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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

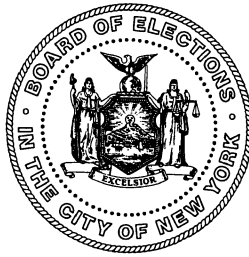
AGENDA COMMISSIONERS' MEETING TUESDAY, JUNE 16, 2009 AT 1:30 P.M.

-
1. Board of Canvassers for the Certification of the June 2, 2009 Special Elections in Bronx County
 2. Minutes
 - a) 5/19/09
 - b) 5/26/09
 - c) 6/02/09
 3. Marcus Cederqvist
 - a) HAVA Update
 - b) Report on June 15, 2009 Chinese and Korean Advisory Groups Meeting
 4. Rosanna Rahmouni
 - a) 2009 Poll Worker Training Update
 5. John O'Grady / John Ward
 - a) Long Term Poll Site Accessibility Grants
 6. Steven H. Richman
 - a) Draft Letter to State Board re: Change in Voter Registration Procedures
 7. Valerie Vazquez / Daniel Lavelle
 - a) New Voting System Public Information Campaign Update
 8. Dorothy Delayo
 - a) Exit Procedures for Departing Employees
 9. John Ward
 - a) Comparative Expenditures

10. Executive Session
a) Litigation

For Your Information

- Department of Justice Pre-Clearance of Submissions Numbered 2009 – K – 05/06/07/08/09
- Letter to Governor David A. Paterson from Westchester County Board of Legislators
- Wednesday, June 10, 2009, 9:00AM, Election Law, Room 715 LOB (Millman)
- Speaker Sheldon Announces Appointments to Assembly Leadership Positions
- Silver Outlines Proposal to Reform Ethics, Lobbying, Campaign Finance Laws
- Letter from Christopher Coates, Chief, Voting Section, U.S. Department of Justice, Civil Rights Division



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JOHN J. WARD
FINANCE OFFICER

DATE: June 16, 2009

TO: Commissioners

FROM: John J. Ward
Finance Officer

RE: Comparative Expenditures

FY09	P.S. Projection through 6/12/09 Payroll:	\$18,805,500
FY09	P.S. Actual through 6/12/09 Payroll:	<u>\$24,542,614</u>
	Difference	(\$ 5,737,114)

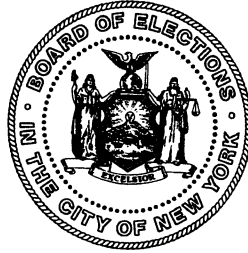
Overtime pays two weeks ending 5/29/09

OVERTIME USAGE

General Office	27,422
Brooklyn	11,090
Queens	10,340
Bronx	9,016
New York	19,208
Staten Island	64
Total	<u>\$77,140</u>

Respectfully submitted,

Finance Officer



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

June 12, 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- K -05/06/07/08/09**

Attached hereto is a copy of a letter dated June 3, 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 submissions:

2009 K-05, (dated April 6, 2009) making seven (7) poll site changes in the 56th Assembly District, County of Kings for the September 2009 Primary Election.

2009 K-06, (dated April 6, 2009) making there (3) poll site change in the 52nd Assembly District, County of Kings for the September 2009 Primary Election.

2009 K-07, (dated April 23, 2009) making five (5) poll site changes in the 42nd and 44th Assembly Districts, County of Kings for the September 2009 Primary Election.

2009 K-08, (dated April 24, 2009) making one (1) poll site change (Election District with no voters) in the 55th Assembly District, County of Kings for the September 2009 Primary Election.

2009 K-09, (dated April 24, 2009) making one (1) poll site change in the 47th Assembly District, County of Kings for the September 2009 Primary Election.

Therefore, the changes are effective as of June 3, 2009.

Thank you for your attention to this matter.

Attachment

F.Y.I.



WESTCHESTER COUNTY BOARD OF LEGISLATORS

800 MICHAELIAN OFFICE BUILDING
148 MARTINE AVENUE
WHITE PLAINS, NEW YORK 10601
(914) 995-2800
FAX: (914) 995-3884

June 11, 2009

Governor David A. Paterson
State Capitol
Albany, NY 12224

Dear Governor Paterson:

We urge you to take all actions necessary, to permit counties to continue to use mechanical lever voting machines.

Our democracy is founded on free and fair elections. Public confidence in our electoral system is crucial. Fair elections and public confidence are founded on reliable and secure processes for casting and counting ballots.

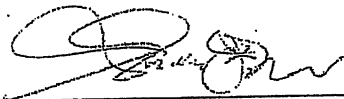
In October 2002, the United States Government enacted the Help America Vote Act (HAVA) to require states to replace antiquated and unreliable voting systems and to insure that voting is accessible to all voters, including those with disabilities.

Mechanical lever voting machines now in use in Westchester County and elsewhere in New York State have long proved reliable, user-friendly and cost-effective. Replacing lever voting machines is very costly and will unduly burden county taxpayers. It has proved to create voter confusion and, in some cases, may result in the use of machines that could compromise the integrity of future elections.

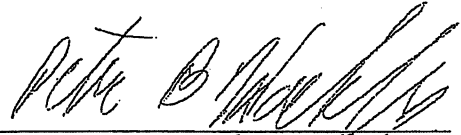
When used in conjunction with optical scanners (with ballot-marking devices to accommodate voters with disabilities) to count paper ballots by precinct, lever voting machines can be part of a voting system which is HAVA compliant and is in the best interest of the public.

We note that while preferable to touch screens, optical scan voting machines have malfunctioned in many counties throughout the United States including Upshur County, West Virginia; Palm Beach County, Florida; Oakland County, Michigan as well as Washington, D.C.

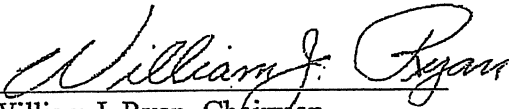
Accordingly, we respectfully urge you to take all actions necessary, including the amendment of the Election Reform and Modernization Act (ERMA), to permit counties to use lever voting machines in combination with paper ballots counted by precinct on optical scanning machines in future elections.



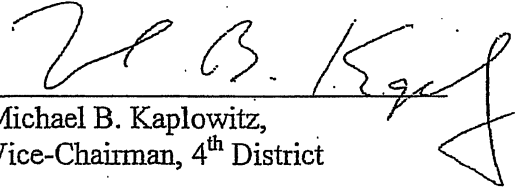
George Oros, Minority Leader
1st District



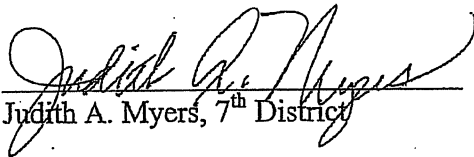
Peter Harckham, 2nd District



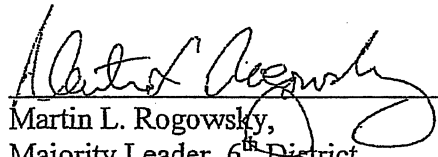
William J. Ryan, Chairman
5th District



Michael B. Kaplowitz,
Vice-Chairman, 4th District



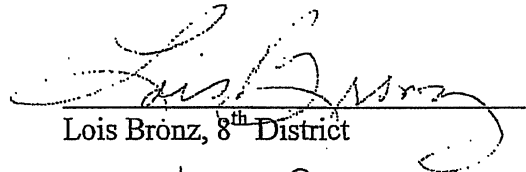
Judith A. Myers, 7th District



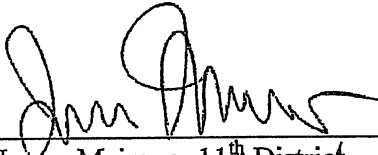
Martin L. Rogowsky,
Majority Leader, 6th District



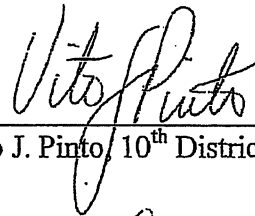
William E. Burton, 9th District



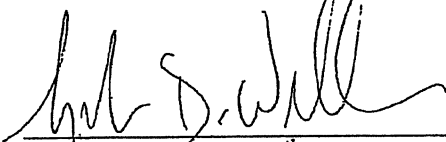
Lois Brönz, 8th District



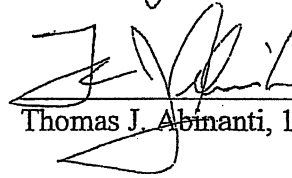
James Maisano, 11th District



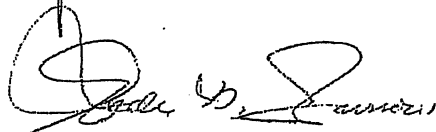
Vito J. Pinto, 10th District



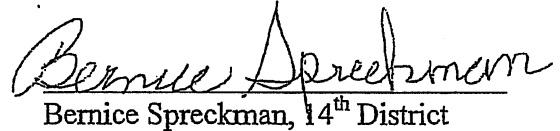
Lyndon Williams, 13th District



Thomas J. Abmanti, 12th District



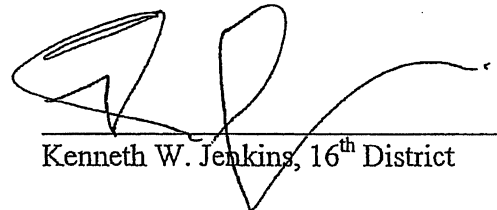
Gordon A. Burrows, 15th District



Bernice Spreckman, 14th District



José I. Alvarado, 17th District



Kenneth W. Jenkins, 16th District

Committee
Fp1

WEDNESDAY, JUNE 10, 2009

9:00 AM--ELECTION LAW Room 715 LOB (MILLMAN)

Assembly Print:

- 3126 BRADLEY, PAULIN, GALEF, MAGEE, BRENNAN, DINOWITZ--
An act to amend the election law, in relation to requiring judges to be enrolled members of the party for a primary election or to have received a proper certificate of authorization filed properly according to the election law
- 3367-A ENGLEBRIGHT, V. LOPEZ, MORELLE, LUPARDO, KAVANAGH--
An act to amend the election law, in relation to absentee voting for primary care givers
- 3430 BRADLEY, CAHILL, COOK, CUSICK, GALEF, PEOPLES, ROSENTHAL--
An act to amend the election law, in relation to the designation of polling places
- 4015-A KAVANAGH, FARRELL, BING, CASTRO, DINOWITZ, REILLY, CAMARA, KELLNER, BARRON, MILLMAN--
An act to amend the election law, in relation to requests for affidavit ballots including application for registration and enrollment
- 4959 V. LOPEZ--
An act to amend the election law, in relation to independent nominating petitions
- 5276-A GALEF, HOYT, BRADLEY, KAVANAGH, DINOWITZ, THIELE, BRENNAN, ENGLEBRIGHT, MAGNARELLI, PEOPLES, PAULIN, PHEFFER, SCHIMEL, JAFFEE, REILLY, KOLB, DELMONTE, ROSENTHAL, ALFANO, GORDON, ZEBROWSKI, ESPAILLAT--
An act to amend the election law, in relation to absentee ballots
- 6825 WRIGHT--
An act to amend chapter 92 of the laws of 2001, amending the election law relating to the election ballot and canvassing write-in votes, in relation to extending the expiration of the provisions of such chapter
- 7016 EDDINGTON--
An act to amend the election law, in relation to authorizing registration records of victims of domestic violence to be kept confidential in certain cases

2009 JUN 10 PM 3:58

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

- 7347 GALEF, ENGLEBRIGHT, LUPARDO, J. RIVERA, PHEFFER, MAYERSOHN, FIELDS, GUNTHER, SCHROEDER, MARKEY, EDDINGTON, LAVINE, ESPAILLAT, LANCMAN, COLTON, CASTRO--
An act to amend the election law, in relation to making applications for absentee ballots
- 8376 SILVER, MILLMAN, WEINSTEIN, ALESSI, EDDINGTON, GORDON, HYER-SPENCER, RAMOS, REILLY, RUSSELL, SPANO, STIRPE, GUNTHER--
An act to amend the election law, in relation to military voting, and to amend chapter 237 of the laws of 2005 amending the election law relating to military voting, in relation to making such provisions permanent
- 8492 RAMOS--
An act to amend the election law, in relation to the qualifications taken into account for determining the minimum number of voting machines used in polling places
- 8525 RUSSELL--
An act to amend the election law, in relation to appointment of commissioners of election
- 8526 GORDON--
An act to amend the election law, in relation to information to be included on statewide voter registration application forms
- 8527 SKARTADOS--
An act to amend the election law, in relation to ballots which are counted by machine; to amend the election law, in relation to paper ballots; and to repeal section 8-310 of such law, relating to paper ballots
- 8540 HYER-SPENCER--
An act to amend the election law, in relation to the purchase or lease of election equipment, supplies and ballots in the city of New York
- 8541 LIFTON--
An act to amend the election law, in relation to the deadline for publication of enrollment lists
- 8692 MILLMAN--
An act to amend the election law, in relation to the alteration of election districts by the board of elections; and to repeal certain provisions of such law relating thereto
- 8693 STIRPE--
An act to amend the election law, in relation to the ability of the board to administratively set standards for the change of mailing address and in relation to requiring a candidate to provide the state board with depository information

*Comm Mtg
FY12*



News Release

Assembly Speaker Sheldon Silver

FOR IMMEDIATE RELEASE:
June 1, 2009

**Speaker Silver Announces Appointments To
Assembly Leadership Positions**

→	Chair, Committee on Election Law	<u>Joan Millman</u>
	Chair, Committee Libraries & Education Technology	Barbara Lifton
	Chair, Committee Oversight, Analysis & Investigation	Amy Paulin
	Chair, Legislative Task Force on People with Disabilities	Jonathan Bing
	Chair, Legislative Task Force on New Americans	Alec Brook-Krasny
	Chair, Legislative Task Force on University-Industry Cooperation	Dennis Gabryszak
	Chair, Legislative Task Force on Women's Issues	Ellen Jaffee
	Vice-Chair, Legislative Commission on Solid Waste Management	Alan Maisel
	Chair, Legislative Commission on State-Local Relations	Timothy Gordon
	Vice-Chair, Legislative Commission on Toxic Substances and Hazardous Waste	Michael Spano
→	Chair, Subcommittee on Election Day Operations and Voter Disenfranchisement	<u>Brian Kavanagh</u>
	Chair, Subcommittee on Export Trade	Albert Stirpe
	Chair, Subcommittee on Insurer Investments and Market Practices in Underserved Areas	Janele Hyer-Spencer
	Chair, Subcommittee on Mitchell-Lama	Linda Rosenthal
	Chair, Subcommittee on Transitional Services	Hakeem Jeffries
	Chair, Subcommittee on Workplace Safety	Rory Lancman

New York State Assembly
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News Release

Assembly Speaker Sheldon Silver

Comm Mh
142

FOR IMMEDIATE RELEASE:
June 3, 2009

Silver Outlines Proposal To Reform Ethics, Lobbying, Campaign Finance Laws Assembly Hearing Tuesday, June 9 in Albany to Gather Input From Public, Experts

get the flash player to see this video.

Speaker Silver (center right), at a leaders' meeting with Gov. David Paterson (center left), Senate Majority Leader Malcolm Smith (not shown) and other legislative leaders, announced the Assembly's plan to increase transparency, accountability and openness in state government with legislation to reform the state ethics, lobbying and campaign finance laws. Looking on (from left) are Election Law Committee Chair Joan Millman and Ethics Committee Chair Bill Magnarelli.

*Past Reforms Significant But Mistakes Made
Restore Lobby Commission
Ethics Oversight Entities Proposed
Public Campaign Financing
Comptroller Race, First Publicly Financed Campaign*

Committee Chair RoAnn Destito, Ethics Committee Chair William Magnarelli and Election Law Committee Chair Joan Millman - today announced an Assembly proposal for significant changes to the state's ethics, lobbying and campaign finance laws in order to increase transparency and accountability to the people of New York.

"Two years ago we took a major step forward by passing reforms that banned gifts from registered lobbyists, restricted former employees from lobbying government for two years and created stronger penalties for lobbying law violations," Silver (D-Manhattan) said today at a meeting with the governor and legislative leaders. "Today we are proposing a set of proposals to strengthen ethics and lobbying law enforcement, provide greater transparency and financial disclosure and reform New York's campaign finance laws."

Among the proposals Silver laid out at a public leaders meeting today was the restoration of the former Temporary Commission on Lobbying, which was merged into the Commission on Public Integrity (CPI) in 2007.

"There is near unanimous agreement that the Lobbying Commission was a strong, independent body that effectively policed lobbying activities in New York and we should restore it," Silver said.

Silver said the Assembly would also push for the creation of an executive oversight body comprised of appointees from the governor, attorney general and comptroller, focused exclusively on ethics. The appointees would select an executive director with a fixed term. "The creation of this oversight panel would help to ensure independence in any investigation of statewide office holders," Silver said.

Additionally, Silver said the Assembly seeks to replace the current Legislative Ethics Commission with an independent ethics panel based upon the recently formed Office of Congressional Ethics, which is charged with investigating complaints against members of the U.S. House of Representatives.

"This new entity would be an independent panel comprised of appointees from outside the Assembly; three appointments each would be made by the Assembly Majority and Minority conferences," Silver said. "It would have its own staff and be empowered to look into allegations of unethical behavior and misconduct. It is important that the public know that investigations will be conducted evenhandedly and without political considerations. We are 1

confident that the creation of an independent, bipartisan legislative ethics body will help us more effectively investigate complaints against Assembly members and staff. "

Silver said the Assembly bill would require increased financial disclosure by all public officials by ending the practice of redacting categories of value on legislative ethics disclosure forms, adding an additional category of value to better identify higher level financial interests, and require better descriptions of outside employment including information about the subject matters undertaken with respect to law practice and detailed information about consulting arrangements.

Silver committed to again passing legislation - approved repeatedly by the Assembly - that would phase in public financing of legislative and statewide campaigns starting with the race for state comptroller in 2010. "By providing public financing options that are fair and accountable to taxpayers and voters, we can limit the amount of private fundraising involved in campaigning and increase competitiveness in legislative and statewide elections," Silver said.

Silver announced a public hearing to examine these and other various proposals to change the state's ethics laws, lobbying and campaign finance laws. The forum is scheduled for Tuesday, June 9 at 12:00 p.m. in the Legislative Office Building, Hamilton Hearing Room in Albany.

The hearing will be conducted by Assembly Committees on Governmental Operations, Ethics and Guidance and Elections Law and will provide a vital opportunity for public input on ethics reform.

The committees will study the proposals Silver announced today as well as the strengths and weaknesses of current ethics law and the impact of the 2007 merger of the state Ethics Commission and Temporary State Lobbying Commissions into the CPI. The hearing will also examine the recent proposal by Governor David Paterson to create an independent Government Ethics Commission that would have authority over all of state government, the lobbying industry and campaign finance laws.

[Click here to view Public Hearing Notice](#)

New York State Assembly
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U.S. Department of Justice

Civil Rights Division

CC:MSR:JKI:par
DJ 166-012-3
2009-1360
2009-1404
2009-1494
2009-1542

Voting Section - NWB
950 Pennsylvania Avenue, NW
Washington, DC 20530

June 3, 2009

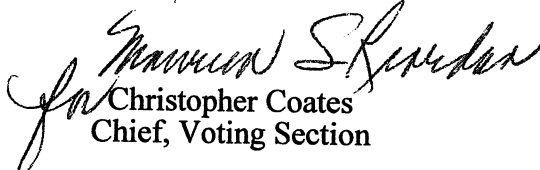
Steven H. Richman, Esq.
General Counsel
Board of Elections
32 Broadway
New York, New York 10004-1609

Dear Mr. Richman:

This refers to sixteen polling place changes and the deletion of a polling place for the City of New York in Brooklyn, Kings and New York Boroughs, New York, submitted to the Attorney General pursuant to Section 5 of the Voting Rights Act of 1965, 42 U.S.C. 1973c. We received your submissions on April 9, 10, 27 and 30, 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. In addition, as authorized by Section 5, we reserve the right to reexamine these submissions if additional information that would otherwise require an objection comes to our attention during the remainder of the sixty-day review period. Procedures for the Administration of Section 5 of the Voting Rights Act of 1965, 28 C.F.R. 51.41 and 51.43.

Sincerely,


Christopher Coates
Chief, Voting Section

RECEIVED
GENERAL COUNSEL
BD. OF ELECTIONS
IN THE CITY OF NEW YORK
2009 JUN -9 PM 4:48