

Jim Walsh: It's my honor to be conducting the meeting today and I'd like to ask my fellow Commissioners to introduce themselves.

Douglas Kellner: Douglas Kellner

Andrew Spano: Andy Spano

Gregory Peterson: Gregory Peterson.

Jim Walsh: Go around the table please.

Todd Valentine: Todd Valentine

Kim Galvin: Kim Galvin

Paul Collins: Paul Collins

John Conklin: John Conklin

Tom Connolly: Tom Connolly

Dave Loomis: Dave Loomis

Joe Burns: Joe Burns

Anna Svizzero: Anna Svizzero

Cheryl Couser: Cheryl Couser

Bill McCann: Bill McCann

Bob Brehm: Bob Brehm

Jim Walsh: And our guests please

Bill Mahoney: Bill Mahoney, NYPIRG

Jessica Alaimo: Jessica Alaimo, Capital New York

Will Brunnell: Will Brunnell, Capital New York

Jim Walsh: Thank you. Well our first item of business is the minutes. Could I have a motion to adopt the minutes please?

Douglas Kellner: So moved

Jim Walsh: Second?

Greg Peterson: Second

Jim Walsh: All in favor?

[chorus of ayes]

Opposed? Carried.

Our unit updates. Executive Branch, Robert Brehm and Todd Valentine please.

Todd Valentine: Well obviously we only met a couple of weeks ago but were still, the biggest project we're continuing to work on which we'll discuss more under new business is the new provisions related to the Independent Expenditure for the matched funds program or old business rather under the Compliance Unit. And so that has been taking up all the staff time. That includes not only what we're working on today which is the legal foundation for the regulations but as well as the logistics for the matching funds and how do you actually make a payment to somebody of that amount in that short amount of time that has to go from us through what we call the State Business Service Center to the Comptroller's Office and ultimately, comes from the candidate to us to OGS to the Comptroller's Office and then back out to the candidate, all in a short few days which is unusual for the state to do something that quickly. But we've had a lot of meetings with both Comptroller's Office, the Division of Budget, our own Office of General Services, so probably went into more detail than I wanted to for the unit report. That has taken up a large amount of our time and in addition, we're still, Dave will probably give you an update on where were at the with election night reporting project, still continues. I don't want you to forget that because that's one of our big projects from last year that continues for the primary next June. And I'll steal a little bit of Anna's thunder while I'm going. We are still in a ballot access season for our statewide candidates and she can give you the details on that. Bob.

Bob Brehm: Yeah, I think clearly we've spent a great deal of time working on regulations and getting the 2 new programs up and running; the public financing program and the Independent Expenditure i.e. Independent Expenditure went to the front of the line since it has the first implementation date, and it had more shalls for the electronic program. So clearly the work with IT and Bill's unit and others to make sure we had the business rules and a plan in place and the help of many people to get that program up and running and tested and a training protocol in place, we're putting the finishing touches on the training material and for Independent Expenditure Groups that training will take place next week with 2 sessions planned. The information is on the website and they're preparing to send notices out, press releases to make sure that groups, staff has already

sent notices out by letter to groups that we thought included Independent Expenditure based on the applications we've had here under the Campaign Finance Treasurers. But in case we're missing anyone, sort of reach out wider with that information. But those training sessions are next week to be prepared for the June 1st implementation. But I think we're on track for that. We certainly will monitor and answer questions, and be in a position to make our plan answer questions with FAQ's so that anybody who's in there gets the benefit of both the question and the answer. I think that will help save out staff having to answer the same question more than once as much as possible. So we're on board with that and we're still working on the public financing component which has a few other requirements as far as identifying sums of money and paying the bills in a very short period of time, and putting in place both the computer system and the audit system. It's the second priority after Independent Expenditure because the earliest we will have to deal with that issue is the middle of June. So we have maybe a 16 day reprieve from the IE. But we're also working on that and also since your last meeting, we did get an amendment to the election law to actually be able to publish the political calendar. That's been helpful to every, at least stop the stem of phone calls we were getting every day saying, when is that event? So that's important.

One other thing I'd like to mention because I don't know yet when our next meeting will be, but I believe it will be after the 13th of June, but there'll be one of our colleagues will be retiring, affectionately referred to at our last meeting at Colombo, but Paul. Paul has been a great asset to the State Board. He brought a great deal of experience and we will miss him tremendously. We all find that once we lose one of our members to retirement, the next day we see them they have a very bright smile on their face and they are about 2" taller than they were the day before. But we wish him well. We're going to miss him. We hope he'll still take our phone calls. But we know if it's not it's probably because he's out on the golf course and he can't have that ringing.

Anna Svizzero: Are you going to let him keep his Blackberry?

Bob Brehm: I doubt that. So I wanted to at least thank Paul and wish him well in his retirement.

Jim Walsh: Why don't we have Paul on the bit as well, I would like to say something. I've known Paul; at least I've known his name for many, many years. He's been associated with the government and politics in the Capital area going back a long way. I think I was probably in fourth grade when I first saw your name in the paper. But I know of your reputation and I know how much respect you have had in the party and in politics and in the law itself and you've been a great benefit to us here at this State Board of Elections. And very often people think we are so divided here that we can't even speak to each other, but we do rely on people such as yourself for opinions, for interpretations and you've always been there for us and it's appreciated. You're a good man and I wish you the best.

Paul Collins: I appreciate that greatly and I assume that's because of my derivative association with our mutual friend Jack McNulty.

Jim Walsh: So true.

Douglas Kellner: Well I'll join in then and say that it's been a great pleasure having you with us Paul and we certainly will miss you and I think we'd be remiss in not recognizing some of your significant accomplishments while you've been Council of the Board. Most significantly you handled the beautiful defense of the referendum question that went through the courts last year, and your advice on many of the other litigations we've been subject to has been absolutely invaluable.

I also personally want to thank you for the efforts you've made in cleaning up the judgment collection process, and I know that you have several recommendations that are still awaiting implementation and even though you may be gone when the new Independent Enforcement Council comes, I will be constantly reminding that person of the Collins' recommendations as the new Independent Enforcement Council has to take on the project of judgment collection. And I also think we should recognize you for the very substantial community activities that you've been able to continue while you were on the Board with a number of community organizations and with Catholic Charities and I certainly

Paul Collins: You're beginning to sound like Evelyn.

Douglas Kellner: Maybe so. We miss Evelyn too but thank you very much Paul.

Paul Collins: Thank you Commissioner

Gregory Peterson: I want to thank you as well Paul and I know I teased you about that Colombo thing, that was only because it was always the first thought, the second thought and Paul's thought and that's a compliment because you approach things with a very thorough loyal like manner and you always gave us the benefit of seeing each side of an issue. And you're council has been invaluable and I know you're going to be missed. I just wish you the best in retirement and hope your handicap comes down.

Paul Collins: That's the important thing.

Andrew Spano: So it should be unanimous. I only know you a few weeks but you've become my pen pal, much too much, but you've become my... I'm just impressed of how your colleagues feel about you and I was impressed with just my brief encounters with you. I wish you luck. I've been retired; I'll tell you it's a great life. Don't accept anything after that. Good luck to you Paul.

Jim Walsh: Alright thank you all. Legal.

Kim Galvin: Yes I apologize there is no written report for you to refer to today as everyone has stated so far we've been very busy with many, many, many, many meetings and calls regarding the new implementation of the Independent Expenditure and the public financing. We also had the court cases on the petitions to follow through with, particularly those with the primaries that have all been resolved at this point that affect the primaries. We, as Bob mentioned, there's a new political calendar. For those that don't know it moves petition, it moves the petitioning season back or up or earlier or whatever you would like it to say. So I know we've had many, many, many, many calls on that. In addition, we still participate in the ECA calls and everything else that seems to be going on here.

And on a personal note, lawyers think they know everything, most of us and when I came here I realized from Paul that I knew little to nothing about federal procedure or the federal court cases. And as I saw how he worked his way through those cases I learned quite a lot and his arguments in front of Judge Sharp, I paid particular attention to and I admire his skills particularly in that arena where mine are, I wouldn't say deficient, but they're lacking. So I'm happy to have the templates that he provided and the guidance that he provided to use as I move forward at the Board and I personally wish you the best of luck.

Paul Collins: Thank you Kim, thank you.

Jim Walsh: Thank you Kim.

Paul Collins: The last half of the legal update is the good news that yesterday our regulations revising section 6210 and 6211 on the machines and their testing were published in the state register so they are now effective and the only other last one that I had was the 6206, the survey of the poll sites and their accessibilities and that will be published next Wednesday and be effective that date which is interesting because the second circuit last week kind of slapped New York City around so that will be an interesting thing.

Jim Walsh: Thank you Paul. Election operations, Anna please.

Anna Svizzero: Thank you Commissioner. We too don't have a written report for you but we'll brief you on what our unit has been up to. We did distribute the certification after the last Board meeting to all the counties relating to congressional primaries. As Kim pointed out, none of the litigation related to the primaries changed that certification so it didn't need to be amended which was nice. We have 12 congressional primaries in the state involving 30 counties. The party calls have been received from all of the state committees except for the Working Families Party. Those were distributed to county boards. The party call identifies for the counties and other stakeholders I guess the number of judicial delegates to be selected, elected and alternate delegates to those

judicial conventions, and also for those parties that were organized this year, the number of state committee members that are to be chosen through the petition process that's coming up.

The staff in our unit participated in along with some of the other agency personnel, a demonstration of a new central count voting system that is going to be submitted in the near future for certification. We went through the demo process because it's a very unique system; it doesn't have its own EMS. It doesn't come with its own software. It's strictly an optical scan and interpretive kind of process so we wanted everybody to see it and go through the paces with the vendor and his technical team in case there was a showstopper or something of any consequence that we were concerned with.

OGS fortunately or unfortunately, we no longer have an open procurement for this so we had to go back to OGS, open a procurement and now any vendor can bid with the new system. So that process should be posted I think today. I think we got an e-mail this morning that should be finalized today. So this vendor will get a specific notice because he is prepared with his application to bring the system in for certification but it does open the door for a limited period of time for anyone else to submit a new system. We are continuing to revise unit procedures. We have had a series of them for you at the last Board meeting that we made you aware of. We expect in another 2 weeks we'll have another dozen or so of those procedures updated and we'll be sending those to the county boards and we'll let you know when we do that.

We have completed preliminary work on proofing the statewide ballot proposals for this year's general election ballot so we are awaiting the other activities associated with that that involve the Attorney General's Office for the abstract and the forms of submission, etc.

We have received nominations from the Republican Party and the Green Party for statewide candidates. Convention period is over with June 3rd, I think so we still have as Todd and Bob both pointed out filings that will be coming in. There weren't any prima facie issues with those 2 filings that we received so we're moving forward there.

We have our final demonstration with our asset management system for those who are interested, it's Wednesday the 28th in Putnam County if you'd like to join us. That's region 1, New York City, Long Island and all of those downstate counties, so it's going to be big and we expect that there are going to be some that can't make it, so we are planning to host an additional one, perhaps one solely in New York City that the people who can't attend the one in Putnam this week because it's a holiday week, will do that make up class.

Joe do you have anything else to add? I don't have anything else. If you have questions.

Douglas Kellner: Anna is it election operations or public information that's responsible for the language translations of the referendum questions?

Anna Svizzero: PIO handles that.

Douglas Kellner: Alright so I'll hold off until we get to that.

Jim Walsh: Coincidentally next on the agenda is

Anna Svizzero: Can I interrupt one moment. I'm going to be hard pressed to say anything about Paul because I know I'm going to lose it. But I wish you well, I will miss you and I'll leave the rest for another time.

Paul Collins: Anna when I walked in here I immediately realized that you had forgotten more election law than I will ever know.

Anna Svizzero: Amen to that.

Paul Collins: And it has not changed. But to this day, you've forgotten more than I'll ever know.

Anna Svizzero: Thank you but you'll be missed.

Jim Walsh: Next item on our agenda will NVRA and public information, John Conklin please.

John Conklin: Thank you Commissioner. Well the public information office continues to be busy with lots of media inquiries and public inquiries around the congressional primary next month and political calendar that finally came out, the state party conventions and other things around the Board. We assisted and monitored the transmission of the absentee ballots for the Move Act and the run up to the congressional primary. Tom's been busy gathering the reports for the EAC and the Justice Department. We continue to participate in follow up meetings for the election night reporting system for the primary, for the congressional primary.

We've had 59 FOIL requests in April. We're working on the 2013 annual report. Thanks okay you're not the only one.

Patrick and Greg in the NVRA unit have visited Dutchess and Herkimer County since the last Board meeting. They were in Washington yesterday and they're in Hamilton today to do the NYSVoter reviews. So for the counties that they haven't visited yet be on the look out, you'll be receiving some outreach from them to schedule an appointment.

For the website we posted the political calendar to great anticipation. The draft of the IE regulations for public comment. The draft of the public financing pilot program, regulations for public comments. We posted the staff review from the last Board meeting on the Interstate Voter Registration Exchanges and that's really it. Do you have anything to add Tom?

Tom Connolly: Just to clarify with John you had mentioned the ballots for the Move Act and I want to happily report that all the counties did get all their ballots out by the 45th day. So thank you for that and we did get the information to the Justice Department in a timely manner. I will be sending out a follow up e-mail to everyone reminding them of the next survey which is the 30 day before the election survey just to make sure that any applications that have come in since the 45th day have been processed and those ballots have been sent out to those individuals because we want to report that back to the DOJ next week.

We've been also working with Campaign Finances for getting ready for the presentations and the webinars next week helping to facilitate all things that go into that. working with IT posting the information for those and also we had sent out an e-mail, I can't remember if it was the end of last week or earlier this week about some of the new information that we're getting and passing through NYSVoter. As part of the refresh, we're going to start receiving death data directly from the New York City Department of Health. Previously we were getting all statewide information from the State Department of Health. But we had a conference call, actually a couple of them with the City Department of Health and we feel that getting information directly from them will help us to be a little bit more complete and timely in getting that information out to the counties. So we sent out an e-mail to all the counties letting them know that may result, because of the initial voter data and a slight possible overlap of potential deceased voters. But that should be good moving forward.

And I know IT did help with us getting the NCOA data that we had, we had to scrub and we sent it out to all the counties. I know at least one vendor had sent out an e-mail to all their counties explaining how to process the information and I'm sure we'll answer any questions that may come along for that. But otherwise, they're good with the validity of the data that we gave them to get the discounted postage for the notices that they have to send out by the beginning of August.

Todd Valentine: The NCOA for those who may not be familiar with the jargon is the National Change of Address System where we get address changes from the postal service. We do that on a statewide basis then redistribute that information to the county boards when he's talking about the data.

Kim Galvin: a non acronym.

Douglas Kellner: I appreciate that you copied me on some of the correspondence back and forth concerning the translations of the questions that were on the ballot last year and I'm wondering what we can do to improve that process for this year? My understanding is that we contact out the translations for, and I guess my problem is, is that it's not so clear that the people who won the award for doing the contract to do the translations are necessarily qualified in the specific legal jargon that needs to go on the ballot and that, that causes the problem that the Asian-American advocacy groups have been raising. And I'm just wondering if there's anything we can do to improve that process including early circulation of the drafts of the translations?

Bob Brehm: Before Tom, we Anna and Paul know that I nudge him quite often on it. We sent the 2 constitutional amendments were adopted in the second adoption by the legislature last year. They were certified to us last year from the Secretary of State. January 6th I believe, we transmitted those to the Attorney General's Office and requested their advice which is required by statute to the form of submission and to the abstract. To this date, we have not yet received that advice. On April 1st Paul followed up with the Attorney General's Office with the Smart School Bond Act, I forget the exact wording of it because that was adopted in the budget and the form of submission or substantial compliance for the form of submission was in the statute but we still need the advice of the Attorney General, especially with regard to the abstract. And Paul has followed...

Douglas Kellner: There's a statutory deadline for them to get that to you.

Bob Brehm: We wanted it early so that we could get it early, we could bring it to you early. We could then start the translation early so that we're not doing this on the 4th of August which is the deadline. So that we all had the benefit of early. Because once we adopt it, we have to translate it and we have to get the audio for the ballot marking devices to be translated. So it's both the audio and the written translations in the required languages. So we've attempted to do that. We don't have it yet. So we are hopeful. Paul just did a reminder last Wednesday I believe or Thursday and the only word we got back from the Attorney General's Office is that they are working on it. So that would help us tremendously to get that and then I know Tom can at least describe for you the process that we tried to use last year and we will look to do again this year to try and get comments to the drafts and then show those comments back with the translating service.

Douglas Kellner: Well I think it would be helpful if we tried to put together a timeline now for doing the translations and to alert the, especially the Asian community groups of when we anticipate, what our internal deadline is for circulating the draft translations so that they can be ready to turn around comments on them very quickly. And to let the companies that have the contracts know that we will be looking over their shoulders. That there will be people reviewing their translations.

My problem, I had problems with the Korean translation and I have attorneys in my office who are fluent in Korean and it turns out that the Korean translation didn't even

follow the federal glossary for Korean English election translations and unfortunately there are no federal glossaries for...pardon?

Tom Connolly: There's none for Bengali

Douglas Kellner: and there's none for Chinese either I don't think. But with Bengali you have several agencies of the Bangladesh and some of the Indian States that use Bengali for their elections who conduct elections in Bengali and again our interpreter ought to be familiar with that vocabulary so that they're using the same vocabulary as they would use in Bangladesh or Indian.

Tom Connolly: Right. Well one of the things we did as a kind of follow up to the process...

Douglas Kellner: But it's important that we set up a timeline because if we're only going to be giving the community 2 or 3 days to comment on it, I mean I got it last year, I gave it to my Korean colleague, he turned his comments around in 4 days and then I was told it was too late, that we couldn't use his comments. And to me that's not really acceptable especially if we're not going back to the interpreter and holding them accountable for weak interpretations.

Tom Connolly: Well yes, time would certainly be as Bob said the early is on our side would be beneficial to us. We have explored using one of the other vendors that's on state contract. We did go through the process with them this year with the translation of our registration form I know some of those groups had expressed interest in changing. We did explain to one of the other vendors that we have not used before, the issues that we've had in the past. I did provide to them comments from both the Korean Association for Civic Empowerment and HALDF [sounds like] along with feedback from the New York City Board's Language Staff. And in addition to that I also provided them with all of the EAC glossaries and explained to them that all these things need to be integrated to the best of their ability. And then once they gave us back a draft, we circulated it for them to review and I've yet to hear back from the advocacy groups with regard to the most recent version of the translated forms, but throughout this process, I've explained to all groups involved that this is kind of the process we'd like to try to follow going forward where we do start early enough where we get their feedback, we provide their feedback to our vendor, we are going to hopefully provide A, a better quality translation that we can also then share with enough time to make any kind of tweaks or feedbacks. So I'm hopeful that this year will be better as long as we do have that kind of a timeframe. But one issue that had happened last year with regard to a cutoff and not being able to integrate any changes was that stuff had actually already been printed and disseminated by some of the Boards so we couldn't change it mid stream because whatever was going to show up on election day had to match what had already gone out.

Douglas Kellner: Right and I'm suggesting that we only send it to the Boards in draft form and reserve 3 or 4 days for comments by the community, and that we set that schedule soon and let the community groups know what the schedule is so that they can budget their time that they'll be able to meet a 2 or 3 day turnaround with their comments.

Tom Connolly: Okay.

Douglas Kellner: And as I say, I recommend that we also tell the interpreters that they should be looking at the websites of the election agencies, the government election agencies that actually use their language to look at the forms that are used in Korea and in China.

Bob Brehm: And I think we can put a communication plan, from our estimate we had already recommended that you have a meeting on August 1st because we have to certify the ballot not later than August 4th for the September primary and that's the same time we have to do the Constitutional Amendment. So we are waiting for the words from the Attorney General's Office that if it happens earlier than that we would start it earlier. That was our hope. But it can't be later than that. So at least if we come up with an estimated time around that deadline and put a plan together with the counties and with the advocacy groups to get us the comments, I think that at least will give us something to target for and we'll try to provide as much time as possible.

Douglas Kellner: Thank you.

Jim Walsh: Thank you Tom, thank you John. Campaign Finance Bill McCann please.

Bill McCann: Thank you Commissioner. Firstly, Paul God Speed and along the lines of that I just want to take a minute to recognize one of our staff who Kathleen Picciocca who works in our Finance Campaign, she's been working with the Board for a very long time and she just received a new job and a promotion to go to the Office of the State Comptroller so that's a good career advancement for her so we wish her very well. She's a great employee, we appreciate all her efforts.

In that line we hope to working with Personnel and Todd, Bob, hope to get that job filled as soon as possible because as we move to implement the new Compliance Unit and that process, we fully anticipate needing as many people as possible in our call center and in our other subunits. So that's going to be key.

So firstly, on our Compliance Unit, as you know the new statute calls for there to be a Compliance Unit to work with filers to do reviews. It's a process by which those filers are to be notified by the Board by certified mail with applicable notices to their candidates. And then there's a timeframe involved by which those committees and filers have to come into compliance with the deficiencies they're informed of, and then if they

do not come into compliance, those filers then get referred to the new Independent Enforcement Council. Towards that end, we've been working extensively with IT, one to look at having a system in place for compliance, particularly with tracking and the interaction with the public. We have a system now but as you are well aware, for many years we've been looking to do a major overhaul to that program and IT has been developing that plan. But we then have these just life interruptions where we have to add components that make us have to do a redirect to handle the immediacy of the issues. So, we're trying to find a balance between working on the compliance technologically speaking and from an audit process, but at the same time not undo the interrupt what we want to do long-term for the mission critical aspects of our database. So we've been working with IT to develop tracking software for the compliance process and also towards that end we've been working on new audit review procedures and policies. So that when the law goes into effect, and as we start looking at it relative to the July periodic, we will then at least be able to move forward with those reviews and that process.

Obviously, I know the executive directors will speak on this issue at some point. Staffing is obviously going to be critical to that function. I don't need to remind you of the number of filers that we have. The law is very specific as to what our obligations will be relative to those reviews. The scope of the number of filings and the number of filings that have to be reviewed is rather large, and the turnaround times for the review of those filings not only for our A filers but our local filers is a rather large burden. So, certainly all the help that we can get to facilitate that not only technologically and IT has been doing a great job of that, but also on the staffing front would be critical to the ability for that program to succeed.

As it relates to the other two major undertakings that the Board is implementing in the area of Campaign Finance, the public pilot project for comptroller and also the implementation of the new Independent Expenditure disclosure requirements, we've been working extensively on all fronts with the units not only in this building but outside the building whether it be the Division of Budget, the Comptroller's Office, the Governor's Office, etc. there's been a lot of interactions concerning the implementation of the program. As it relates to the public funding pilot project, there are 2 components to that, one is the aspect of participation whereby individuals running for the office of Comptroller this year can elect to participate in the program, and then the technological and filing obligations that they have in order to potentially receive matching funds and all the areas that that entails. Then there's the compliance aspect which deals with participants in the public funding program on additional data and information that they have to provide to the Board and to the public. And so those two major components are being worked at simultaneously. There's a little bit of very modest I should say timeframe that we have relative to that but specifically on public funding, Dave will speak on the IT aspects of it in a few minutes, at this time I'm very confident that as we're developing this program not only from the participation aspect but also the compliance aspect, I'm very comfortable that that's proceeding very well.

As it relates to Independent Expenditure compliance that's a pure compliance program but that has a more immediate timeframe because it goes into effect June 1st. Towards that end we've been working extensively with our IT staff. They've done yeoman's work as we've been developing the protocols to receive the additional data elements. Our system and our software do not, on their own, accommodate those additional data elements relative to Independent Expenditures so we need to in our developing an interim solution for that and Dave can address those specific details, but it will allow for immediate compliance in some fashion. And as we develop our major overhaul to our system that I alluded to earlier, it will certainly allow us to incorporate those more formally into our overall database and filing software. But that is something we are definitely looking to do.

And towards that end, as we've just in the past, we did create a new filer type, specifically for Independent Expenditure Committees. We've modified our forms relative to that. We did send out an initial communication to those committees that we identified as either being Independent Expenditure Committees or ones that could potentially be Independent Expenditure Committees and advising them of this new committee type and informing them to make any modified forms as appropriate or if they had any questions, obviously to contact us. And we also had alerted them to the training that we would be doing initially, which is going to be next Tuesday and Wednesday, one in the morning and one in the afternoon. Our training staff has been working very hard to develop that. We had reached out to the State Learning Management System to see what we could have as options to use that. That has some very good potential long-term for us because it allows for certain tracking functions, etc. but there is a cost that is associated with that so staff needs to do a cost benefit analysis plus since non-state employees are considered external users, there's a process for that. And so they're looking also because of our increase to do modifications of the sign up and login for external users. So to their program our questions had brought about a benefit because they're going to look to streamline that process in going forward if we use SOMS. So for instance if the Board ultimately decided to look at mandatory training or to expand a variety of training programs we have available, that would be a system that has a lot of bells and whistles that we might be able to avail ourselves on. However, because of the short turnaround time for the training that we have to do for this Independent Expenditure because of the implementation of the program so soon, we are going to be using, and they're working on the technology now for a WebEx application as a webinar. They're working on those things now but I have every expectation that that will go off and again it's next Wednesday and Thursday, my apologies. Wednesday morning, Thursday afternoon that's posted on our website and we fully expect the way we anticipated working is via the presentation we are set up today a specific e-mail address where the public will be invited to e-mail us specific questions concerning the program and any questions they have concerning Independent Expenditures and then we will develop an FAQ that will be on our website to provide the answers to those questions as expeditiously as possible.

So, we are doing those things amongst the myriad of other efforts that we have. Currently our training staff is doing its normal continuing education, continuing professional education and regular training seminars that are going on throughout the state. Although, we did modify that schedule because, as you know, when we get to petition season here in the summertime, all staff from a variety of units pitch in to do specification checking and the like. So we had to make some real world modifications to that. But, again, that's par for the course.

As I sit here today I feel very confident that as it relates to the Independent Expenditure compliance and the public matching funds program, I believe that today we're in very good shape and I have every expectation that we'll be able to have those programs implemented in a timely fashion. Of course, there's always going to be hiccups, we anticipate those but I think working with staff, I think we're in very good shape.

Jim Walsh: Any questions? Thank you, Bill. IT Dave Loomis.

Dave Loomis: Thank you Commissioner. I usually like going last because everybody covers everything first. There was too many people to handle that.

One project I want to just highlight because it didn't come up was the NYSVoter Refresh Project. That project is actually probably our largest project that we're undertaking right now where we have to move all of our hardware, software from our current platform to a newer platform because everything is out of date and needs to be refreshed. We are moving forward on that project. The key right now is that there's a contract with HP that we're waiting on to be signed. Once that's signed, we should be able to move forward on that. That's going to be a full year project. It needs to be implemented in the spring of next year so it doesn't interfere with the election season, and certainly we don't want to have it push into the next year which would be a presidential election year. So that's one project I just want to continue to highlight on everyone's mind so that we talk about that.

As soon as the contract is signed with HP, we're setting up Steering Committees and we'll bring in the vendors and county representation onto the Committee so that everybody is aware of what we are doing. In this particular project we don't think there will be much impact to the counties, but we want to make sure everybody is aware of what we're doing and to make sure that we're not missing anything. So as we move forward we'll keep everyone updated on that.

As Todd mentioned, election night reporting this will be our first election with that system where we're actually, the last election we tallied the votes or counted the votes on election night for just a ballot proposition, so this will be our first, in June for the elec for a regular election. Working with Election Operations to reach out to the counties now to get what we call a zero file so that we can make sure the election will be set up properly in the state, we're counting everything correctly. So we're already to go with

that system and at this point I'll just be making sure all the manual processes are in place so on election night we can get the results out as quick as possible.

On the Campaign Finance side, as Bill talked about, we have the Independent Expenditures and the Matching Funds Project I think are in good shape. We're doing some demonstrations tomorrow for the staff on the first versions of the Matching Funds Project. But what we want to focus on is our redesign effort and how we move forward in the state with managing the candidate side of it and the Campaign Finance side of it and how that should look in the future. And so those are the things that, we have 2 consultants coming in hopefully in the middle of June to start working on that project and what we want to just keep doing certainly as an IT group and as a Board is to keep focusing on that project. Because as Bill said, we're taking resources, which we need to do to get these important projects done, but we'll never get to a good end state unless we can keep focus on that. So sometimes we know we're going to have to take some hits because we could have done something technologically better or in a short-term but what we're trying to do is focus on our long-term goal and that's something with the small IT staff that we have to talk about a lot and I want to bring up to your attention so that as a group sometimes we could do something more technologically better or if we had more time or resources. But I think given the resources we have, given the time we have I think we're trying to just find that good balance of meeting today's needs and knowing that we want to get to a future state that will solve a lot of these short-term problems and then be the future of where the candidate interaction with the state and the Campaign Finance will be with the state. So that's a lot of our focus internally as we work some of these short-term issues. So that's all I have thanks.

Jim Walsh: Questions? Thank you Dave. Old business. The vote on the emergency new regulations, amend part number 6200.10 Disclosure of Independent Expenditures and item 2 add a new part 6200.11 of the Financing Pilot Program. Anyone to discuss this?

Douglas Kellner: Well, let me start off by saying that a tremendous amount of work has gone on dealing with both sets of regulations. I think we should start with a discussion of the Independent Expenditure regulations. We have received comments from several public interest groups. I see Bill Mahoney from NYPIRG who is one of those groups that submitted comments and the staff has very carefully addressed each of those comments. Because we received a relatively few number of comments they were actually able to focus on virtually every sentence of the comments in marking up these regulations.

Todd or Bob or Kim or Paul or I guess Cheryl and Bill also spent a lot of time working on these. If you could go through some of the most significant changes that we've made from the draft that was published 2 weeks ago, I think that would be helpful just so people can see what we have done and also give some of the explanations on changes that we did not make from suggestions that people offered.

Bob Brehm: I think, so Independent Expenditure, there are a number of comments when we ask for comments not too surprisingly only one person would say put in an additional clarification that another comment said we should take out entirely. So that did happen with regard to Independent Expenditure. There were a number of people that wanted us to provide as their suggestions, clarification with regard to not-for-profit activities along the lines of what happened elsewhere but specifically it's our understanding during negotiations on this bill....

Douglas Kellner: I think we should underscore this so I'm sorry I interrupted you Bob but I think you're reaching a subject that's very important that we should put on the record on why we did that, go ahead.

Bob Brehm: Well what they wanted us to exempt out its impact on not-for-profit but clearly the legislation was adopted said a certain activity happened in a duration of time, close to election or not close to election. But the statute says if it happens in the year after January 1st in the year they're running and they engage in certain communications then they have to register and disclose. So I think statutorily it's beyond our reach to come up with some exemption that is not provided for in the statutes. That would be a legislative fix rather than an administrative remedy to put meat on the bones to implement the law. So we did not make those changes. We tried to provide some examples of what is a political communication and what are some of the other considerations that at least we can look at that might not be a political communication and we had a number of ideas with regard to that. And those are the changes I think you'll see in the proposed Regs on page 2 the letters right under B1, A, its easier to say on page 2 of the draft.

The other change that we made from a conversation is clarity is there were comments with regard to indirect contributions. The statute before this law was adopted specifically has a section that does not permit indirect contributions or expenditures. It's affectionately referred to as you have to have the true name of the contributor or the contribution. So it seemed like from a regulatory point of view we can't come up with a regulatory scheme that contradicts the statute. So we put a proposed language on page 7 of the draft. There's nothing here that we are doing that will interfere with the requirement but they also complied it with 14120 of the statute.

Douglas Kellner: So again that's another one that I think is worth underscoring. That people were saying the New York City Campaign Finance Board has a rule that some people suggested that we follow that provides for disclosures of bundlers and people who provide their indirect contributions. And the statute is very clear that you are not allowed to make indirect contributions so that we can't in good conscience put in a regulation that provides for disclosure of contributions that by the very nature would be illegal. And so we want to make it clear that the lack of that sentence is not to condone the practice of indirect contributions because it's our interpretation that the statute makes it illegal and therefore no regulation could effectively change the statutory prohibition. As to

disclosure of bundlers, that's an issue where the subject of negotiations with the legislation but it's not in the statute and so we're not in a position to extend regulations to an area where the legislature did not yet come to agreement. I just wanted to underscore that paragraph in your presentation. I apologize for interrupting. I'll let you finish.

Bob Brehm: And we understand the short nature of comments and that there may be other areas that require a little bit more time for us to look at and certainly this is an emergency regulation. It will be in effect for 90 days. We would need to make permanent regulations since this is a permanent program and we will continue to work on coming back to consider any further comments and make a proposal to you as to what a draft, we have to submit them for permanent. Assuming we get them done as permanent in the next 90 days, it will be done. To the extent we don't have that permanent adopted within 90 days, we would come back and recommend a further emergency during that time and we could make amendments to emergency Reg in the meantime.

So I think from a point of view this is a work in progress but we think we've covered major areas. We have to have a program in place by June 1st and there may be other changes we bring to you as our thinking expands. I think the comments have been helpful. We have read them. We have tried to talk to some people about them. I think there's some areas we know we need a little bit more time to flush out and that we would probably not get to them in this emergency beginning period but we need to start the program and we'll continue to work on those other areas that probably wouldn't be impacted in the next 60 days anyway. So I think it's a good start and we'll have some other comments and certainly we expect more comments and conversations on the Independent Expenditure.

With regard to Public Financing, so go ahead. Other people have a description of what the comments were.

Douglas Kellner: If the other Commissioners don't object since Mr. Mahoney is here and took the trouble to work on comments and has come just ask him if he has anything he wants to say.

Mr. Mahoney: I did not help write any of the comments on the Independent Expenditure cards that was citizens, only the Public Financing.

Douglas Kellner: Okay, alright. Well I'm sorry if I'm, I just want to make one or two more comments.

First I strongly support the regulations. I want to thank the staff because they really have done an extensive amount of work on this and put a lot of time into it and that there have been many drafts back and forth and what particularly impressed me is that unlike the last time we did the very short Independent Expenditure regulation, this has not had any partisan issues at all. Notwithstanding, lots of drafting going back and forth, there have

not been any partisan disagreements and I think everybody has been fully committed to trying to implement these in the full spirit of the statute that the legislature gave us. And I think that's worth saying because so much time and effort went into that.

And the other comment is just that I know that the legislature doesn't see this as a finished product yet either and that there have still been continuing negotiations in the legislature that it's still possible they may revise this statute further. So this is very much a work in progress, both in terms of our regulations and in terms of the final statute and I support adoption of the emergency regulations today.

Jim Walsh: That's a motion?

Douglas Kellner: Yes thank you.

Jim Walsh: Do I hear a second? On the question to vote for amending part 6200.10 the Disclosure of Independent Expenditures all in favor say aye.

[Chorus of ayes]

Opposed? Carried.

Next add a new part 6200.11 Public Financing Pilot Program.

Bob Brehm: In this area we did receive many more comments and I know and I've read some of the newspaper articles. When we started very much a work in progress, we did not, I admit we did not know how to wire transfer money between anyone and the State of New York and the shalls and the regulations that we needed to do. We appreciate the conversation we had between staff and the Campaign Finance Board. People who have done this before and literally they don't have weekly applications, they work through the weekend for the times that they have an application, their full staff to be ready for Board vote on Tuesday to issue the money. But their number of meetings is much fewer than what we anticipate which could be weekly. So we looked for language that would try to clarify in here that we don't anticipate having a Commissioner meeting weekly upon applications of the money for you to vote, so we tried to identify, or your designees. We've clarified that as your designees in the 23 spots, it was definitely one of the comments and we realized we needed to provide clarity as to who you authorize and what you're authorizing them to do.

So, it's the Board Staff is what we're looking for in our amendments that we gave you and most of those are Todd and I and a few instances where really it would maybe appropriate the Board Staff it is compliance or PIO depending on what it is we're posting in the Reg. But most if it is under what direction weekly we will agree that the staff has reviewed the application for reimbursement. We have determined that they are appropriate. They are complete. They have been audited and that we will start the

voucher process to get that paid. And that is a very short window. Its 4 days to complete the audit. Its 2 days for the staff to complete the vouchering process and then it goes to the comptroller upon the traditional audit of the Comptroller if it's an appropriate payment to make. But a very short window and that's where we tried to identify that we didn't anticipate you would meet weekly that it would be us. And in many other areas it's who has to take the step.

\and the other types of comment. We did look to the Campaign Finance Board and the law that it established its program under and the differences in the state law and there was extensive negotiation on this bill and it's ongoing. And not all of the components of the City Program were adopted in this. They were considered and they didn't make it in there.

Douglas Kellner: They didn't make it into the...

Bob Brehm: They didn't make it into the statute. So we have not tried to put into the regulation that which was not agreed to at the statute yet. But again, I very much think this is a work in progress as we are very much trying to get the bare program established. The staff has worked extensively on some of the procedures for completing the audit. I know those were some of the helpful comments that we received. I think when people see those components just like once they saw the Regs they were a little bit more comfortable where we're heading. I think if we can get the staff to the next step to finalize those procedures, that I think we'll get a little bit of comfort because we did start at the procedures that the City Campaign Finance people had and we did look to come up with our technology, our way of getting this data for a temporary program that will start and end in less than a year. And a technological program that we had to come up with the means for collecting this data in about a 2 month period of time to start and to have a computer system in place. And I have to say we have appreciated the help of everybody in the building. I think if we single anybody out that would be bad because it's been a collective effort, but it's also been the help of other agencies to give us support outside of the building and we have, it's been frustrating at times but it's appreciated also because they don't understand our world, we don't understand their world so there's a bit of a language gap. But generally that help has been appreciated. Just like the comments are appreciated. We tried to identify in here what's not permitted as a contribution and we had some words in the front and not at the back and so I know illegal contributions was one of the suggestions that we made that amendment. But the biggest clarification was what staff are taking the steps? We made the amendment on page 18 on some of the comments and mostly the last page 21, those amendments to the way the money flows was really the result of a meeting we had on May 20th between OGS, the State Comptroller's Office,

Kim Galvin: and then again on the 21st

Bob Brehm: Well we did it on Monday and Tuesday but to make sure we were comfortable in an internal control process that would set up an audit process that would at least, in the level of detail we would be able to give people. So I know those were some of the continuing comments we had, and we don't have those audit procedures in this regulation, but from our point of view I think we're heading in the right direction. We will adopt them as procedures and again I think this is very much a work in progress, but we need something to get started. We certainly can come back as we learn more and our vision is improved on some of these items. But, I think we can come back and make other emergency amendments as necessary but I think it's a reasonable start. And I think once they see the procedures that we have to back it up, I think there will be a little bit higher comfort level also.

Douglas Kellner: So I want to add a specific thanks to the New York City Campaign Finance Board that their staff has spent a substantial amount of time providing assistance to State Board staff and providing us with forms. Our next step in implementation now will be to go back and finish off the details on the actual administration of the program.

Also, it's ironic that the Comptroller's Office has a substantial role in the administration of this program because of the functions of the State Comptroller under the constitution and the statutes. And, their staff has put in considerable time and as been alluded to, that there are unique procedures that have to be developed because it is not typical for a state agency to be releasing funds to a nongovernmental committee with the kind of timeframe that is provided in this statute and is necessary in order to make a Public Matching Funds Program workable. And I think the comments were that the Comptroller is concerned about making sure that the program is able to function on a timely basis, on the other hand, the Comptroller does not want to be lax in their mandatory function of auditing government programs, and are appropriately insisting that we have in place good audit procedures which are still a work in progress.

So, ordinarily I would say that these regulations aren't really finished yet but we do want to have regulations in place for the beginning of the campaign program so I'm urging that we go ahead and adopt these regulations today as they are with the understanding that we're going to be continuing to work on them and I would anticipate that there will be additional changes to the regulations in the coming months. And if there's no objection, I would just ask if Mr. Mahoney wants to say anything.

Mr. Mahoney: I guess just a couple of words. I don't know all the changes that you made from your last draft. One of the things that I thought that seemed to be taken from the New York City system that I just thought didn't translate well to the state system as a whole is the contribution part which is the first bullet point you mentioned where it seems, if I've read it correctly that candidates will be required to drop off physical copies of signatures every week that they want public funds. I'm not sure...

Bob Brehm: It's electronic... penicillin

Mr. Mahoney: It is going to be electronic.

Bob Brehm: Right. We have it electronic, it's in the training and we agree with you it should be electronic. That's the tool we've established.

Mr. Mahoney: Sounds good. And the other point I'd like to highlight quite a bit is in regards to personal use and I know that the statute from the budget did spell out what permissible uses of campaign funds would be and you mentioned that you amidst to go beyond that too much but there are other parts of statute that do give you the powers to define what personal use is and we would encourage you just to come to more concrete and specific examples of what constitutes personal use and what does not. There have been a lot of decisions from the Board over the years in advisory opinions that define this and it would be good to translate those into the official regulations especially for this program because it will be very important, especially now that they're spending taxpayer money.

Douglas Kellner: That's certainly something that we can look at and see what we can try to do.

Bob Brehm: The other item that I think is a component, the date we are looking at for an individual, a candidate who thinks they want to participate in this public program, I know we've looked at the City Campaign Finance and they have a deadline that's a little earlier in the year. We would love to have an earlier deadline but we don't think that's fair in this cycle being that we started so late as far as the adoption of legislation of programs. So we are looking at August 1st I understand as the deadline. If you think you're running for Comptroller this year and you think you want to participate in this program, you have to submit the application to us not later than August 1st.

Kim Galvin: By application you just mean the certification that you may participate. No actual funds or filings or anything.

Bob Brehm: Right and then that gets you at least to be in the program, we assign a staff member to you. We describe the dos and don'ts and then you have to then meet all the other criteria in the statute. I believe the City Campaign Finance Board is earlier in June 10th. And that's just too early from our perspective for a program that is just getting kicked off the ground. So this will give us a tool and direction to all those people that are thinking of it. We certainly will answer people's questions if they're not sure since it's very nature, its not like a large group of people to have this conversation with, it's more of a one on one people identify themselves to us and we will follow. But I think from a Board perspective that's what we're recommending. It's not in the Reg, it's a date to be set by us but that's the date we are looking to set.

Kim Galvin: It's also critical too for the outside agencies such as the Comptroller's Office so that they know how many participants, what the maximum money could be going into the system so that at certain dates they don't have their money tied up in investments or something and they can transfer the funds to be utilized by the Public Financing candidates so they participate in the program. So clarity of the totality of the system is a necessary component not just for us but by the other entities as well.

Bob Brehm: And that's why I know that legislation in the meeting the other day with the Comptroller's people, you know how the fund is funded from the, how the election fund is funded from the transfer of monies from the unclaimed funds. They don't have multiple millions of dollars sitting around in the unclaimed funds beyond what they're anticipated expenditure is. So it requires the co-chairs of the agency or Todd and I if you authorize this regulation, in your place as often as necessary to recommend to them the actual amount of money that will be available. And in our conversation the other day with only one candidate not knowing if there will be a primary or not, the maximum is 8 million so it would make sense for us as an initial to anticipate the fund and maximum would be 8 million with only one candidate and it can be less than that. And then if other candidates get in, it's dependent on when and how and what the circumstances are.

Kim Galvin: Then again not to keep interrupting Bill, but then again we'll know when the petitions are filed whether or not there will be a primary and one of the major parties that would trigger those types of payments and we could alert them that 4 million dollars will be required to be deposited. So it will be a lot of communication going back and forth.

Bob Brehm: That just takes a period of time that was a lot longer than we thought so we have to take that into our consideration when we come up with the estimate that we can get there. Sorry Bill.

Bill McCann: No that's okay, but more specifically the rationale to that August 1st date, the third component of the Matching Funds Program are those candidates that come out of the independent nominating petition process, and this is in the middle of that process. So that goes August 1st is roughly the mid point of where you're circulating those independent petitions. By that point we felt you should certainly know whether you're going to be a candidate for the Office of Comptroller and then secondarily whether you might want to participate in the program. So we wanted a date, not at the end of that period but something that would be fair to allow them to have some time to make that determination. So that's how we arrived at that date.

Douglas Kellner: That's helpful to explain that. Is there anything else that anyone thinks should be explained before we vote?

Bob Brehm: I think it's important and I think I've said it, but I think it's important to repeat it. I believe this is a work in progress. We already understand there is a clean up bill in progress that we have already identified some issues with the language

Kim Galvin: Whether or not it gets passed.

Bob Brehm: Whether or not it gets passed if it gets passed, we know to update all of our materials, but we know we'll probably come back and touch this again as a way to take. It's certainly something that is not anything we've done before so we certainly appreciate the comments. We know a little bit more and we know it probably will come back to you for the....

Kim Galvin: Right for the record these are relatively minor clean up, it's not like a total expansion of the program or anything

Bob Brehm: or statutory...

Kim Galvin: yeah.

Douglas Kellner: We can also underline that comments are still welcome. So even though we're adopting these Regs today, if people want to submit additional comments, they should feel free to do so.

Jim Walsh: Okay on the question of adding new part 6200.11 Public Financing Pilot Program, all in favor say aye please

[Chorus of ayes]

Opposed? Carried. Item B under old business I'm told Bob and Todd would like to give us an update on Independent Expenditure reports and Matching Funds Pilot Program.

Todd Valentine: I think we ended up covering most of that. That was just in case...

Jim Walsh: Okay very good. Commissioner Kellner Civil election issue.

Douglas Kellner: Okay. So we have a proposal for the Commissioners that we adopt a policy that confirms that where there is a seat in the legislature, either the senate or the assembly that is vacant and no request for a special election has been called, because this is the year in which we hold the general election for all of the seats in the legislature for full term, that we make it clear that our policy is that the office appears on the ballot just once for the full term and that when that legislature is elected to the full term, it is expected that the Senate and the Assembly will seat them to fill the vacancy for the final 2 months. And to explain this a little bit further, well so the policy that I'm proposing that the staff has put together is that we formally write as many are aware there are

currently 12 vacant Senate and Assembly seats throughout the state. The State Board has been asked on numerous occasions whether the office must appear twice, once for the unexpired term and once for the full term on this year's general election ballot. After a review of the relevant statutes, the State Board is of the opinion that since no special elections have been called to fill those vacancies that such office should be filled at the upcoming general election, and the office should appear only once on the ballot for the full term. We will immediately make a notification to all interested parties should the legislature act in such a way that would change or alter this position.

So I'm making this motion that we adopt that policy. And by way of explanation, I would say that for many, many decades it has been the historic practice of the legislature to follow this policy that where there has been no special election, the offices appeared once on the ballot and when the legislature has been in session has seated the person after they've been elected to fill out the balance of the vacant term.

There have been a couple of exceptions to that but the exceptions have all had unusual circumstances tied to them. For example, I remember very well in 1992 when Congressman Ted Weiss died, he died actually 2 days before the primary election and we had to remind all the voters, and he had an opponent in the primary. We had to remind the voters that they still needed to vote in the primary and that by voting for the deceased candidate on the ballot that would allow the party committee to fill the vacancy which they eventually did in naming Jerry Nadler. But that was a reapportionment year, and so a different part of section 42 of the Public Officers Law applied and because it was a reapportionment year, the districts had changed. So the district that Congressman Weiss had been representing was significantly different than the district for which he was running in reelection. And so in that case, both offices were put on the ballot but the voters for those two different offices were very different. And so that was an exception.

In the Barron case that was litigated in Supreme Court in Brooklyn 2 years ago or I'm sorry in 2008, it only stands for the proposition that a special election can't be held to fill a vacancy in the office of State Senator or member of the Assembly unless the vacancy occurred before the first day of April of the last year of the term of office. And the language in that case is easily distinguishable and so I believe our staff has looked at this very carefully and the State Board believes that it is only appropriate to list these offices on the ballot once and therefore people should only petition for one office and the county board should be advised that it's the State Board's directive that they only put the office on the ballot once. Thank you.

Jim Walsh: Thank you. It's my understanding that we're only looking for a consensus on this, we're not, and we don't need to have a...

Douglas Kellner: No I think we need to vote on it as a motion so that if there's any question in court or among the Boards, because we're making this as a statewide policy now. We're directing the county boards to do it this way.

Jim Walsh: You have made the motion. Second the motion?

Gregory Peterson: I second the motion

Jim Walsh: All in favor?

[Chorus of ayes]

Opposed? Carried. Thank you Commissioner.

Just a point of announcement, we're not finished yet but I would like to announce our next meeting date will be June 17th. We have one preliminary determination CMP13-30 that was tabled in the past.

Douglas Kellner: I move that we go into Executive Session. There are actually 3 issues, we have the enforcement issues including this preliminary determination but also one other enforcement issue that we've been requested to act by a county board of elections.

Jim Walsh: I was not skipping over that. I didn't know if you wanted to vote on this...

Douglas Kellner: Well I think we should do them all in Executive Session and then we have litigation and personnel.

Jim Walsh: That means we will be coming out of Executive Session with a vote.

Douglas Kellner: I think that's probable.

Jim Walsh: Just for the purpose of public information. Okay we have a motion to go into Executive Session for the discussion of the items that were mentioned by Commissioner Kellner. All in favor?

[Chorus of ayes]

Opposed? Carried.

Kim Galvin: Do we expect we'll come back online?

Douglas Kellner: Not promising it but it's a possibility. I don't think there'll be any dramatic moves for people who want to hang up on us now.

Jim Walsh: We are back in session for the purpose of voting. Commissioner Kellner.

Douglas Kellner: We developed a consensus so with respect to the Board's litigation and enforcement policies with respect to the 150,000 dollar aggregate contribution limitations in the election law. Bill do you want to explain just what we're going to do?

Bill McCann: Yes Commissioner. Specifically, we're speaking about election law section 14-114 sub (8) and as it relates to that election law the Board will no longer be enforcing that 150,000 dollar limit at it applies to individual contributions to political committees that engage solely in Independent Expenditures. And two, as specifically relates to the recent Supreme Court case decision in McCutcheon vs. the FEC the Board will no longer enforce the 150,000 dollar limit as found in election law 14-114 (8) to contributions made by individuals for the political purposes outlined therein. Aggregate contribution limits as outlined therein.

Douglas Kellner: So I think we should just confirm that the 4 Commissioners all agreed to this.

Jim Walsh: Anyone not agree? Okay. Next item, we have to vote on CMP13-30.

Douglas Kellner: As revised as we discussed in the Executive Session, I'll move for the adoption.

Gregory Peterson: Second.

Jim Walsh: All in favor?

[Chorus of ayes]

Opposed? Carried.

Douglas Kellner: And then we took one other action in Executive Session which will be in the Executive minutes.

Jim Walsh: And we will be returning here the 17th of June. A motion to adjourn to June 17th? I heard a motion didn't I? Opposed? Carried. We are adjourned.

Douglas Kellner: Thank you all.