
PS Deficit	-\$6,300,000	PS Deficit	<u>-\$6,500,000</u>
3 Specials Feb. 24th	-\$1,000,000		
Doitt Deficit	-\$366,000		
Bronx Special April 21st	-\$2,200,000		
2 Bronx Specials June 2nd	<u>-\$550,000</u>		
	-\$10,416,000	<u>-\$10,416,000</u>	
Balance	-\$13,952,081		-\$13,623,593
Executive Budget funding for Bronx special	\$2,500,000		
Deficit	-\$11,452,081		-\$13,623,593
		Run Off	-\$13,500,000
		adj Deficit	-\$27,123,593

Assumptions:
All Rent and Intra-City money is spent.
No other cuts.

Most numbers rounded



FREDERIC M. UMANE
PRESIDENT

JULIE DENT
SECRETARY

JOSE MIGUEL ARAUJO
JUAN CARLOS "J.C." POLANCO
JAMES J. SAMPEL
NANCY MOTTOLA-SCHACHER
NAOMI C. SILIE
GREGORY C. SOUMAS
JUDITH D. STUPP
MARYANN YENNELLA
COMMISSIONERS

BOARD OF ELECTIONS

IN
THE CITY OF NEW YORK
EXECUTIVE OFFICE, 32 BROADWAY
NEW YORK, NY 10004-1609
(212) 487-5300
FAX (212) 487-5349
www.vote.nyc.ny.us

MARCUS CEDERQVIST
EXECUTIVE DIRECTOR

GEORGE GONZALEZ
DEPUTY EXECUTIVE DIRECTOR

PAMELA GREEN PERKINS
ADMINISTRATIVE MANAGER

Testimony of Marcus Cederqvist, Executive Director, Board of Elections in the City of New York before the New York City Council Committee on Governmental Operations – Fiscal Year 2010 Preliminary Budget March 12, 2009

Ms. Chairman and members of the Council's Committee on Governmental Operations, I want to thank you for giving me the opportunity to appear before you once again this morning on behalf of the Board of Elections in the City of New York and for your continuing support of this agency. As you know, my name is Marcus Cederqvist and I am the Executive Director of the Board and am joined here today by George González, Deputy Executive Director; Pamela Perkins, Administrative Manager; Steven H. Richman, General Counsel; and John Ward, Finance Officer.

Overview

The year that has passed since we came before you concerning the current fiscal year's budget has been one of the most challenging in the agency's history. The Board conducted four election events in 2008 that collectively saw more than four million New Yorkers cast a vote. In addition, the Board processed two hundred percent more voter registration forms in 2008 than it did in 2007. Already in calendar year 2009, the Board has conducted three Special Elections for City Council vacancies and is preparing for a

borough-wide Special Election for the vacant Borough Presidency in the Bronx. As you probably know, none of these four elections are funded.

It was more than just record voter turnout and registration activity that made the past year unique. The recent elections also saw the first implementation of a Ballot Marking Device at poll sites throughout New York City and New York State. We have had the opportunity to speak before this committee numerous times to outline the challenges that the new system imposed but the underlying truth is that the Board was required to perform double the number of tasks, notwithstanding the demands of an extraordinarily busy year, because it literally had to set up the elections twice, once on for the regular lever machines and once for the electronic Ballot Marking Devices. These tasks were conducted by the same Board of Elections staff as in previous years.

While this would have been a challenge under any circumstances, this was made considerably worse due to the lack of adequate funding for the Board's operations and obligations. At a time when everyone clearly anticipated historic activity and voter participation and when the Board's obligations were increased significantly by a Federal Court Order, its budget was reduced by more than \$7.6 million for Fiscal Year 2009. The Mayor's Preliminary Budget for Fiscal Year 2010 contains a further \$18.2 million budget reduction in OTPS operating funds and a \$2.3 million reduction in PS. These reductions of \$28.1 million are incomprehensible. Without adequate funding and support to conduct elections, the foundation of democracy in our city is compromised. The Mayor's proposed reduction in funding for next year alone is equivalent to the cost of conducting one entire citywide election.

Unlike many other agencies, virtually all of the Board's duties, responsibilities, and activities are prescribed by Federal, State, and local law. The Board does not have the discretion to delay or cancel an election based on municipal budget shortfalls. The facts are clear – all Boards of Elections throughout the state are under a Federal Court Order to replace their voting system for this year's Primary Elections. We are mandated to process candidate petitions and voter registrations. This year alone, we will process petitions for all municipal offices, including citywide offices and City Council. The budget reductions proposed by the Mayor make it impossible for the Board to conduct the Primary and General Elections for this year, not to mention the likely citywide run-off elections.

Current Fiscal Year (FY'09)

Before we discuss the Mayor's Preliminary Budget for Fiscal Year 2010 and the deleterious impact that it, if adopted, would have on the voting rights of New Yorkers, we would like to quickly update you on our situation in the current fiscal year. As you know and as we have discussed during previous hearings before this committee, the Board was severely underfunded to carry out its mandated tasks during this fiscal year. At a time when the Board was concurrently conducting a record Presidential Election on the lever voting machines, deploying the additional Ballot Marking Devices at each poll site, and evaluating a new replacement voting system, the City reduced the resources to meet these challenges. The staff worked tirelessly not only to handle record volumes in all aspects of the election but also to meet the Federal Court Order that mandated a BMD at every poll site throughout New York City, thereby requiring the staff to literally set up the election twice on two different systems. As a result of the enormous work that the Board performed to meet its obligations and the initial underfunding of the PS appropriation of approximately \$5 million, we project a deficit in PS of \$6.8 million.

As already mentioned, we have also conducted three Special Elections for vacant City Council seats since the beginning of 2009 and are scheduled to conduct a borough-wide election for Borough President in April and potentially a Special Election for State Assembly soon thereafter. These unfunded events are adding to this year's deficit, which we project could reach as much as \$13.9 million for Fiscal Year 2009. We sent a letter to the Director of the Mayor's Office of Management and Budget on January 7, 2009 advising him of the agency's situation and we have not received a response.

Mayor's Preliminary Budget for Fiscal Year 2010

Looking forward to the coming year, I would now like to address the budgetary needs of the Board of Elections in the City of New York for the Fiscal Year ending June 30, 2010, as well as update you on the implementation of HAVA in both the City and State of New York.

Ballot Marking Devices

As you know, Boards of Elections throughout New York State, including in the City of New York, deployed a HAVA-compliant Ballot Marking Device,

or BMD, in every poll site for both the Primary and General Elections. These BMDs are essential in complying with one of the Help America Vote Act's (HAVA) most important missions – to allow all voters, regardless of their ability or disability, to vote independently and privately at the same time and place as their neighbors. The Board requested additional resources from the City to staff these new devices with dedicated poll workers to assist voters who wished to use them. Although the implementation of these new devices technically complied with the Federal Court Order, these resources were not realized and the City did not serve an important segment of the voting population by providing these dedicated poll workers. This remains a moral imperative. We appeal to the members of this committee for their support of this need.

New Voting Systems

New York State's process for certifying new voting systems to permanently replace the lever voting machines continues to be beset by problems and delays. Under the Remedial Order of Judge Gary Sharpe of the United States District Court of the Northern District for New York, the State Board of Elections was to have certified the new voting systems that could be used to conduct elections in New York State in November 2008. Local Boards of Elections, in turn, were to select which system they wanted to use of these certified systems and place their orders in December 2008 for use in the September 2009 Primary Elections. Nearly four months later, the State Board has not yet certified any systems for use due to delays caused by the decertification by the federal Election Assistance Commission of the lab that was conducting certification testing. Only last Friday, March 6th, the testing lab was recertified and certification testing of the new systems will resume.

Although there has been much speculation whether these delays will allow the new systems to be available by this year's Primary Election, the fact is that Judge Sharpe's Order remains in place. As such, the Board of Elections in the City of New York has been performing the work necessary to prepare us to comply with the Judge's Order and applicable State Law, including evaluating the respective systems, conducting public demonstrations in each borough throughout the city, conducting a hearing where members of the public were able to communicate directly with the Commissioners of Elections their sentiments concerning the systems, and planning for changes necessitated by a new system. The Board's

commitment to informing and including the voters in the selection process for a new voting system continues unabated. The Commissioners have directed that this selection process be conducted in a fully open and transparent fashion and the recent public demonstrations and hearings are examples of this.

Election Day and Poll Workers

The implementation of an entirely new voting system will obviously have a tremendous impact on the administration of elections in New York City. Poll workers will need extensive training to properly assist voters on Election Day and the voters themselves will need to be educated so that they understand the changes in voting well in advance of being confronted with an entirely new way of voting.

In performing the comprehensive review of the Board's poll worker operations and having had the opportunity to compare it to other jurisdictions nationwide, the Board has also identified numerous recommendations to enhance the agency's ability to recruit and train the large number of qualified poll workers that are needed. One of the key recommendations is to raise the pay for attending training classes from \$25 to a more realistic \$100. The current low compensation for attending the training sessions is reflected by poor attendance. With a longer, expanded training class and a need for much greater trainee participation, this increase is merited and greatly needed. Increasing the stipend for training will cost \$2,325,000 for the existing 31,000 poll workers during the 2009 election cycle.

Another area that the BOE identified concerns the performance award paid to certain poll workers. Currently, the award is paid as an incentive for poll workers to attend training, pass the test, and ensure that they work the two regular election events. The BOE believes that this award is a helpful tool to ensure a good return for the BOE's training investment but the current amount of \$35 is very low. We believe that raising the award to \$100 would be a better incentive for poll workers to complete all the criteria associated with the payment. The cost for increasing the award for all poll workers would be \$2,015,000 in the 2009 election cycle if all of them meet the specified performance criteria.

A similar area that merits review to ensure better participation is the post-election debriefing of poll site coordinators. Coordinators are not eligible

for the award described above but receive a mere \$25 for attending a debriefing session with the borough staff to discuss the recent election and any problems. These sessions are vitally important for the BOE staff to address problems and plan for subsequent elections. We believe that elevating the compensation to \$100 (\$50 for the Primary Election and \$50 for the General Election) will result in a greater rate of participation among the coordinators. The cost for increasing the pay for all coordinators is \$134,550 for the 2009 election cycle.

The final area concerns remuneration paid to privately owned poll sites on each Election Day. The BOE's borough staff reports that the BOE has been losing many long-time privately owned poll sites over the last few years and finds it increasingly difficult to secure new ones. Although the majority of the more than 1,350 poll sites used on Election Day are public facilities and therefore do not create a direct cost, there are 554 privately owned sites serving approximately 1,600 Election Districts (EDs) that the BOE must rent in areas where no public facilities are available. The current remuneration of \$70 per ED has remained unchanged for decades and has become severely compromised as an incentive due to the adverse effects of inflation over that time.

Several property owners who have leased space to the BOE on Election Days past have stated that the current amount is insufficient to cover the costs of heating or cooling the space for the election. The BOE believes that increasing the compensation paid to privately owned sites to \$165 per ED would help the BOE retain private poll sites at this critical time when our space needs have increased due to the addition of at least one BMD at every poll site. The additional cost is \$152,000 per election event citywide.

Poll workers are obviously an essential part of the voting experience. The Board continues to ask the City, albeit with limited success, for support to ensure that it has the resources to adequately train the poll workers. Educating the public about voting and accommodating their expectations, however, is also a critical element of successful elections and a necessary component of a new voting system implementation.

Unlike some of the changes that have occurred in voting and election administration over the years, which have been evolutionary in nature, the introduction of a new voting system for the whole city will, in fact, be revolutionary – not only for the Board's more than 350 permanent staff and

more than 30,000 Election Day poll workers, but also for the 4.6 million registered voters in New York City.

HAVA-Related Funding

The Mayor and the Council demonstrated that they collectively recognized this need by appropriating funds for HAVA implementation in previous budgets. The Board has been careful not to spend these funds until the new voting systems are certified and they previously were rolled-over from one year to the next as the State Board has experienced delays with certification – a clear collective recognition of the importance of the public education program and other aspects that these funds were dedicated to addressing. However, now when the city and state are on the verge of implementing a new voting system for all voters, these vital funds have been eliminated entirely in the Mayor’s Preliminary Budget for Fiscal Year 2010. The Board needs for all unexpended funds appropriated for these uses last year in both the Expense and Capital Budgets be re-appropriated for Fiscal Year 2010.

The most pressing concern for the Board is our ability to successfully manage our responsibility to conduct fair and honest elections while making the most dramatic transition in the history of elections administration in the City of New York. If the Board was to conduct elections in the manner that it has refined over the years, there would be no need for outside support or assistance. Clearly, that is not the case and the Board has benefited from the assistance of outside support to ensure that these dramatic implementations are done seamlessly.

When we came before you last year, we noted that we were not completely sanguine that OMB fully understands the need for the Board to have the necessary funding to comply with both the Federal and State mandates under HAVA and the State’s implementing legislation. Given the severity of the proposed budget reductions, we at this point do not believe that they understand any of the aspects of the Board’s legal obligations to conduct fair and honest elections under the law. As mentioned previously, these cuts represent the elimination of an entire citywide election.

In December 2005, the Board, upon the recommendation of the Mayor’s Task Force on Election Modernization, retained Gartner Consulting to provide Project Monitoring, Quality Assurance, Project Management, and Mentoring Services. Gartner Consulting has several active engagements

at various City agencies for change management projects and they have been a tremendous assistance to the Board as we have embarked on these extraordinary transitions. Gartner has been a major contributor to our ability to rapidly respond to the State Board's proposed Voting Systems Standards and the series of Federal Court Orders. In the Mayor's Preliminary Budget for Fiscal Year 2010, funding for Gartner's services has been eliminated. The Board wants and needs Gartner to continue to work with us on the full range of HAVA implementation tasks.

Another outside vendor that has been contracted to help with a specific HAVA-related task is Burson-Marsteller. As we reported last year, they are a professional communications firm that had been contracted to assist us in the design, development, and implementation of a comprehensive voter education and outreach program for the new voting system. Burson-Marsteller's high-level plan was reviewed and approved by the Commissioners last year but funding the actual execution of the public information initiative was eliminated in the Mayor's Preliminary Budget for Fiscal Year 2010. The long-planned direct mailings to voters describing the new voting system and the production of a new poll worker training video are similarly casualties of these proposed budget cuts.

Facilities

The Board's voting machine facilities need to be modernized and significantly upgraded in order to service and maintain new electronic voting systems. The Board acquiesced to many temporary interim measures to accommodate the BMDs last year and learned many valuable lessons concerning the importance of having adequate facilities to handle electronic systems. Although our staff has been working diligently with the Department of Citywide Administrative Services to secure the upgrades and enhancements needed, such as increased electrical capacity and environmental controls, progress has been slow and we are ill-positioned to accept new voting systems should the State Board certify soon.

Similarly, the desperate need for additional space at Board's Executive Offices, located at 32/42 Broadway, continues to be a source of great concern. The city recognized the need to accommodate staff and onsite consultants by including funding for additional space on the building's third floor in the Fiscal Year 2009 Budget. We regret to report that, nine months

into the current fiscal year, DCAS has not secured this additional workspace despite its being properly funded.

Language Assistance

As you know, the Board is required to translate its materials and provide language assistance in Spanish, Chinese (both Mandarin and Cantonese), and Korean under the Voting Rights Act of 1965. The Board last year settled a lawsuit by language assistance advocates that sought to expand language coverage in affected areas throughout the city. The Mayor's proposed Preliminary Budget calls for a loss of an additional six positions. Implementation of that cut would result in the Board's inability to meet its language assistance obligations.

In helping devise and negotiate the Language Assistance Program, Corporation Counsel's Office encouraged the Board to seek additional funding to implement and coordinate the Language Assistance Program. Among the Board's new needs is the creation of a new position to coordinate the program at an annual cost of \$71,671. In addition, the Board requires \$100,000 to conduct a media campaign to recruit and retain qualified poll site interpreters.

Candidate Records Unit

The Candidate Records Unit (CRU) is responsible for processing most of the documents received by the Board, including those relating to the petition process and all campaign financial disclosure reports. In order to accomplish its multiple missions, CRU has undertaken a comprehensive effort to move from a paper based records system to an electronic one.

Recently the task of ballot preparation was assigned to the unit. CRU, now composed of a supervisor and six staff members, needs to be augmented by the authorization of and the funding for two additional positions. The unit needs two (2) Administrative Associates (each at an annual salary of \$44,646), one who will be responsible for coordinating the printing of ballots and related materials, as well as the production of audio ballots, and the other who will have principal responsibility for the processing of financial disclosure filings.

Management Information Systems

Management Information Systems (MIS) is essential to the operations of the Board of Elections. There are three contracts that are up for renewal that receive capital funding. One of these contracts is with Sagesmith, LLC (\$1.1 million for two years) for software development and maintenance of the Candidate Processing and Election Sub-System (CPESS) and for the development of an interface with the new voting system. Another contract is with N-Tier Technology, LLC (\$1.1 million for two years) for software development and maintenance of the Board's Archival for Voter Images and Data voter registration system (AVID) and compatibility with the statewide voter database required under HAVA. The final contract renewal is with Information Methods, Inc. (\$400,000 for two years) for project management for the CPESS, AVID, and S-ELECT systems and the expected requirements for interfacing with the new voting system.

The MIS department also critically needs \$100,000 to procure new voter registration image scanners for the borough offices to handle the increased volume of voter registrations.

Voting Equipment Operations Unit

The Voting Equipment Operations Unit requires two additional Associate Staff Analysts. With the introduction of 1,798 Ballot Marking Devices this year, while also servicing our current fleet of 7,700 mechanical lever voting machines, and the with need to establish additional voting machine facilities to accommodate the new BMDs, additional support and supervision is required. Two (2) new staff members are required to supervise activities at the voting machine facilities, monitor contracted vendor performance, and insure that the necessary record keeping activities are conducted. These staff members would also review all procedures related to the voting machine facilities and insure legal compliance, including mandates by amendments to the New York State Election Law. Finally, as we anticipate selection of a new permanent voting system, they will both assist in the selection process as well as be trained to monitor and review all voting system and related support activities. The Board projects that each of these new staff members will be paid \$61,383, for a total annual cost of \$122,766.

Facilities and Security

The Board, like every agency in government, is aware of the need to address certain safety and security issues. Specifically, security at the entrances of our Executive Offices need to be enhanced. Our staff and the myriad important documents filed at these locations, such as petitions and financial disclosure forms, should be secured in a safe environment. We estimate that the costs of the required renovations and enhancements to our offices are \$450,000.

In the Fall of 2003, the Board retained the services of a licensed security firm to provide a uniformed and armed presence at our Executive Office. The Board believes the presence of uniformed, armed officers helps ensure the safety of our employees and the orderly conduct of the public. Last year, the Board requested an appropriation of \$420,000 to contract for this service at both our Executive Office and at our five Borough Offices. The Adopted Budget for FY'09 did not provide any funds, however, nor is it included in the FY'10 Preliminary Budget. We ask the Mayor and the Council to provide this modest amount to insure that all of our employees and the public can participate in our democratic process in a safe and secure environment.

Legal Services

The implementation of HAVA and increasingly frequent litigation on a whole range of legal issues that fall within the Board's jurisdiction led us to request funding for two additional in-house legal staff positions in the Office of the General Counsel last year. Currently, the Board's General Counsel is the only full-time attorney on staff and is responsible for the entire range of Board activities aside from Campaign Financial Disclosure and Reporting. During the crunch of the notorious petition process, we have retained temporary legal staff who, while helpful, lack the necessary background and skills necessary to deal with some of the complex legal issues the Board has dealt with, and will deal with in the future. From HAVA compliance to poll site accessibility to procurement issues, an agency such as the Board needs at least two additional full time attorneys to help manage its legal operations.

The Board sought to create two Assistant General Counsel positions each at a salary of \$75,000 per year for an annual cost of \$150,000. In last year's adopted budget, only one of these positions was funded. The need

for the additional position remains undiminished and my testimony today reflects the ever-expanding need for additional legal services at the Board. The Board therefore renews its request for a second Assistant General Counsel's position at \$75,000 per year.

Pay Equity

Although the dire nature of the current fiscal environment does not set the stage well for my final point, I would be remiss if I did not take this opportunity to once again remind you about the severe pay disparity between employees of the Board and those of other City agencies and other Boards of Elections in neighboring jurisdictions. Rather than expand on the matter at this time, I would be happy to provide you with further information concerning this important matter upon request.

Conclusion

The conduct of fair, honest, and open elections is a fundamental right in our democracy and the cuts made by the City to the Board's budget in Fiscal Year 2009 and the further reductions proposed in the Mayor's Preliminary Budget for Fiscal Year 2010 at a critical time has put our democracy in peril. As a result of the City's action, the Commissioners of Elections have been placed in an untenable position of either fulfilling their legal obligations despite the lack of adequate funding or deciding collectively that the City's failure to adequately fund elections vitiates their legal obligations, thereby disenfranchising voters in New York City. Protecting the rights of the voters of this city is paramount. It is an understatement, at best, when I state that we need your support and assistance if we are to succeed.

I thank you again for your time and for allowing me to come before you on behalf of the Board of Elections in the City of New York today. As always, my colleagues and I are available to answer any questions that you may have.

Selina Williams

From: George Gonzalez
Sent: Friday, May 15, 2009 5:14 PM
To: *Commissioners
Cc: *Legal Department; *ExecutiveManagement; *ExecSupportGroup
Subject: FW: A1436
Attachments: comment.pdf; A01436.mht

Commissioners,

I am sending the attached to you for your information and review. This item will be placed on the agenda for discussion at the next Commissioners Meeting scheduled for Tuesday, May 19, 2009.

Thanks and have a great weekend!

George González
 Deputy Executive Director
 Board of Elections
 32 Broadway - 7th Floor
 New York, NY 10004
 212.487.5403 - phone
 212.487.5349 - fax
 ggonzalez@boe.nyc.ny.us

Notice: This e-mail and any attachments are intended only for the individual or company to which it is addressed and may contain information which is privileged, confidential and prohibited from disclosure or unauthorized use under applicable law. If you are not the intended recipient of this e-mail, you are hereby notified that any use, dissemination, or copying of this e-mail or the information contained in this e-mail is strictly prohibited by the sender. If you have received this transmission in error, please return the material received to the sender and delete all copies from your system. Thank you.

-----Original Message-----

From: Legislative Secretary [mailto:Legislative.Secretary@chamber.state.ny.us]
Sent: Friday, May 15, 2009 4:51 PM
To: James Malatras (james.malatras@oag.state.ny.us); Jamie elacqua (JElacqua@osc.state.ny.us); Judi DeMarco (judi.demarco@oag.state.ny.us); Mary Ledbetter (mary.ledbetter@dos.state.ny.us); Matthew Tebo (matthew.tebo@dos.state.ny.us); Susan Watson (susan.watson@dos.state.ny.us); Todd Valentine; Shawn Marie Levine (cpnys@nycap.rr.com); Edna Ishayik (ednai@nysdems.org); June F. O'Neill (juneo@nydems.org); Tony Scannapieco (anthony.scannapieco@putnamcountyny.com); Dan Levitan (dlevitan@workingfamiliesparty.org); George Gonzalez; Steven H. Richman; Valerie Vazquez; Matt Walter (mwalter@nygop.org); Maria Cilenti (mcilenti@nycbar.org); Barbara Mahan (bmahan@nysba.org); Kevin Kerwin (kkerwin@nysba.org); Ron Kennedy (rkennedy@nysba.org); Linda Ashline (lashline@cityhall.nyc.gov); Steve Williams (swilliams1@cityhall.nyc.gov)
Subject: A1436

EXECUTIVE CHAMBER, Albany, New York

The aforementioned legislation has passed both houses of the Legislature and will shortly be before the Governor for executive action. Once the bill is sent to the Governor, it must be acted upon within 10 days.

As a result, we would appreciate the benefit of your analysis, comments and recommendations with respect to this proposal within five days of receipt of this request. In order to expedite receipt and consideration of your views, please make sure that your comment letter clearly sets forth the Senate and Assembly bill numbers. While the volume of correspondence concerning legislation precludes acknowledgment of every communication, please be assured that your comments will receive careful consideration.

Thank you for your cooperation.

Peter J. Kiernan
Counsel to the Governor

-
- Bill text can be found at: www.senate.state.ny.us or www.assembly.state.ny.us
 - Please email comments as an attachment on letterhead and list the bill number located in the subject area of the email to: legislative.secretary@chamber.state.ny.us

**** This email address is strictly for your use and not to be circulated ****

Note: Please notify us immediately with any email changes.

If you have any questions, please call: 518 474-7182 (Ryan Dalton or Kristin Ross)

Alfano Y Camara Y Espaill Y Hyer-Sp Y Mayerso ER Quinn Y Stirpe Y
Amedore Y Canestr Y Farrell Y Jacobs Y McDonou Y Rabbitt Y Sweeney Y
Arroyo Y Carrozz ER Fields Y Jaffee Y McEneny Y Raia Y Tedisco ER
Aubry Y Castro Y Finch ER Jeffrie Y McKevit Y Ramos ER Thiele Y
Bacalle Y Christe Y Fitzpat Y John Y Meng Y Reilich Y Titone Y
Ball Y Clark Y Gabrysz Y Jordan Y Miller Y Reilly Y Titus Y
Barclay Y Colton Y Galef ER Kavanag Y Millman Y Rive J Y Tobacco ER
Barra Y Conte Y Gantt Y Kellner Y Molinar ER Rive N Y Towns Y
Barron Y Cook Y Gianari Y Kolb Y Morelle Y Rive PM ER Townsen Y
Benedet Y Corwin Y Giglio Y Koon Y Nolan Y Robinso Y Walker Y
Benjami Y Crouch ER Glick Y Lancman Y Oaks Y Rosenth Y Weinste Y
Bing Y Cusick Y Gordon Y Latimer Y O'Donne ER Russell Y Weisenb Y
Boyland ER Cymbrow Y Gottfri Y Lavine Y O'Mara Y Saladin ER Weprin Y
Boyle Y DelMont Y Greene Y Lentol ER Ortiz Y Sayward Y Wright Y
Bradley Y DenDekk Y Gunther Y Lifton Y Parment Y Scarbor Y Zebrows Y
Brennan Y Destito Y Hawley Y Lope PD Y Paulin Y Schimel Y Mr Spkr Y
Brodsky Y Diaz ER Hayes Y Lope VJ ER Peoples Y Schimmi Y
Brook-K Y Dinowit Y Heastie ER Lupardo Y Peralta Y Schroed Y
Burling Y Duprey Y Hevesi Y Magee Y Perry ER Scozzaf Y
Butler Y Eddingt ER Hikind Y Magnare Y Pheffer Y Seminer ER

A01436 Memo:

BILL NUMBER: A1436

TITLE OF BILL : An act to amend the election law, in relation to providing that designating petitions and independent nominating petitions may not contain candidates for the same public office from different political subdivisions

PURPOSE OR GENERAL IDEA OF BILL :

To provide that petitions may not contain the names of two or more candidates for the same public office for two or more different political subdivisions

SUMMARY OF SPECIFIC PROVISIONS :, This bill amends subdivision 1 of section 6-134 of the election law to prohibit the inclusion of different candidates for the same public office or party position in different political subdivisions in the same petition.

JUSTIFICATION : In the case of Popkin v Umane, 22 AD2d 613 (2nd Dept. 2005), the Appellate Division held that petitions which contained the names of different candidates for the same public office in different political subdivisions are valid. This holding could be interpreted to allow all candidates for all Assembly Districts in New York City to be included on the same petitions. The bill makes it clear that such petitions would be invalid.

PRIOR LEGISLATIVE HISTORY : 2007 - A.642 2006 - A.10998

FISCAL IMPLICATION :, None

EFFECTIVE DATE :, This act shall take effect immediately.

Contact Webmaster

Page display time = 0.0241 sec

Selina Williams

From: George Gonzalez
Sent: Friday, May 15, 2009 10:24 AM
To: *Commissioners; *Chief & Deputy Chief Clerks (all); *ManagersMeetingGroup
Cc: *ExecSupportGroup
Subject: FW: summer conference
Attachments: 1 ECA Conference letter 09.doc; 2 Hotel Reservation Form.JPG; 3 DirectionsRamadaLakefront.pdf; 4 ECA Registrationform.doc; 5 Summer Conference Program 2009.doc; 6 ECA Offices to be elected2009.doc; 7 Tax exempt.pdf

Team,

Attached, please find the information concerning the ECA Summer Conference in Geneva, New York on June 23rd to June 26th 2009.

George González
 Deputy Executive Director
 Board of Elections
 32 Broadway - 7th Floor
 New York, NY 10004
 212.487.5403 - phone
 212.487.5349 - fax
 ggonzalez@boe.nyc.ny.us

Notice: This e-mail and any attachments are intended only for the individual or company to which it is addressed and may contain information which is privileged, confidential and prohibited from disclosure or unauthorized use under applicable law. If you are not the intended recipient of this e-mail, you are hereby notified that any use, dissemination, or copying of this e-mail or the information contained in this e-mail is strictly prohibited by the sender. If you have received this transmission in error, please return the material received to the sender and delete all copies from your system. Thank you.

-----Original Message-----

From: Diane Wade [mailto:dwade@saratogacountyny.gov]
Sent: Friday, May 15, 2009 9:21 AM
To: William Wood; William Scriber; William Montfort; William Campbell; William Biamonte; Wendy Simpson; Veronica Olin; Veronica King; Tony Scannapieco; Toni Scalise; Tom Turco; Tom Ferrarese; Tom Burke; Todd Valentine; Theresa Dugan; Tarry Breads; Susan Castine; Sue Guenther; Sue Fries; Steve Dewitt; Stanley Zalen; Sindy Brazee; Sheila Ross; Sheila Fleischauer; Sharon White; Sharlene Thompson; Sean Hennessey; Scott Kiedrowski; Schuyler; Sara Davies-Griffins; Ruth Vezzetti; Ruth Same; Rodney Gaebel; Robert Brehm; Robert Brechko; Robert Bennett; Richard Siebert; Richard Clark; Reginald LaFayette; Ralph Mohr; Phoenix Graphics Inc1 (Phnix@phoenix-graphics.com); Peter Quinn; Peter Kosinski; Penny Ruest; Paul Collins; Patti Doyle; Pamela Welker; Pamela Perkins; Pamela Murran; Pam Mandryck; Nero Graham Jr. (external address); Nancy Smith; Nancy Mottola Schacher (Commissioner); Nancy Quis; Nancy Leven; Michelle Crannage; Michael Northrup; Michael nabozny; Matthew Clyne; Marybeth Casey; Mary Sweeney; Mary Salotti; Mary Pines; Mary O'Dell; Mary Ann Yennella; Marty Smith; Marilyn O'Mara; Marie Metzler; Lynn May; Lynn Jones; Lori Lehenbauer; Lois McShane; Linda Madsion; Linda Forrest; linda Falkouski; Linda Coons; Lew Sanders; Laura Schoonover; Laura Costello; Larry Nedelka; Larry Bugbee; Kristy Pickett; Kim Galvin; Kevin Burleson; Kelly Austin; Keith Osborne; Kathy Fleury; Kathy Carey; Kathleen Pietanzk; Kathleen Mihm; Kathleen Anderson; Karen Gannon; Julie Dent (Commissioner); Judy Peck; Judith Layhee; Juan Carlos "J.C." Polanco (External Address); Joyce Krebbeks; John Sejan; John Schermerhorn; John Perticone; John Parete; John P. O'Grady; John DeGrace; Joe Burns; Joan Silvesti; Joan Mooney; Joan Grainer; Jerry Eaton; Jennie Morrill; Jeff Curtis;

Jeanne Williams; Jeanne O'Rourke; Janice Burdick; Jane Connerton; James Walsh; James J. Sampel (Commissioner); Jack Bailey; Henry Nicols; Helen Zelazny; Helen Kiggins; Harriet Jenkins; Grerory Peterson; Gregory Soumas (Commissioner); Green, Norm; Graziano, John; Gilbert Sweet; George Stanton; George Gonzalez; Frederic M. Umane (external address); Frank DeBenedictus; Fran Knapp; Faith Kaplan; Eugene Faughnan; Ellen Snowdon; Ellen Graziano; Elizabeth Hogan; Elizabeth Cree; Elaine McLear; Elaine Herdman; Ed Ryan; Ed McDonough; Douglas Kellnar; Doug French; Donna Mullahey; Donna English; Don Wart; Diane Wade; Diane Haslett Rudiano; Dennis Ward; Dennis Piedimonte; Debbie Pahler; Dawn Cassidy; David Mace; David Green; Dave Gamache; Cindy Jarvis; Cindy Goodrich; Christopher Rhodes; Cayuga; Cathy Rogers; Cathy Geier; Cass Lorow; Carolee Sunderland; Carol Turney; Carol Franklin; Brian Quail; Brian Abram; Bonnie Becker; Bob Howe; Bill McCann; Bill Fruci; Bernadette Toombs; Barbara McCann; Bahren, Susan; Babette Hall; Art Brassard; Anna Svizzero; Ann Nortz; Ann Marie Kelly; Ann Jones; Anita Katz; Angela Pedone-Longo; Andrea Basli; Amy Hild; Patricia Fanders; Tom Paolangeli; Hilary Hillman; Virginia Martin; Don Kline; Raymond Cecot; CoExecutiveDirectors; John Conklin; Josie Jackson; Jack Armstrong; vspencer@sequoiavote.com; Sui Yuan Lawn Lee; Phoenix Graphics Inc2 (phnix1@aol.com); LibertyElectionSys - Robert F. Witko; Avante - Rich Gleim; Peter Balcom; Michael Witko; Howard Simkowitz; Adam Schwadron; Branden Elwell; Diebold - Buck Jones; ElectionSystemsSoft - Gene Seets; Chris Peifer; Populex - Liz Miller; salerno; Hollister Bundy; Cathy Pearsall Stipek; Jim Alexander; SequoiaVotingSys - Larry Tonelli; Mitchell Sitcov; Mark Rossman; Sharlene Serrano; Paul Madelone; Peter Samony; Tom Skolar; Dale Marshall; Bill Maier; Ken Hajjar; Bob Gleichauf
Subject: summer conference

Dear ECA, State Board and Friends,

Enclosed please find your packet for the Summer Conference. If you have any questions, regarding the info, please contact myself or Carol Turney.

Hope to see everyone there.

Diane Wade,
 Secretary



Election Commissioners' Association of the State of New York State 2008 - 2009

Helen M. Kiggins

President

Civic Center

421 Montgomery St., 15th Fl
Syracuse, NY 13202

Phone: 315-435-3312

May 15, 2009

William W. Scriber

First Vice-President

Joan M. Silvestri

Second Vice-President

Laura P. Costello

Third Vice-President

Diane M. Wade

Secretary-Treasurer

50 West High Street

Ballston Spa, NY 12020

Phone: 518-885-2249

Fax: 518-884-4751

Thomas F. Ferrarese

Chairman,

Executive Committee

Bernadette M. Toombs

Chairman,

Legislative Committee

Dear Commissioners, Deputy Commissioners and Friends,

The Annual Election Commissioners' Association Summer Conference will be held from Tuesday, June 23rd - Friday, June 26th, at the Ramada Geneva Lakefront, 41 Lakefront Dr., Geneva, NY 14456, phone 315-789-0400, Toll Free 800-990-0907 and fax 315-789-4351.

Hotel Registration- For information regarding conference packages and rates please see the enclosed **Hotel Reservation Form**. The completed **hotel registration** form must be sent directly to the hotel or faxed to 315-789-4351. To confirm your reservation, a commitment is due by **Monday, June 1, 2009** in the form of a Check or major Credit Card (**vouchers can not be used for reservations**). A completed **tax-exempt form** is required when making your reservation. There is no spousal rate for this conference. All meals and breaks will be included beginning with Dinner on the night of arrival.

Walk in meals- Anyone not staying at the hotel may purchase meals separately in advance (see conference registration form).

ECA Conference Registration- Everyone attending the conference must complete the enclosed ECA conference registration form and have it back to me by **Monday, June 1, 2009**. A

conference registration fee of \$30.00 will be charged for all participants attending any event or meeting (**this includes guests**). This will be paid at the ECA registration table.

Please check your packet to be sure you have all of the following:

Hotel registration form & directions (**mailed or faxed to the hotel by June 1, 2009**)

ECA conference registration form (**mailed or faxed to Diane Wade by June 1, 2009**)

Tentative agenda

List of offices to be filled at 2009 Summer Conference

Tax Exemption Certificate

Tax Exempt – Use form ST-129 included in this packet when you pay your hotel bill with cash, personal check or credit card, government voucher or credit card. **Fax this form with your hotel reservation and bring a copy to submit at check-in.**

Vendors – A Vendor display fee of \$500.00 is due by **June 1st, 2009** for all participating vendors. Please make checks payable to the ECA and mail to Diane Wade at 50 West High Street, Ballston Spa, NY 12020. For conference setup, please contact Michael Fults at 315-789-0400 ext 2602.

My fax number is 518-884-4751 and my phone is 518-885-2249. Please let me know if you have any questions or concerns.

Sincerely,

Diane Wade, Secretary NYSECA

Enclosures

Election Commissioners Association

June 23, 2005 - June 26, 2009

Reservation Request Form -

Please Complete & Return By June 1, 2009

Name: _____ Phone: _____

Address: _____

Arrival Date: _____ Number of Nights: _____

Number of Adults In Room: _____

Room Type: ___ Non-Smoking ___ Smoking
 ___ Double Beds* ___ King Bed*

*Based on availability, please choose your preferred room type

A Guarantee Is Required For Arrivals After 4:00pm

___ Non-Guarantee ___ Guarantee**

**Guarantee Info Required: Type of Credit Card: _____

Card Number: _____ Exp Date: _____

___ (3) Three Night Package
June 23 - 26, 2009
Single: \$351*

Double: \$231* (Per Person)

*Tax Exempt Pricing - If you are not tax exempt,
Tax will be added to above Package pricing

Includes 3 nights accommodations, 2
dinner, 2 lunches & 3 breakfasts

___ (2) Two Night Package
June 24 - 26, 2009
Single: \$238*

Double: \$158* (Per Person)

*Tax Exempt Pricing - If you are not tax exempt,
Tax will be added to above Package pricing

Includes 2 nights accommodations, 1
dinner, 2 lunches & 2 breakfasts



RAMADA[®]
GENEVA LAKEFRONT

41 Lakefront Drive
Geneva, NY 14456

(800) - 990 - 0907

www.genevaramada.com 28

Conference Registration

Election Commissioners' Association of New York State

Summer Conference – June 23, – June 26, 2009

Fax to Diane Wade, ECA Secretary/Treasurer by June 1, 2009 – 518-884-4751

County Board/Company Name: _____

Number of persons attending from your county/company including spouse/guest/family: _____

Names of persons attending from your Board/Company/Family/Guest:

Name

Name

- | | |
|----------|-----------|
| 1. _____ | 6. _____ |
| 2. _____ | 7. _____ |
| 3. _____ | 8. _____ |
| 4. _____ | 9. _____ |
| 5. _____ | 10. _____ |

Please complete, which applies to you:

_____ Number registering at the Ramada Geneva Lakefront for the three-night package.

_____ Number registering at the Ramada Geneva Lakefront for the two-night package.

_____ Number attending the conference but have made other arrangements or will commute daily.

Individual Meal Registration (if not taking hotel package)

- | | | |
|---|--|--|
| <input type="checkbox"/> Tuesday Dinner - \$26 | <input type="checkbox"/> Thursday Breakfast - \$14 | <input type="checkbox"/> Friday Breakfast - \$14 |
| <input type="checkbox"/> Wednesday Breakfast - \$14 | <input type="checkbox"/> Thursday Lunch - \$16 | |
| <input type="checkbox"/> Wednesday Lunch - \$16 | <input type="checkbox"/> Thursday Banquet - \$33 | |

Special Dietary Needs: _____

The hotel has requested we make confirmed reservations in advance for meals by Friday, June 15th, (if not taking hotel package). This will be paid in advance or at the ECA registration table. You may pay by check, cash or county voucher only. You will be charged if tickets are not picked up at ECA registration desk.

(Cancellation policy for individual meals ordered - 72 hours in advance)

Conference Registration Fee: \$30.00 registration fee will be paid by anyone attending any event or meeting. This will be paid at the ECA registration table by cash, check or county voucher. It is separate from hotel/meal registration.

Please fax or mail this conference registration form by June 1st to:

Diane Wade: *Fax Number – 518-884-4751*

ECA Secretary/Treasurer

50 West High Street

Ballston Spa, New York 12020.

******Don't forget to mail or fax hotel reservations form to the hotel by June 1st ******

Listing of Offices to be filled at 2009 Summer Conference

No. of Positions	Office/Title	Party	Term of Office
<i>One</i>	<i>President</i>	<i>Democratic</i>	<i>One Year</i>
<i>One</i>	<i>First Vice President</i>	<i>Republican</i>	<i>One Year</i>
<i>One</i>	<i>Second Vice President</i>	<i>Democratic</i>	<i>One Year</i>
<i>One</i>	<i>Third Vice President</i>	<i>Republican</i>	<i>One Year</i>
<i>One</i>	<i>Secretary/Treasurer</i>	<i>Republican</i>	<i>Four Years</i>
<i>One</i>	<i>Executive Comm Chairperson</i>	<i>Democratic</i>	<i>One Year**</i>
<i>One</i>	<i>Executive Comm Vice-Chairperson</i>	<i>Democratic</i>	<i>One Year**</i>
<i>One</i>	<i>Legislative Comm Chairperson</i>	<i>Republican</i>	<i>One Year**</i>
<i>One</i>	<i>Legislative Comm Vice-Chairperson</i>	<i>Republican</i>	<i>One Year**</i>
	<i>Executive Comm Members</i>	<i>6 Democratic & 6 Republicans Total of 12</i>	<i>One Year</i>
	<i>Legislative Comm Members</i>	<i>6 Republicans & 6 Democratic Total of 12</i>	<i>One Year</i>
<i>One</i>	<i>Republican Caucus Leader</i>	<i>Republican</i>	<i>One Year</i>
<i>One</i>	<i>Democratic Caucus Leader</i>	<i>Democratic</i>	<i>One Year</i>
<i>One</i>	<i>Audit Committee Member</i>	<i>Republican</i>	<i>Two Year</i>
<i>One</i>	<i>Audit Committee Member</i>	<i>Democratic</i>	<i>Two Year</i>

****Executive and Legislative Committee**

**Chairman & Vice Chairman is by party 4 years – Elected same year as US President –
elected 6/2000 – 6/2004 – 6/2008 – 6/2012 – 6/2016 – 6/2020**

Elected for one-year term with a maximum of 2 consecutive years

Committee Members are elected for one-year term with a maximum of 4 consecutive years

*New York State
Election Commissioners'
Association*

94th

*Annual
Summer Conference
June 23rd – June 26, 2009*

**Ramada Geneva Lake Front
Geneva, New York**

Host Commissioners

Ontario

Mary Q. Salotti - Commissioner

Michael J Northrup – Commissioner

Seneca

Ruth V Same – Commissioner

Joan P Mooney - Commissioner

Tuesday June 23, 2009

2:00 PM – 5:30 PM

Registration Desk

Lobby

5:30 PM – 6:15 PM

Executive Committee Meeting

Geneva Room

5:30 PM - 6:15 PM

Legislative Committee Meeting

Seneca Room

6:30 PM – 8:30 PM

Welcome Reception

Main Ballroom

Wednesday June 24, 2009

**ALL GENERAL SESSIONS ARE IN THE
BALLROOM**

7:00 AM – 9:00 AM

Breakfast

9:00 AM – 4:00 PM

Registration Desk

Lobby

9:00 AM – 9:30 AM

Pledge, Invocation, Welcome,

Roll Call, Exec/Leg Comm Report

Helen Kiggins, President

Pledge of Allegiance/Invocation

9:30 AM – 10:30 AM

Pilot Program

General Discussion

St Lawrence County

Madison County

10:30 AM – 10:45 AM

Break

10:45 PM – 11:30 AM

6210 Discussion

Moderated by

Thomas F Turco – Ulster County

Laura Costello – Madison County

11:30 AM – 12:00 PM

Party Caucus

Main Ballroom

Wednesday June 24, 2009

12:00 – 1:00 PM

Sequoia/ES&S Users Group

Sequoia -

ES&S -

1:00 pm – 2:00 pm

Lunch

2:00 PM – 3:00 PM

Preparation & Counting

Of Plan A Ballot Part 1

Minnesota BOE

3:00 PM – 3:45 PM

OGS Contracts

What we can/can't buy

and where to find Products

Kameron Klippel

NYS Office of General Services (OGS)

3:45 PM-4:00 PM

Break

4:00 PM – 4:30 PM

BMD Deployment – Tony's Folly

How to deploy using in house Staff

in a cost effective and efficient manner

Anthony G. Scannapieco, Jr., Putnam County

4:30 PM-5:30 PM

NTS

Users Group

6:00 PM – 8:00 PM

Out Door

Dinner Reception

(Weather Permitting)

Thursday June 25th 2009

7:00 AM – 9:00 AM
Breakfast

9:00 AM – 3:00 PM
Registration Desk
Lobby

9:00 PM – 10:00 AM
Preparation & Counting
Of Plan A Ballot Part 2
Minnesota BOE

10:00 AM – 10:30 AM
Special Elections Update
Last Minute changes and how to get it done.
Saratoga County
Columbia County

10:30 AM – 10:45 AM
Break

10:45 AM – 11:45 PM
New York City's
Experience on an all Paper
Ballot Elections
George González, Deputy Executive Director
Stephen Richmond, General Counsel
NYC Board of Elections

11:45 AM - 12:15 AM
Campaign Finance
NYS Board of Elections
William McCann, Special Deputy Counsel
Elizabeth Hogan, Enforcement Counsel

Thursday June 25th 2009 Cont.

12:15 PM -1:15 PM
Lunch

1:15 PM – 1:30 PM
Party Caucus Report
Ruth Same, Chairman
Anthony G. Scannapieco, Jr., Chairman

1:30 PM – 2:30 PM
Updates from the SBOE/
Do and don't of Election Night Return
Stanley Zalen – Co Executive Director
Todd Valentine – Co Executive Director

2:30 PM – 2:45 PM
Break

2:45 PM – 3:45 PM
Conflict Resolution
How to Deal with Difficult people
Sara Barker - Mediation Program Director
Jefferson County
Resolution Center

3:45 PM – 4:45 PM
Regional Meetings

7:00 PM – 8:00 PM
Dinner Reception

Friday June 26th 2009

7:30 AM – 9:00 AM
Breakfast
Best Practices
Show off your best training Manuals. BMD
Literature etc..

Have a Safe Trip Home!



Exemption Certificate

ST-129

(10/00)

Tax on occupancy of hotel rooms

This form may only be used by government employees of the United States, New York State, or political subdivisions of New York State.

Name of hotel, motel, lodging house, etc.		Dates of occupancy From: / / To: / /	
Number and street	City, village, or post office	State	ZIP code Country
<i>This is to certify that I, the undersigned, am a representative of the department, agency, or instrumentality of New York State, the United States government, or the political subdivision of New York State indicated below; that the charges for the occupancy at the above establishment on the dates listed have been or will be paid for by that governmental entity; and that these charges are incurred in the performance of my official duties as a representative or employee of that governmental entity.</i>			
Governmental entity (federal, state, or local)		Agency, department, or division	
Employee name (print or type)	Employee title	Employee signature	Date / /

Instructions for the government representative or employee

If you are on official New York State or federal government business and staying in a hotel or motel:

1. Complete all information requested in the box above.
2. Sign and date this exemption certificate in the box above.
3. Show the operator of the hotel or motel your appropriate and satisfactory identification.
4. Give this completed Form ST-129 to the operator of the establishment.

You may pay your hotel bill with cash, with a personal check or personal credit card, with a government voucher, or with a government credit card.

Please note:

- If, while on official business, you stay at more than one location, you must complete an exemption certificate for each establishment.
- If you are in a group traveling on official business and staying in this particular hotel, each person must complete a separate exemption certificate and give it to the hotel operator.

Caution: Willfully issuing a false or fraudulent certificate with the intent to evade tax is a misdemeanor under section 1817(m) of the Tax Law and section 210.45 of the Penal Law, punishable by a fine of up to \$10,000.

Instructions for the operator of the hotel or motel

Keep this completed Form ST-129, *Exemption Certificate*, as evidence of exempt occupancy by New York State and federal government employees who are on official business and staying at your establishment. You must keep this exemption certificate for at least three years after the later of: 1) the due date of the last sales tax return to which this exemption certificate applies; or 2) the date when you filed the return.

This exemption certificate is valid if the government employee is paying with:

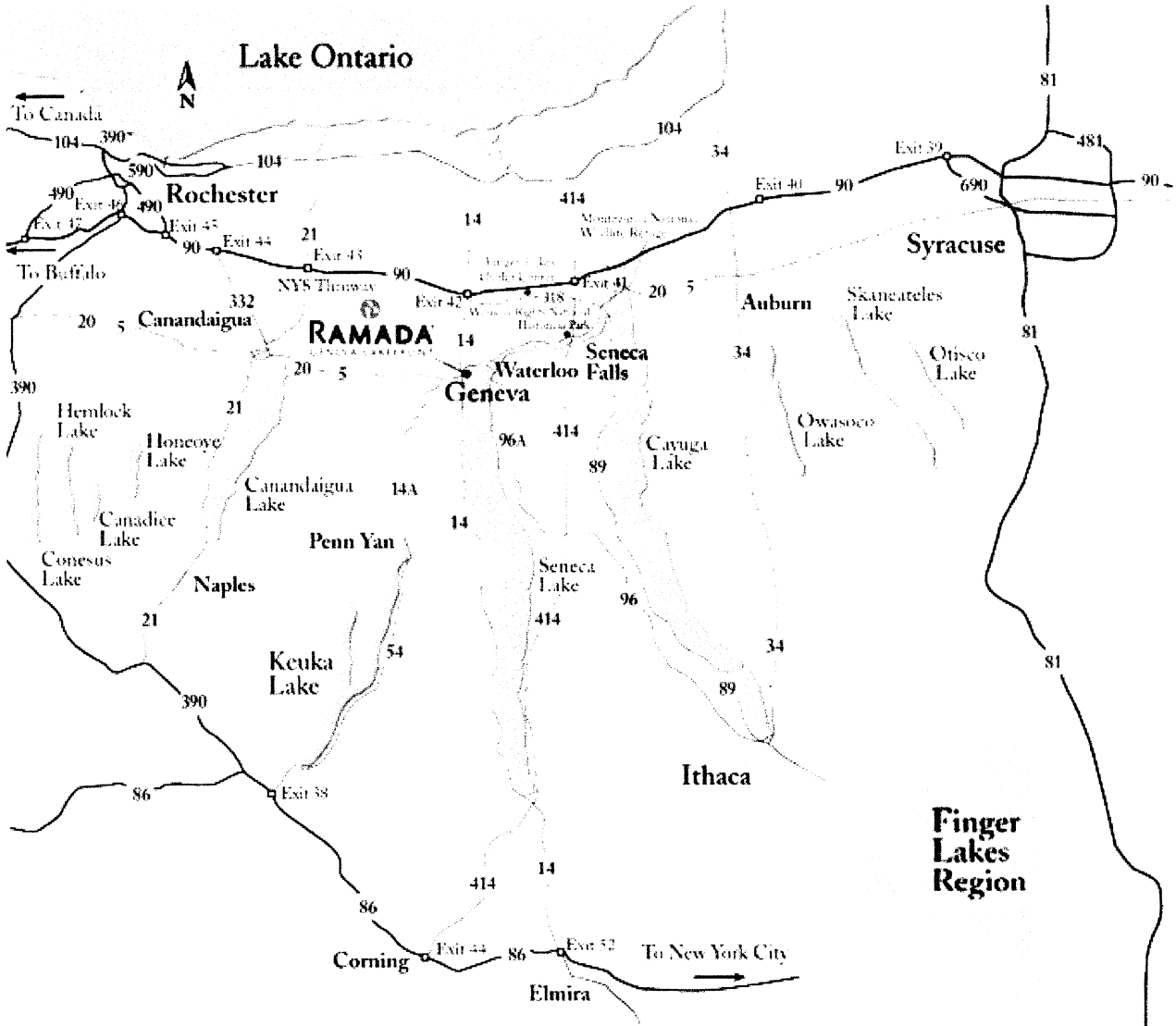
- Cash.
- A personal check or personal credit card.
- A government voucher.
- A government credit card.

Do not accept this certificate unless the representative or employee presenting it shows appropriate and satisfactory identification.

Welcome Accommodations Packages Reservations Meetings Weddings Pier House Restaurant Location



Quick Links | Links to Area Attractions | Amenities | Catering Menus | Photos | Hotel Events



DIRECTIONS

From the North: Hwy 81 S. to the thruway, I-90 W, to exit 42 Geneva

From the South: Route 14 North to Routes 5 and 20 East. Follow 5 and 20 approximately 1/2 mile, the Ramada Inn will be on the right hand side.

From the East: Take I-90 West (NYS Thruway). Take exit 42 from the Thruway, and turn right onto Route 14 South. Continue on Route 14 South for approximately 5 miles into Geneva. At the 5th traffic light, turn left onto Castle Street. Go straight, through the light and the hotel parking lot will be straight ahead.

From the West: Take I-90 East (NYS Thruway). Take exit 42 from the Thruway, and turn right onto Route 14 South. Continue on Route 14 South for approximately 5 miles into Geneva. At the 5th traffic light, turn left onto Castle Street. Go straight, through the light and the hotel parking lot will be straight ahead.

MAPQUEST LINK

Geneva Ramada Lakefront | 41 Lakefront Drive | Geneva, New York 14456 | 1-800-990-0907

©Ramada Geneva Lakefront | Design development and hosting by: In House Graphic Design, Inc.

Selina Williams

From: Marcus Cederqvist
Sent: Friday, May 15, 2009 5:26 PM
To: Selina Williams
Subject: FW: 2009 bx special assembly 0602
Attachments: 2009 bx special assembly 0602.doc

Here it is...

-----Original Message-----

From: Joseph LaRocca
Sent: Friday, May 15, 2009 12:34 PM
To: *Commissioners; *ExecutiveManagement; *Legal Department
Cc: John Naudus; John P. O'Grady
Subject: 2009 bx special assembly 0602

Attached is the candidate notice for the June 2, 2009 Bronx County Special Election in the 77th and 85th AD's. It is being presented to the commissioners at the May 19, 2009 1:30PM meeting for approval. Please review and inform me of any changes you may have.
Thank you,
Joe LaRocca



FREDERIC M. UMANE
PRESIDENT

JULIE DENT
SECRETARY

JOSE MIGUEL ARAUJO
JUAN CARLOS "J.C." POLANCO
JAMES J. SAMPAL
NANCY MOTTOLA-SCHACHER
NAOMI C. SILIE
J.P. SIPP
GREGORY C. SOUMAS
JUDITH D. STUPP
COMMISSIONERS

BOARD OF ELECTIONS

IN
THE CITY OF NEW YORK
EXECUTIVE OFFICE, 32 BROADWAY
NEW YORK, NY 10004-1609
(212) 487-5300
FAX (212) 487-8231
www.vote.nyc.ny.us

MARCUS CEDERQVIST
EXECUTIVE DIRECTOR

GEORGE GONZALEZ
DEPUTY EXECUTIVE DIRECTOR

PAMELA GREEN PERKINS
ADMINISTRATIVE MANAGER

JOSEPH LA ROCCA
COORDINATOR
CANDIDATE RECORDS UNIT

DRAFT **NOTICE TO ALL CANDIDATES**

May 15, 2009

TO: All Persons who are candidates in the
June 2, 2009 Special Election:

Pursuant to the applicable provisions of the Election Law of the State of New York, the Rules and Regulations of the New York State Board of Elections and the Rules, Regulations, Policies and Procedures adopted by the Commissioners of Elections in the City of New York, please take notice of the following information:

All activities relating to any type of paper ballot will be conducted at the Borough Office of the Board of Elections (location of which is set forth in Schedule A).

All activities relating to the mechanical voting machines and Ballot Marking Device(s) (BMD's) will be conducted at each Borough Voting Machine Facility of the Board of Elections (location of which is set forth in Schedule A).

1. Optical Scanning System Test

Pursuant to the provisions of New York State Board of Elections Rule 6210.11, you or your representative designated in writing may attend a test of the optical scanning system used to canvass and/or recanvass paper ballots used in the General Election. You or your representative designated in writing, may appear and observe the test(s) in the applicable Borough(s) where you are a candidate, which will be conducted in accordance with the following schedule:

BOROUGH DATE & TIME OF TEST

Bronx Friday, May 29, 2009 at 10:00 AM

2. Inspection of Voting Machines, BMD's & Paper Ballots

(a) Pursuant to the provisions of Section 7-128(2) of the NYS Election Law, you or your representative designated in writing may inspect the voting machines & BMD' to be used in the Special Election on **Tuesday May 26, 2009 between the hours of 10:00 A.M. and 3:00 P.M.**

(b) Pursuant to the provisions of Section 7-128(1) of the NYS Election Law, you or your representative designated in writing may inspect the paper ballots (including the Ballot Marking Devices-BMD's ballots) to be used in the Special Election on **Tuesday, May 26, 2009 between the hours of 10:00 A.M and 3:00 P.M.**

Note: This inspection will take place at the Borough Voting Machine Facility, not the Borough Office.

3. CANVASS AND/OR RECANVASS OF VOTING

MACHINES AND PAPER BALLOTS

- (a) Pursuant to the provisions of Sections 9-102 and 9-208 of the NYS Election Law, (as amended by Chapter 92 of the Laws of New York State 2001) you or your representative designated in writing may be present and observe the recanvass of votes cast on the voting machines and the canvass of any and all write-in votes cast on the voting machines. This canvass/recanvass will commence on **Tuesday, June 9, 2009 at 10:00 A.M.** and will continue until such canvass/recanvass of all machines is completed.
- (b) Pursuant to the provisions of Sections 9-200 and 9-209 of the NYS Election Law, you or your representative designated in writing may be present and observe the canvass or recanvass of any emergency and BMD ballots votes cast in the General Election. This canvas and recanvass will commence on **Wednesday, June 10, 2009 at 10:00 A.M.** and will continue until completed.
- (c) Pursuant to the provisions of Sections 9-200 and 9-209 of the NYS Election Law, you or your representative designated in writing may be present and observe the canvass of votes cast on any and all valid absentee and/or affidavit ballots. This canvass will commence on **Wednesday, June 10, 2009**, immediately following the recanvass of emergency ballots (if any), and will continue until completed.

If you have any questions or require additional information, please contact the Deputy Chief Clerk in the respective borough.

Thank you for your cooperation and understanding in these matters.

Very truly yours,

Joseph LaRocca
Coordinator,
Candidate Records Unit

Attachment (Schedule A)

SCHEDULE A

Bronx Borough Office

1780 Grand Concourse – 5th Floor
Bronx, NY 10457
718 - 299-9017

Dawn Sandow, Deputy Chief Clerk
Anna Torres, Deputy Chief Clerk

VOTING MACHINE FACILITIES

BRONX

1780 Grand Concourse
Bronx, NY 10457
718 - 299-9017

BRONX (BMD only)

1932 Arthur Ave.
Bronx, NY 10457
No Telephone #



FREDERIC M. UMANE
PRESIDENT

JULIE DENT
SECRETARY

JOSE MIGUEL ARAUJO
JUAN CARLOS "J.C." POLANCO
JAMES J. SAMPEL
NANCY MOTTOLA-SCHACHER
NAOMI C. SILIE
J.P. SIPP
GREGORY C. SOUMAS
JUDITH D. STUPP
COMMISSIONERS

BOARD OF ELECTIONS

IN
THE CITY OF NEW YORK
EXECUTIVE OFFICE, 32 BROADWAY
NEW YORK, NY 10004-1609
(212) 487-5300
www.vote.nyc.ny.us

MARCUS CEDERQVIST
EXECUTIVE DIRECTOR

GEORGE GONZALEZ
DEPUTY EXECUTIVE DIRECTOR

PAMELA GREEN PERKINS
ADMINISTRATIVE MANAGER

JOHN J. WARD
FINANCE OFFICER

DATE: May 19, 2009

TO: Commissioners

FROM: John J. Ward
Finance Officer

RE: Comparative Expenditures

FY09	P.S. Projection through 5/15/09 Payroll:	\$17,518,500
FY09	P.S. Actual through 5/15/09 Payroll:	<u>\$23,116,576</u>
	Difference	(\$ 5,598,076)

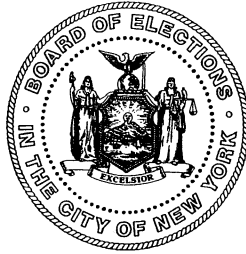
Overtime pays two weeks ending 5/01/09

OVERTIME USAGE

General Office	42,833
Brooklyn	21,034
Queens	20,038
Bronx	22,173
New York	20,525
Staten Island	58
Total	<u>\$126,661</u>

Respectfully submitted,

Finance Officer



FREDERIC M. UMANE
PRESIDENT

JULIE DENT
SECRETARY

JOSE MIGUEL ARAUJO
JUAN CARLOS "J.C." POLANCO
JAMES J. SAMPEL
NANCY MOTTOLA-SCHACHER
NAOMI C. SILIE
J.P. SIPP
GREGORY C. SOUMAS
JUDITH D. STUPP
COMMISSIONERS

BOARD OF ELECTIONS

IN
THE CITY OF NEW YORK
EXECUTIVE OFFICE, 32 BROADWAY
NEW YORK, NY 10004-1609
(212) 487-5300
www.vote.nyc.ny.us

MARCUS CEDERQVIST
EXECUTIVE DIRECTOR

GEORGE GONZALEZ
DEPUTY EXECUTIVE DIRECTOR

PAMELA GREEN PERKINS
ADMINISTRATIVE MANAGER

STEVEN H. RICHMAN
GENERAL COUNSEL
Tel: (212) 498-5338
Fax: (212) 497-5342
E-Mail:
srichman@boe.nyc.ny.us

May 18, 2009

TO: The Commissioners of Elections

FROM: Steven H. Richman, General Counsel 

COPIES: Marcus Cederqvist, George Gonzalez, Pamela Perkins, Steve Ferguson, Charles Webb, & Steven Denkberg, & OCG Files; Chief Clerk & Deputy Chief Clerk, Brooklyn

RE: **DEPARTMENT OF JUSTICE PRE - CLEARANCE OF SUBMISSIONS NUMBERED 2009- K02**

Attached hereto is a copy of a letter dated May 11, 2009 from Christopher Coates, Chief of the Voting Section, Civil Rights Division, U.S. Department of Justice advising that the Attorney General of the United States does not object to our pre-clearance submission **2009 K-02**, (dated March 16, 2009) making poll site changes in the 40th, 42nd, and 44th Assembly Districts, County of Kings for the September 2009 Primary Election.

Therefore, the changes are effective as of May 11, 2009.

Thank you for your attention to this matter.

Attachment



U.S. Department of Justice

Civil Rights Division

CC:MSR:JKI:cv:maf
DJ 166-012-3
2009-1091

Voting Section - NWB.
950 Pennsylvania Avenue, N.W.
Washington, DC 20530

May 11, 2009

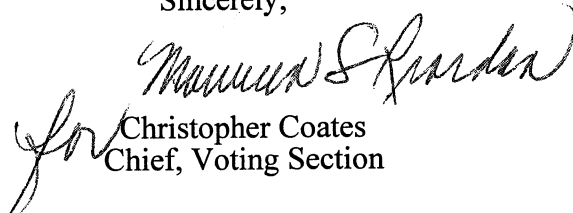
Steven H. Richman, Esq.
General Counsel, Board of Elections
32 Broadway
New York, New York 10004-1609

Dear Mr. Richman:

This refers to three polling place changes in the Borough of Brooklyn, for New York City in Kings County, New York, submitted to the Attorney General pursuant to Section 5 of the Voting Rights Act, 42 U.S.C. 1973c. We received your submission on March 18, 2009.

The Attorney General does not interpose any objection to the specified changes. However, we note that Section 5 expressly provides that the failure of the Attorney General to object does not bar subsequent litigation to enjoin the enforcement of the changes. Procedures for the Administration of Section 5 of the Voting Rights Act (28 C.F.R. 51.41).

Sincerely,


for Christopher Coates
Chief, Voting Section

2009 MAY 14 PM 5:17

RECEIVED
GENERAL COUNSEL
BD. OF ELECTIONS
IN THE CITY OF NEW YORK



State of New York
STATE BOARD OF ELECTIONS

James A. Walsh
Chair
Douglas A. Kellner
Chair
Gregory P. Peterson
Commissioner
Evelyn J. Aquila
Commissioner

40 STEUBEN STREET
ALBANY, N.Y. 12207
Phone: 518/474-6367 Fax: 518/486-4546
website: www.elections.state.ny.us

Todd D. Valentine
Executive Director
Stanley L. Zalen
Executive Director
Kimberly A. Galvin
Special Counsel
Paul M. Collins
Deputy Counsel

May 15, 2009

Honorable Gary L. Sharpe
United States District Court
for the Northern District of New York
James T. Foley U.S. Courthouse
445 Broadway, Room 441
Albany, New York 12207

Re: *United States v. New York State Board of Elections, et al.*
Civil Action No. 06-CV-0263 (GLS)

Dear Judge Sharpe,

We enclose herewith Status Report of the Defendant New York State Board of Elections for the week ending May 14, 2009.

Respectfully submitted,

s/ _____
Kimberly A. Galvin (505011)
Special Counsel

s/ _____
Paul M. Collins (101384)
Deputy Special Counsel

HAVA COMPLIANCE UPDATE
Activities & Progress for the Week of 5/8/09 – 5/14/09

Following is a detailed report concerning the previous week's progress in implementing the terms of the Court's Orders.

PLAN A

Overall Compliance Status Summary

Overall, activities and progress toward HAVA compliance are in jeopardy and behind schedule.

Contracting with Voting System Vendors

Status of tasks in this category: *on schedule*

- The revised contracts were sent to the vendors on May 4, 2009 for signature. The Sequoia contract was signed by the vendor, OGS and SBOE , has been signed off on by the Attorney General's Office and will be forwarded to OSC for the final approval.
- ES&S has signed the revised contracts and they have been forwarded for SBOE for signature..

Testing, Certification, and Selection of Voting Systems & Devices

Status of tasks in this category: *in jeopardy and behind schedule*

- Overall progress of testing :
 - NYSTEC, SBOE and SysTest are planning daily conference calls to clarify and resolve testing issues.
 - The Readiness Test Case is scheduled to be completed on 5/19/09. NYSTEC will be receiving more information on test case procedure development upon this completion.
 - NYSTEC is reviewing the Hardware Test Case provided by SysTest.

NEW YORK STATE BOARD OF ELECTIONS

- The Board voted to approve a pilot program that will use the new optical scan voting systems in both the 2009 primary and general elections. A copy of those documents will be posted to the SBOE web site.
- The Board also approved a resolution interim authorizing the use of the optical scan voting systems for use in the pilot program. A copy of that resolution will be posted to the SBOE web site.

Delivery and Implementation of Voting Systems & Devices

Status of tasks in this category: *on schedule*

- Planning for Acceptance Testing at a central location is in process, relative to space availability, temporary staffing and supplies.
- Finalization of the logistical plans for this acceptance testing and upgrading will be completed by 5/15/09.

HAVA COMPLAINT PROCESS

NYC HAVA Complaint

Waiting for response from NYCBOE from numerous SBOE communication attempts. SBOE is not aware of the status of a proposed submission of the issue to the NYCBOE Commissioners for action.

F.Y.I.

FULL DISCLOSURE NEWS FROM THE NYC CAMPAIGN FINANCE BOARD

May 2009, No. 9

New York City Campaign Finance Board

Father Joseph P. Parkes, S.J.
Chairman

Dale C. Christensen, Jr.
Katheryn C. Patterson
Mark S. Piazza
Board Members

Amy M. Loprest
Executive Director

Shauna Tarshis Denkensohn
Deputy Executive Director

Sue Ellen Dodell
General Counsel

Elizabeth Bauer
Chief of Administrative Services

Daniel Cho
Director of Candidate Services

Eric Friedman
Press Secretary

Peri Horowitz
Director of Special Compliance & Policy Assurance

Diana Lundy
Chief of Data Operations

Kenneth O'Brien
Director of Systems Administration

Julius Peele
Director of Auditing & Accounting

Elizabeth A. Upp
Director of Communications

Peggy A. Willens
Director of Management Analysis & Operations

Amanda Konstam
Public Affairs Officer

Joseph Ferris
Press Aide

FULL DISCLOSURE
May 2009, No. 9

40 Rector Street, 7th Fl.
New York, NY 10006
212.306.7100
www.nycffb.info

Questions/Comments
212.306.7100
press@nycffb.info

New Searchable Database Opens New Window on Campaign Finance

The NYC Campaign Finance Board was established in 1988 as part of a reform effort to reduce the corrupting influence of big money in City politics. One way the CFB helps reduce the possibility and perception of corruption is through the matching funds program; public funding allows candidates to fund competitive campaigns by relying on small contributions from average New Yorkers.

But the public funds are only part of the story. Technology can empower anyone with internet access with the tools to become citizen watchdogs. More than three-quarters of a century before the internet became part of our everyday lives, Supreme Court Justice Louis Brandeis wrote, "Sunlight is said to be the best of disinfectants; electric light the most efficient policeman."

As part of the CFB's core mission to reduce corruption in City politics, the Board provides accessible, real-time disclosure of campaign finances to the public through its online searchable database. All candidates, whether or not they participate in the public matching funds program, must submit disclosures to the CFB, which are then made available to the public online.

Internet technology has advanced in leaps and bounds since the CFB's searchable database was first introduced in 1997. On May 12, the CFB introduced an updated and overhauled searchable database, available on the CFB website. The update provides a more user-friendly interface that makes searching for information about campaign fundraising and spending significantly easier and, hopefully, less time-consuming.

Users who want a quick way to find a specific contributor—or a list of contributors to a particular candidate—can access their answer easily through a new "Quick Contributor Search". The simplified quick search interface helps users to get their results without sifting through unnecessary options.

On the other hand, a new "Advanced Search" provides users with a wider range of search capabilities that enable more powerful queries that were unavailable in the original database.

(continued on pages 2 and 3)

CFB Talks Public Financing With New Jersey, Connecticut

On April 3rd, CFB Executive Director Amy Loprest and Press Secretary Eric Friedman attended a conference on public financing of campaigns hosted by Rutgers University's Eagleton Institute of Politics. The conference commemorated important milestones for public financing programs in our tri-state area. While New York City's Campaign Finance Program commemorated its 20th anniversary, New Jersey has provided public funding in gubernatorial elections for 30 years, and Connecticut held its first publicly-funded legislative elections in 2008. Before an audience of students, academics, and public policy experts, Loprest and Friedman joined officials from New Jersey and Connecticut to separately discuss each program's origin, how it is administered, and how each is addressing the challenges that lay ahead for public financing programs. Attendees also

heard an update on legislation introduced earlier this year to create a system of public financing for Congressional elections.



Press Secretary Eric Friedman shows off the Voter Guide

New Searchable Database *(from page 1)*

Within the advanced search interface, a click expands each search category to display the options available. The update allows users to more easily find and compare candidates running for a particular office, or in a particular district. Users can, for the first time, search for transactions within a given disclosure period with just one selection. For campaign fundraising, the new database enables searches by the contributor's address or zip code.

Another added feature allows users to search for intermediaries. Often called "bundlers," intermediaries are people or organizations that solicit or deliver money from other contributors on behalf of a campaign. This new search function totals the dollars raised for a candidate by each intermediary, and allow users to click through to see the list of contributions that intermediary has "bundled."

The new database offers results in an environment that provides far more clarity, flexibility, and interactivity than the original database. The redesigned database provides a dollar total for each search, along with

the number of transactions. Users can set the number of results visible per page, and sort their results with one click, making information easier to find and analyze. The results can be downloaded into a Microsoft Excel (.xls) file, a .dbf database file accessible through Excel or Microsoft Access, or a printer-friendly Adobe Acrobat (.pdf) file.

The New York City Campaign Finance Board was created to help insulate candidates from the potentially corrupting ties of large contributions from interested donors. New Yorkers have always had an important role to play in holding their leaders accountable. Through the new and improved searchable database, the CFB hopes to help more citizens shed a more powerful light on the activities of their elected representatives and aspirants. If he were here, even Justice Brandeis might be impressed by the enduring truth in his statement about the disinfectant properties of sunlight.

Comments about the new searchable database? [Write a note to the CFB.](#)

Election cycle:

Candidate name:

Contributor last name:

Contributor first name:

"Quick Search" Screenshot: The quick search helps users go directly to the results they need without sifting through unnecessary options.

Contributions	Intermediaries	Expenditures
+ Select an election cycle		2009
+ Search by office		All offices
+ Search by candidate		All candidates
+ Search by contributor name		All contributors
+ Search by amount		All amounts
+ Search by date or disclosure statement		All dates
+ Search by contributor address		All addresses
+ Search by contributor type		All types
+ Search by employer name		All employers

"Advanced Search" Screenshot: The advanced search offers a wide range of search capabilities. Each category expands to display choices.

Name	Address	Employer/Occupation	Candidate/Office	Date	Amount
Aarons, Morra	Washington, DC 20009	Edelman Vice President, Interactive	Rasiej, Andrew C Public Advocate (2005)	05/09/2005	\$25.00
Abel, David A	Los Angeles, CA 90017		Gotbaum, Betsy F Public Advocate (2005)	05/13/2005	\$200.00
Abraham, Estanne	New York, NY 10023	Abraham Trusts Trustee	Gotbaum, Betsy F Public Advocate (2005)	12/10/2004	\$500.00
Abrahamson, Kurt	San Mateo, CA 94402	Google Director	Rasiej, Andrew C Public Advocate (2005)	05/02/2005	\$100.00
Abrams, Robert	New York, NY 10021	Self Educational researcher	Rasiej, Andrew C Public Advocate (2005)	08/29/2005	\$100.00
Abrons, Iris	New York, NY 10021	Un-employed	Gotbaum, Betsy F Public Advocate (2005)	12/08/2004	\$250.00

“Results” Screenshot: The new database results provide users with more clarity, flexibility, and interactivity.

Anne Guo Writes the Code that Crunches the Data



Anne Guo

Anne Guo’s work is all about efficiency. As a programmer in the CFB’s Systems Unit, Anne’s job is twofold. Using new technologies, she automates processes that have traditionally been done manually, helping construct and maintain the systems that help the CFB staff more efficiently process and analyze the mountains of data that pass through the office. At the same time, she is working to up-

date older applications with more modern software.

This focus on streamlining is nothing new for Anne. Before spending the last thirteen years with the CFB, she was a computer programmer in MIS at the New York City Parks Department.

For nearly eight months, Anne has been a crucial part of the small team driving the redesign of the CFB online searchable database (see article). Even while working on the database redesign, she has been

active in other projects throughout the office. Anne has been helping enforce the new limits on so-called “pay-to-play” contributions from people doing business with City government, by processing data provided through the city’s [Doing Business Database](#). She helps ensure the agency’s workflow moves smoothly, modifying and troubleshooting both the C-SMART candidate software and the CFB’s own analysis tools when necessary.

The impact of Anne’s work on her colleagues is summed up when she talks about what she likes best about her job. “I can help other people work more easily, quickly, accurately and productively,” Anne says. “It has made the campaign process much more streamlined and efficient, both for the campaigns and for our office, since everything has become virtually paperless.”

When she isn’t busying streamlining, Anne, a Brooklyn native who moved to Paramus, New Jersey ten years ago, likes to read, garden, and play Nintendo Wii with her kids.

RECENT BOARD ACTIONS

- The Board issued an advisory opinion denying a request made by William C. Thompson, 2009 candidate for mayor, to remove the spending limit for the Democratic primary for mayor if a non-participating candidate in the general election spends in excess of three times the applicable spending limit during the primary election period.
- The Board determined not to invalidate matching claims reported in disclosure statement #6 by 2009 Council candidate Vincent J. Gentile (District 43), although they were filed late.
- Proposed changes to Board Rules were issued for public comment. The changes will clarify the rules regarding the application of the spending limits for expenditures related to transfers; provide deadlines for attendance at a post-election audit training; and clarify that a petition for review of a post-election public funds determination must be submitted within 30 days of the issuance of the final audit. A public hearing on the rules changes will be held May 21, 2009, and comments will be accepted through that date.

**“TIP OF THE MONTH”
from CFB Candidate Services**

Employee Contracts

You are required to keep proper records that verify your campaign spending, particularly if you accept public funds. This is especially important for personnel expenses. Your campaign must maintain and provide records of employment for all campaign employees and consultants. Any time a new worker or consultant is brought into the campaign, he or she should be given a detailed employee agreement to sign for your records.

In addition to having a signed agreement of employees' duties, you must keep evidence that shows those work duties were actually performed. These may include time records, phone records, and/or samples of work products. For part-time or one-time employees, you must maintain a weekly or daily wage record. For full-time or regularly paid employees, including campaign consultants, you must enter into a contract at or before the time the work is performed.

All contracts with your employees or consultants must include:

1) Employment Period

The contract must include a start date and an end date for the individual's work on the campaign. If a campaign worker intends to extend his work beyond the contract's original end date, he must sign an amendment to the contract reflecting the extension.

2) Detailed description of all duties performed

Rather than just stating a job title, the contract should be as detailed as possible about the duties to be performed. **Example:** Campaign Manager — run campaign office, organize volunteers, assist with fundraisers.

3) Wages

The contract must detail the amount of wages, salary, or fees due, the payment schedule (hourly, weekly, or monthly), and a detailed breakdown of the employee's work schedule.

The taxpayers' investment in your campaign is provided to help you run for office. Except for a very limited number of "winding down" expenses, the law requires that any public funds remaining after the election must be returned to the City. That's why all work duties and salary arrangements — including potential bonuses — must be agreed upon before the start of employment. These details help demonstrate that your spending is for services you feel are necessary to help you run for office.

When drafting an employment contract, please keep in mind the following:

DO	DON'T
Create a written record detailing work duties and salary at or before the time work is performed. The employee and candidate/treasurer must sign and date the contract at this time.	Compensate employees for work done in the past.
Pay employees with a committee check.	Pay workers with cash. Cash payments are allowed up to \$100. But — cash payments are not qualified expenditures, and it is very easy to mistakenly exceed the strict limits on cash payments.
Include employee wages in your campaign budget.	Make your employees' compensation contingent on receiving public funds for your campaign; public funds are not guaranteed.

You will need to provide these detailed employment records to the Campaign Finance Board upon request. If your campaign hires a consultant, that consultant must maintain their own employment records (such as daily or weekly wage records) for workers they may hire. You will need to provide these records to the CFB as well.

For more information, see the 2009 Handbook, pgs. 55-56. If you have any questions, please call Candidate Services at (212) 306-7100.



FREDERIC M. UMANE
PRESIDENT

JULIE DENT
SECRETARY

JOSE MIGUEL ARAUJO
JUAN CARLOS "J.C." POLANCO
JAMES J. SAMPEL
NANCY MOTTOLA-SCHACHER
NAOMI C. SILIE
J.P. SIPP
GREGORY C. SOUMAS
JUDITH D. STUPP
COMMISSIONERS

BOARD OF ELECTIONS

IN
THE CITY OF NEW YORK
EXECUTIVE OFFICE, 32 BROADWAY
NEW YORK, NY 10004-1609
(212) 487-5300
www.vote.nyc.ny.us

MARCUS CEDERQVIST
EXECUTIVE DIRECTOR

GEORGE GONZALEZ
DEPUTY EXECUTIVE DIRECTOR

PAMELA GREEN PERKINS
ADMINISTRATIVE MANAGER

STEVEN H. RICHMAN
GENERAL COUNSEL
Tel: (212) 498-5338
Fax: (212) 497-5342
E-Mail:
srichman@boe.nyc.ny.us

May 14, 2009

EXPEDITED CONSIDERATION REQUESTED

VIA EXPRESS MAIL

EV506428839US

Christopher Coates
Chief, Voting Section
United States Department of Justice
Civil Rights Division
Room 7254 - NWB
Department of Justice
1800 G St., N.W.
Washington, DC 20006

RE: PRECLEARANCE SUBMISSION
NUMBER 2009 CW 02

Dear Chief:

The Board of Elections in the City of New York ("Board") herewith submits for preclearance, pursuant to the provisions of Section 5 of the Voting Rights Act of 1965, as amended and codified as Section 1973(c) of

Title 42 of the United States Code, as amended, its revised and updated **Independent Nominating Petition Rules for the November 2009 General Election**. These rules were adopted by the Commissioners of Elections in the City of New York at their public meeting held on May 12, 2009.

These Rules make minor changes made to the adopted and pre-cleared 2008 Independent Nominating Petition Rules. Please note that the 2008 Independent Nominating Petition Rules were submitted for pre-clearance by letter dated November 30, 2007 and were pre-cleared by the Department of Justice by your letter dated January 17, 2008. They also incorporate (where applicable) changes made to the 2009 Designating/OTB Petition Rules, which were submitted for pre-clearance by letter dated March 27, 2009 and remain under review by your office.

The changes made by the Commissioners of Elections in the City of New York to the 2009 Independent Nominating Petition Rules (as compared to the 2008 Independent Nominating Petition Rules) are summarized below. In the attached copy of the 2009 Rules, new material is in **bold and underlined**; material to be deleted has a ~~strikethrough~~:

1. Adds a footnote in the Definitions section to reflect the Board's practice of conforming to the Decision and Order entered in the U.S. District Court for the Eastern District of New York in Chou v. NYS Board of Elections, with respect to the form of the subscribing witnesses' statement and the failure of the State of New York to modify the current statutory provision which prescribes a form in conflict with the District Court's order. *[In adding this footnote, the Board seeks to make clear to all participants in the process what the current practice of the Board is.]*
2. Adds a new Rule E2, incorporating the current Election Law provisions with respect to the name and/or emblem selected by an independent body, which reflects the determination of the Appellate Division of New York State Supreme Court earlier this year in DiResto v. Cornell. *[In adding this Rule, the Board seeks to make clear to all participants in the process what is the current state of the law and the obligations it imposes on the Board.]*

3. Adds a provision to Rule G1, reflecting the Board's practice, in accordance with the decision of the U.S. Court of Appeals for the Second Circuit in *Rivera-Powell v. New York City Bd. of Elec.*, 470 F.3d 458 (2d Cir. 2006).
4. Adds in Rule H1 – a requirement that the specifications of objection shall be prepared in ink and the language which was inadvertently omitted from the 2008 Independent Nominating Petition Rules relating to the preparation and submission of specifications of objections (securely fastened together and sequentially numbered).
5. In Rule H12 – modifies the authority to determine that a specification of objection appears to be frivolous or that the objectors lack standing to file such specifications. In 2008, that authority was delegated to the Board's Executive Director and General Counsel.

For 2009, that delegation has been changed to either:

- (a) the Board's Executive Committee, composed of the Commissioners of Elections serving as President and Secretary for the current calendar year for any specifications of objection to a petition for a candidate for Citywide office (i.e. – Mayor, Comptroller or Public Advocate); or
- (b) the respective Borough's Commissioners' Committee, composed of that Borough's duly appointed Commissioners, for any specifications of objection to a petition for a candidate for any other public office or party position assigned to that Borough for review.

Since the Board intends to follow these Rules for the General Election on November 3, 2009 and the first day to circulate independent nominating petitions under the Election Law is **July 7, 2009, expedited consideration and approval** of this submission is respectfully requested.

Kindly refer to our submission number in all correspondence.

Thank you for your cooperation and understanding in this matter. Should you have any questions regarding this submission, please call me directly at (212) 487-5338.

Respectfully submitted,

THE BOARD OF ELECTIONS IN THE CITY OF NEW YORK

By: _____

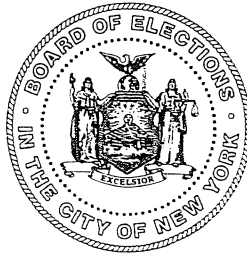

Steven H. Richman
General Counsel

Enclosure

Copy (without enclosure):

BOARD OF ELECTIONS IN THE CITY OF NEW YORK

- ✓ The Commissioners of Elections in the City of New York
- Marcus Cederqvist, Executive Director
- George Gonzalez, Deputy Executive Director
- Pamela Perkins, Administrative Manager
- Joseph LaRocca, Coordinator, Candidate Records Unit
- John Owens, Director of Campaign Financial Reporting Enforcement
- Charles Webb, III, Counsel to the Commissioners
- Steven Denkberg, Counsel to the Commissioners
- Joseph LaRocca, Coordinator, Candidate Records Unit



FREDERIC M. UMANE
PRESIDENT

JULIE DENT
SECRETARY

JOSE MIGUEL ARAUJO
JUAN CARLOS "J.C."
POLANCO
JAMES J. SAMPEL
NANCY MOTTOLA-
SCHACHER
NAOMI C. SILIE
J.P. SIPP
GREGORY C. SOUMAS
JUDITH D. STUPP
COMMISSIONERS

BOARD OF ELECTIONS

IN
THE CITY OF NEW YORK
EXECUTIVE OFFICE, 32 BROADWAY
NEW YORK, NY 10004-1609
(212) 487-5300
FAX (212) 487-5349
www.vote.nyc.ny.us

MARCUS CEDERQVIST
EXECUTIVE DIRECTOR
GEORGE GONZALEZ
DEPUTY EXECUTIVE DIRECTOR
PAMELA GREEN PERKINS
ADMINISTRATIVE MANAGER

May 12, 2009

Hon. Mark Page
Director
Office of Management and Budget
City of New York
75 Park Place
New York, NY 10007

Dear Mr. Page:

We are writing on behalf of our fellow Commissioners of Elections to request a Budget Modification for the Board's Fiscal Year 2009 budget to fund the Special Elections that Mayor Michael Bloomberg and Governor David Paterson have called since the beginning of the year. Similarly, we request an adjustment to our budget for the necessary expenditures that the Board made to fulfill its legal obligations for the September 2008 Primary and November 2008 General Elections.

The Board wrote to you requesting a Budget Modification in January when Mayor Bloomberg issued proclamations calling for three Special Elections for vacant City Council seats (a copy of this letter is attached for your review). We did not receive a response to that communication. Since that time the Mayor has called a borough-wide Special Election in the Bronx that was held on April 21, 2009 and Governor Paterson has called two Special Elections for vacant State Assembly seats in the Bronx on June 2, 2009. As you know, none of these elections have been funded.

The Board of Elections was originally allocated woefully insufficient funds to carry out its mandated tasks during this Fiscal Year. At a time when everyone clearly anticipated historic activity and dramatically increased voter participation and when the Board's obligations were increased significantly by a federal court order, its budget was reduced by more than \$6.5 million. Board staff worked around the clock to process hundreds of thousands of voter registration forms to ensure that these voters would be able to vote

on Election Day. Similarly, the staff worked tirelessly to meet the requirements of a federal court order that mandated an additional voting system at every poll site throughout New York City, thereby requiring the staff to literally set up each election twice using two different voting systems and in up to four different languages.

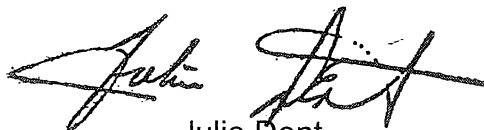
As a result of the enormous work that the Board of Elections' staff performed to meet its obligations, the initial under-funding of the Personal Service appropriation of approximately \$5 million dollars, and the six Special Elections that have been called since January 1, 2009, we project a deficit of nearly \$12 million for the Fiscal Year ending June 30, 2009. Attached once again for your review is a chart detailing the agency's funding needs through the end of the Fiscal Year. This chart has been updated to reflect the three additional Special Elections that have been called since the Board's previous letter dated January 7, 2009.

In closing, we want to reiterate that we understand the city's fiscal condition. However, the Board of Elections does not control the level of activity required by law, court orders, and Executive proclamations. The continued failure to adequately fund the Board of Elections in the City of New York will result in a serious infringement on the voting rights of all voters within this City. Please feel free to contact us if you have any questions or if we can be of any assistance with this matter.

Sincerely,



Frederic M. Umane
President



Julie Dent
Secretary

Encl.

cc: Hon. Michael R. Bloomberg, Mayor of the City of New York
Hon. Kevin Sheekey, Deputy Mayor for Government Affairs
Hon. Christine C. Quinn, Speaker of the New York City Council
Hon. David I. Weprin, Chair of the Finance Committee
Hon. Helen Sears, Chair of the Committee on Governmental Operations
Members of the Council of the City of New York
Commissioners of Elections



FREDERIC M. UMANE
PRESIDENT

JULIE DENT
SECRETARY

JOSE MIGUEL ARAUJO
JUAN CARLOS "J.C." POLANCO
JAMES J. SAMPEL
NANCY MOTTOLA-SCHACHER
NAOMI C. SILIE
GREGORY C. SOUMAS
JUDITH D. STUPP
MARYANN YENNELLA
COMMISSIONERS

BOARD OF ELECTIONS

IN
THE CITY OF NEW YORK
EXECUTIVE OFFICE, 32 BROADWAY
NEW YORK, NY 10004-1609
(212) 487-5300
FAX (212) 487-5349
www.vote.nyc.ny.us

MARCUS CEDERQVIST
EXECUTIVE DIRECTOR

GEORGE GONZALEZ
DEPUTY EXECUTIVE DIRECTOR

PAMELA GREEN PERKINS
ADMINISTRATIVE MANAGER

January 7, 2009

Hon. Mark Page
Director
Office of Management and Budget
75 Park Place
New York, NY 10007

Dear Mr. Page:

We are writing on behalf of the Commissioners of Elections to request a Budget Modification for the agency's Fiscal Year 2009 budget to accommodate Special Elections that Mayor Michael Bloomberg recently called in accordance with the New York City Charter and to adjust the budget for necessary expenditures that the agency made to fulfill its legal obligations for the September Primary and November General Elections.

The Board of Elections was severely under-funded to carry out its mandated tasks during this Fiscal Year. At a time when everyone clearly anticipated historic activity and voter participation and when the Board's obligations were increased significantly by a federal court order, its budget was reduced by more than \$6.5 million. Board staff worked around the clock to process hundreds of thousands of voter registration forms to ensure that these voters would be able to vote on Election Day. Similarly, the staff worked tirelessly to meet the requirements of a federal court order that mandated an additional voting system at every poll site throughout New York City, thereby requiring the staff to literally set up the election twice using two different voting systems.

As a result of the enormous work that the staff performed to meet its obligations and the initial under-funding of the P.S. appropriation of approximately \$5 million dollars, we project a deficit in P.S. of \$6.5 million dollars. Without additional funding to cover this shortfall, the Board will be forced to spend a significant portion of the \$15,470,000

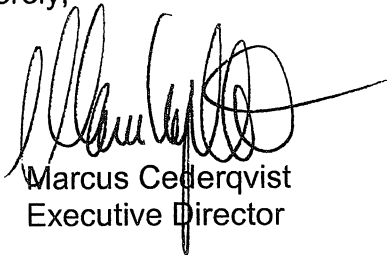
dollars allocated in FY09 for the Help America Vote Act (HAVA) to cover essential expenditures that were not funded by the City. As you know, the Board has been responsible with these funds in the past by returning them to the City as a result of various State delays to implementing HAVA. Now that we are actually involved in implementing HAVA, these funds are critical and are needed for a successful implementation.

Finally, as you know, Mayor Bloomberg on January 3, 2009 issued three proclamations for Special Elections to be held to fill newly vacant City Council seats. Pursuant to these proclamations, the Special Elections will be held on Tuesday, February 24, 2009 to fill vacancies in the 21st, 32nd, and 49th Council Districts. Currently, there is no funding for the Board of Elections to administer these elections, which are projected to cost approximately \$1 million.

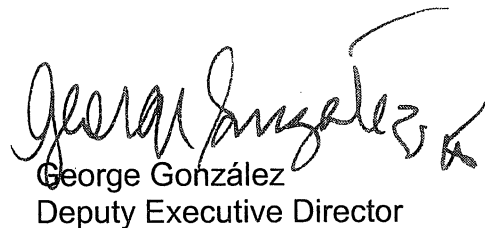
Attached for your review is a chart detailing the agency's funding needs to ensure its ability to serve the voters of New York City. The nearly \$11 million represents a good faith estimate of our funding needs at this time. Should Bronx Borough President Adolfo Carrion be appointed to a position in President-elect Barack Obama's Administration, we would also be required to conduct a borough-wide Special Election at a cost of up to an additional \$3 million dollars.

In closing, we want to assure you that we understand the city's fiscal situation. However, we do not control the level of activity required by the Board of Elections but rather respond to legal mandates, court orders, and election cycles. Please feel free to contact us if you have any questions or if we can be of any assistance with this matter.

Sincerely,



Marcus Cederqvist
Executive Director



George González
Deputy Executive Director

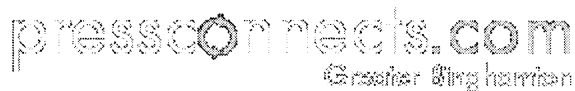
cc: Hon. Michael R. Bloomberg, Mayor of the City of New York
Hon. Kevin Sheekey, Deputy Mayor for Government Affairs
Hon. Christine C. Quinn, Speaker of the New York City Council
Hon. David I. Weprin, Chair of the Finance Committee
Hon. Simcha Felder, Chair of the Committee on Governmental Operations
Commissioners of Elections

FY09- PROJECTION
5-08-09

FY09

OTPS ALLOCATION		\$69,365,767
OTPS ALLOCATION Minus HAVA Funding		\$53,895,767
Minus Rent Money and Intra-City		<u>\$17,231,848</u>
Adj. Total		\$36,663,919
Day to Day Spending		<u>\$5,000,000</u>
Adj. Total		\$31,663,919
Event Codes (Actual+Mgr Est.)		
117 Postage	\$2,500,000	
412 Rental tables and chairs	\$350,000	
417 Advertising	\$400,000	
600 Contractual	\$650,000	
615 Printing	\$12,000,000	
633 Trucks-Cabs	\$4,000,000	
414 Poll sites	\$300,000	
686 Pollworker	<u>\$15,000,000</u>	
Event code Total	<u>\$35,200,000</u>	<u>\$35,200,000</u>
Adj. Total		-\$3,536,081
Other Factors		
PS Deficit	\$6,800,000	
3 Specials Feb. 24th	\$1,000,000	
Doitt Deficit	\$366,000	
Bronx Special April 21st	\$2,200,000	
2 Bronx Specials June 2nd	<u>\$550,000</u>	
	\$10,916,000	<u>-\$10,916,000</u>
Balance		-\$14,452,081
Executive Plan funding for specials		\$2,500,000
Deficit		-\$11,952,081

F.Y.I.



May 14, 2009

4 in 10 absentee votes in New York not counted

*By Brian Tumulty
Washington Bureau*

WASHINGTON - Four in 10 of the absentee ballots requested last year by New Yorkers in the military serving overseas were not counted in last year's election.

Sen. Charles E. Schumer, D-N.Y., citing that statistic from the state Board of Elections, said Tuesday that congressional legislation is needed to address the problem. He said New York's voting regulations are flawed and don't provide members of the military with insufficient time to vote.

Only 11,866 of the 20,000 absentee ballots requested by upstate New Yorkers serving in the military overseas - roughly 60 percent - were counted.

Absentee ballots typically take 72 days to go from a local board of elections to members of the military stationed overseas then back to a voting precinct, according to a study released in January by the nonprofit Pew Center on the States.

"We are one of only three states that require that the process be completed by mail," Schumer told reporters in a conference call.

New York's senior senator, who chairs the Senate Rules Committee with jurisdiction over voting procedures, said possible solutions include legislation that would require states to allow members of the military to submit absentee votes by fax or online.

Texas Republican Sen. John Cornyn introduced legislation Tuesday to expedite the shipment of absentee ballots cast by members of the military and track their progress.

In the House, similar legislation has been proposed by Republican Rep. Kevin McCarthy of California.

Schumer said he intends to work with the ranking Republican on his committee to propose bipartisan legislation.

Other solutions being considered include requiring states to mail absentee ballots a specific number of days in advance of an election.

Comm Mtg.
F.Y.I.

Northern NY county rejects state-mandated electronic voting system

Associated Press - May 5, 2009 3:15 AM ET

ELIZABETHTOWN, N.Y. (AP) - A northern New York county has rejected the state's mandated electronic voting system and wants to keep using its lever voting machines.

The Essex County Board of Supervisors passed a resolution Monday rejecting a computerized voting system in favor of lever voting machines and ballot marking devices.

Essex County officials cite the "insurmountable" costs of the optical-scan systems required by the Election Reform and Modernization Act.

The resolution calls on the state legislature and board of elections to enact the laws necessary to allow counties to keep their current election systems. Similar resolutions have been passed in Dutchess, Columbia, Ulster, Schuyler, and Greene counties and other counties are considering similar action.

Copyright 2009 The Associated Press. All rights reserved. This material may not be published, broadcast, rewritten or redistributed.

ELECTION OFFICIAL NEWS

Military and Overseas Voting

VOLUME 3, ISSUE 3

MAY/JUNE 2009

2010-11 Absentee Voting Materials and LEO Online Training: Coming Soon!

Although the 2010 elections are still almost a year away, the FVAP is hard at work preparing for the next election cycle. To get ready for the upcoming primaries and general election, the FVAP is currently completing the final coordination of its *Voting Assistance Guide* with state election officials and is creating the new motivational posters and training materials for these important elections.

The *2010-11 Voting Assistance Guide* is the manual which helps Uniformed Service members, their families, and overseas citizens vote absentee. Voters will be able to determine their state's requirements and deadlines for submitting their voter registration/ballot request forms and for returning their absentee ballots. Also, voters will be able to use the *Guide* to find their election office's address. The *Guide* provides instructions to military and civilian Voting Assistance Officers for assisting these voters.

Additionally, FVAP will make available motivational posters to local election officials and Voting Assistance Officers. These posters are designed to encourage citizens to participate in the voting process.

Finally, FVAP is updating its training materials for local election officials to learn about military and overseas absentee voting. Go to www.fvap.gov and click on "For Election Officials" to find helpful information.

All the materials discussed here will be available this upcoming fall.

Honor the Past, Support the Future—Vote!

The FVAP is pleased to announce the winning slogan, "Honor the Past. . . Support the Future," of its biennial Voting Slogan Contest! This slogan, along with the other winning and honorable mention entries, will be used to promote participation in the democratic process among citizens covered under the *Uniformed and Overseas Citizens Absentee Voting Act* -- members of the Uniformed Services, the Merchant Marine, their families, and all U.S. citizens residing outside the United States.

This year, the Department of Defense received more than 1,600 slogans from all branches of the Uniformed Services, the State Department, local election officials and citizens living around the world. A panel of judges which included Members of the U.S. Senate, U.S. House of Representatives and Service Voting Action Officers was asked to rank their top selections based on originality and motivational value. These slogans will be a part of the FVAP's 2010-11 outreach campaign which focuses on increasing voter awareness among U.S. citizens worldwide and will be featured in the *2010-11 Voting Assistance Guide*, on motivational posters, and in other FVAP publications.

(Continued on Page 2)

IN THIS ISSUE:

- 2010-11 Absentee Voting Materials
- Slogan Contest Winners
- Military Address Updates



What You Can Do!

When our *2010-11 Voting Assistance Guides* and Motivational Posters become available, get some for your office! You will be able to get these materials directly from the FVAP this upcoming fall. Beginning this September, contact us at 800-438-VOTE (8683) or vote@fvap.ncr.gov. Just let us know your name, address, and contact information, as well as the desired type and quantity of materials.

FVAP is very pleased to announce that two of the slogans which received honorable mention were submitted by election officials. Thank you to all individuals who participated in the slogan contest!

The winning entries in the contest are:

- “Honor the past, support the future - vote!”- 1st Place by Andrea K. Bristol, Army.
- “Vote Today for Tomorrow's Future”- 2nd Place by James R. Hopkins Jr., USN.
- “Never too far away to have your say! VOTE!”- 3rd Place by Jill E. Pigo, USN.
- “Don't just protect the right to vote, use it!”- 4th Place by GySgt Michael D. Travers, USMC.

Receiving Honorable Mention were:

- “Be a part of history: Vote!”- LT Laura Reeves, USN.
- “Citizenship reaches around the world, Vote!”- John Tuteur, Napa County Registrar of Voters
- “Be Informed. Be Involved. Be a Voter!”-Rob Rock, Rhode Island's Office Secretary of State
- “Have a say in the USA- VOTE”- James E. Kramer, USAF.

Updating Military Addresses: What You Need to Know

Still getting ballots or other voting materials returned to you as undeliverable? Need updated addresses for military voters in your jurisdiction? Please remember that the FVAP can look up active duty military members' addresses for you as long as we are provided enough information (see below). Remember, we can *only* provide available and releasable information. We do not have access to information on addresses for overseas citizens or for voters who are dependents of military personnel.

If you would like to send a request for assistance in finding updated military addresses, please fax or email your request to: (703) 696-1352 or vote@fvap.ncr.gov.

Be sure to do the following when submitting your request:

- ◆ Remember to prominently display your name, your county or municipality, and your return fax number on your request.
- ◆ Request information *only* for active duty military voters.
- ◆ Include the following information for all citizens for whom you need updated information:
 - ◇ The citizen's full name
 - ◇ The citizen's Date of Birth OR full Social Security Number (SSN).

Please Note: We cannot search the database using only the last four digits of the SSN.

- ◆ To ensure timely processing and responses, send your requests *only* to the fax number or email address listed above. We are not able to accept these requests through the Electronic Transmission Service (ETS).

Following these simple guidelines will allow for a streamlined process by which we can quickly provide you with updated addresses for these military voters.

Have Military and Overseas Absentee Voting Questions?

Contact FVAP:

1-800-438-VOTE (8683)
Fax: 703-696-1352
vote@fvap.ncr.gov
www.fvap.gov

Federal Voting Assistance Program
Department of Defense
1777 N. Kent St., Suite 14003
Arlington, VA 22209-1262