>>DOUGLAS KELLNER: Good afternoon, everyone. My name is Douglas Kellner. I'm co-chair of the State Board of Elections and I call the meeting to order.

To my left is co-chair James Walsh. And commissioner Gregory Peterson.

Unfortunately Commissioner Aquila was not able to join us today. Her brother died over the weekend. And we give her our condolences.

And our support. And certainly understand why she's not able to come today. And I ask everyone to introduce themselves. Let's start with Todd.

>>TODD VALENTINE: Todd Valentine co-Executive Director.

>>KIM GALVIN: Kim Galvin special counsel.

>> Pat Tracey.

>> Paul Collins, special counsel.

>> Anna Svizzero, Director of election operations.

>> Pat Campion.

>> George Stanton, director of information technology.

>> Liz Hogan enforcement counsel.

>> Co-Executive Director Stanley Zalen.

>> Cheryl.

>>DOUGLAS KELLNER: Jeff?

>> Jeff --, Office of the Attorney General.

>> Josh --, Attorney at law.

>> Christopher Higgins.

>> Donna Lynch.

>> Bob -- , Daily Gazette.

>> Barbara Murphy, Saratoga league women of voters.

>> B-- --, Citizens advisory committee and NYEVD.

>> Amy Almo, New York State league of women voters.

>> Bob Warren, election operation.

>> Terry Green, election operations.

>> Elizabeth Bernie, candidate and attorney.

>> Neil -- , NYStech.

>> Rob Zegland from NYStech.

>> Bob Grens-- from NYStech

>> Jennifer.

>> Joanne Y-- running for a spot on the ballot for 43rd Senate.

>> Michael --, attorney.

>>DOUGLAS KELLNER: Thank you to all of our guests. There are no minutes yet from the last meeting.

So we'll start with the unit updates, the co-executive directors.

>>STANLEY ZALEN: With respect to the budget issues, you may all have heard about the fact that the Governor has ordered a further 7%

budget cut in addition to the 3.35% earlier this year. All to happen in this fiscal year.

The budget office has said that they were meeting with our representatives or the representatives of every state

agency some time in the near future to go over whatever options we have.

It's not going to be easy for cuts of this magnitude. For the year total we would have to cut $938,000.

And it's a toughy. As far as internal controls are concerned, one of the things that budget has asked us for,

it may be unrelated to the budget cuts, is for description of all of our programs.

And just today in fact Todd and I sent out to unit heads that form with a request that some time next week the

unit heads come back to us with each of their programs and various information relating to those programs.

And that will be helpful in terms of our moving ahead on our internal controls issues, as well.

Todd, do you have anything you would like to add?

>>TODD VALENTINE: No, that's good.

>>DOUGLAS KELLNER: What's the anticipated time on the -- when the Commissioners will get the internal audit controls report?

>>STANLEY ZALEN: Well I was looking to get this interim thing by next Tuesday hopefully.

And Todd and I have to move ahead pretty well we have an overall absolute deadline of some time hopefully

before the general election to have all our work completed in that respect.

I think a lot of it may have to do with the cuts that we have to make, as well.

And I just can't be any more specific at this time, Doug, I'm sorry.

>>DOUGLAS KELLNER: All right. I think it would -- if we had that internal audit procedures in place,

I think that it would be that much easier to at least analyze the budget to determine whether there are marginal activities that we could cut.

But thank you. All right. Anything else, Todd?

>>TODD VALENTINE: No, nothing else.

>>DOUGLAS KELLNER: Okay. Then we'll turn to the legal report. Kim Galvin?

>>KIM GALVIN: Aside from the petition and hearing statuses of DOJ has kept us most busy and

Paul thankfully has covered most of that since we last met.

So he is going to give the report on that particular part of what we've been doing.

>>PAUL COLLINS: There are essentially two issues that are on the front burner with respect to the HAVA supplemental remedial order.

Initially the current refusal of Nassau County to resume the acceptance of machines which have been acceptance tested up here in Albany on an unconditional basis.

And secondly, the response or lack of response of New York City to the ruling

in the McFeelly HAVA complaint. As they both involve matters that are subject to ongoing litigation,

it's perhaps appropriate to discuss them in an executive session because as you know the Department of Justice monitors our meetings.

But that's obviously up to the Commissioners.

>>DOUGLAS KELLNER: Do you want to do that at the end of the meeting? Okay.

We'll vote on going into executive session at the end of the meeting. Is there anything else? For the legal reports.

>>PAUL COLLINS: The other aspect is we have received a letter from New York City indicating that they are financially unable to --

the New York City Board of Elections that they are financially unable to implement the BMD

in every polling place and that's again something we would discuss in executive session.

>>DOUGLAS KELLNER: All right. So we'll take that up at the end.

Is there any other legal cases or any of the petition cases that were started in the last two weeks ripe yet for anything that the

Commissioners need to do besides petition rulings? There are no legal issues that we have to deal with?

>>KIM GALVIN: Well there's some prima fascia rulings and acceptance rulings.

>>DOUGLAS KELLNER: What about the Barren case with the court of appeals?

I guess that's a New York City Board case on whether or not they -- the Board has to hold special elections.

>>KIM GALVIN: Yes.

>>DOUGLAS KELLNER: And when is the argument with that.

>>STANLEY ZALEN: Wasn't it August 29th?

>>DOUGLAS KELLNER: It's the end of August?

>>TODD VALENTINE: Yes, I don't have the exact date.

>>DOUGLAS KELLNER: And do we want to take a position in the case? You haven't thought about it, I take it.

>>TODD VALENTINE: No in addition to what the corporation counsel is providing for the city Board.

>>DOUGLAS KELLNER: Right. Which I have read the papers in it. And I think the city's position is legally correct.

But I don't think it's necessary for us to get involved. If there's no interest on the other side in doing that.

>>STANLEY ZALEN: For whatever it's worth Steve Richman spoke with me about it. And prior to ever making their decision that led to the litigation.

And I supported what they did.

So the fact that they lost in two lower courts makes me wish that they would have taken it to the court of appeals.

>>DOUGLAS KELLNER: Yeah, certainly we shouldn't take a position unless everyone agrees that we should do it.

And if there's no interest, I won't press it. All right. Then let's turn to election operations. Anna Svizzero.

>>ANNA SVIZZERO: Thank you, Commissioners. The petition activity that I'll summarize first includes the opportunity to ballot activity which just wrapped up.

It reflects 612 petitions total received to date.

229 acceptances. 200 authorizations. 128 sets of objections.

57 sets of specifications. We had seven declinations and there were six substitutions related to those.

So there's been a lot of paperwork and notices to candidates, et cetera.

We did our drawing for ballot position on the 31st. And I do have those results if anyone is interested.

Our unit status meetings with NYS tech and sys test continue.

Acceptance testing some of it is ongoing and some has been wrapped up. The ESNS effort is completed.

They delivered 2,559 units. All of those were successfully acceptance tested.

All of those have been delivered to counties. So ESNS has wrapped up it's affairs at our central testing site.

Dominion, however 517 units have yet to be delivered.

Though Bob Warren is here today and he said there were deliveries being made at our testing site.

As he was leaving to come here. We have 46 units in-house prior to today's deliveries that are being acceptance tested.

And we have 134 units that were tested waiting for Sequoia to wrap them and deliver those to the next counties on the list. The interim asset management --

>>DOUGLAS KELLNER: Just on that part.

>>ANNA SVIZZERO: Yeah, sorry.

>>DOUGLAS KELLNER: The timeline required the vendors to make the deliveries by July 31st is that correct.

>>ANNA SVIZZERO: Yes, sir.

>>DOUGLAS KELLNER: And how many --

So 514 were not delivered on time.

>>ANNA SVIZZERO: 517 were not delivered on time.

>>DOUGLAS KELLNER: How many were delivered?

>>ANNA SVIZZERO: Um, 3,989 units were delivered on time. Thank you, Bob.

>>DOUGLAS KELLNER: All right. Thank you.

>>ANNA SVIZZERO: The interim asset management programs that we created that NYStech created on our behalf have been delivered to 41 counties.

We're populating the rest of those spreadsheets as orders get completed so counties get a single delivery of that program.

And we'll keep sending those out daily as they become complete.

The Ulster County Board of Elections has shared anecdotally they are still interested in doing a pilot project although I haven't

heard from them in writing as of the convening of this meeting so I don't have any information to share in that regard but they are --

that regard but they are still interested. I spoke to the Commissioner this morning. Other than that I would advise the Board that our --

the EAC is interested, very interested, in our certification progress such as it is. And more interested in the documents that have helped get us where we are.

They have posted a number of our documents in the past,

and they are looking to increase the number of documents that we provide to them providing they have an interest to other jurisdictions.

And that would appear so. So we're preparing right now a transmission to them of our master test plan which would simply be a link to our web site.

The requirements matrix and we have a couple of other documents that we think would be of interest to other states that are pursuing certification efforts of their own.

Either in addition to or instead of the EAC certification program. So we'll be providing those hopefully in the next day or two for the EAC for publication.

And I don't have anything else for the Commissioners.

>>DOUGLAS KELLNER: Just on Ulster County it was my understanding at the last meeting that the state

Commissioners by consensus indicated that we would approve Ulster County using the Sequoia machines for ballot scanning.

In a limited number of election Districts. And that we were waiting for Ulster County to provide us with a specific plan.

I just wanted to confirm that that's everybody's understanding.

>>TODD VALENTINE: True.

>>DOUGLAS KELLNER: So the next step is really up to Ulster County to just send us a specific plan. It doesn't have to be particularly detailed.

But should have all of the key elements of what they are proposing, including which election Districts. Of are you agreed on that.

>>JAMES WALSH: Yes I agree.

>>ANNA SVIZZERO: Perhaps we can set up a conference call with Todd and Stanley and the two

Commissioners there and Kim and I to make sure they understand the ball is in their court and let them know what we are looking for.

>>DOUGLAS KELLNER: Right.

>>ANNA SVIZZERO: Is that -- thank you. I would also --

>>DOUGLAS KELLNER: Anna, there was one other thing that last week Bo Lapary in his capacity as a member of the

Citizens Advisory Committee noted some issues with the source code for the Sequoia ballot marking device and ballot scanning.

Has that been resolved now in terms of the staff and what's going to be done with those issues that were identified.

>>ANNA SVIZZERO: I don't know that there really are issues and I would let Bob Warren to speak to them but we've certainly discussed them with

NYStech and the ballot marking devices that are being looked at were not certified. They were authorized for a limited basis for

limited testing done to them but clearly our certification effort is much more

detailed and that sort of issue NYS tech advises would indeed be addressed in the certification testing that we're doing.

But Bob Warren did do some additional research into the issue. And I'll have him share that with you now.

>>BOB WARREN: Yeah, the issue that Bo found was he thought that I guess the way that Dominion has structured their machines,

the programs that they create, they give them a specific name. CF 200.ENC. And each machine, each program is named that. And then the code that Bo was looking at,

it looked as if that application would automatically load if it saw that name. However I ran some tests and it will only load if it has a proper technician key,

a proper pass code and those two things match that program. Otherwise you'll get --

>>DOUGLAS KELLNER: Right. But I think Bo's report indicated that that was the case.

But the question is whether that book door through the technician's key should be left in the program.

Because of the potential that it could be misused down the road. I think that's the issue.

>>BOB WARREN: I think that higher level of security has to be looked at to see if that's even possible. There's another layer there

that hasn't been looked at yet. And that's with the technician key and the pass code

working with those programs. Because each one needs a specific technician key and a specific pass code before it will allow that program to load.

So I think once that's looked at then we might have some more information. But there's a whole other level there.

>>DOUGLAS KELLNER: I think it's an important point. That the code that's used on the machine should not have a back door in it.

That would be contrary to the New York regulations. Because that would simply leave a potential means for deviating from the state regulation.

And just shouldn't be there. I think that's the point. And --

>> I've asked for them to assist us.

>>ANNA SVIZZERO: I do have one other item, if may. The testing that's going on at sys test and

we reconciled our last invoice on late Friday so I'm sorry that this topic was not in your Board packet.

But the testing effort requires additional funds be deposited by vendors into the account.

One of the vendors is I think closer to having no funds to pay this next invoice than the other is.

But if the Board is so inclined, we've required that each vendor replenish their account to a certain level whatever that may mean to that particular vendor.

So we're -- I did speak with Kim briefly about this.

And we thought that perhaps $500,000 should be the next fill level that they need to get to in order to see them through the next month or two of testing.

Clearly the resolution of discrepancies and all of the

regression testing related to those, the issues that have arisen at sys test are what's driving this.

Again we continue to speak to the lack of readiness of these systems to successfully complete testing.

But we don't want testing to go on that we can't pay for.

>>DOUGLAS KELLNER: Did you draft a resolution?

>>ANNA SVIZZERO: I did draft a resolution only this morning.

>>DOUGLAS KELLNER: Has Kim gone over it yet?

>>KIM GALVIN: I had a chance to briefly review it. I didn't print out a copy.

>>ANNA SVIZZERO: I have copies here if you like.

>>DOUGLAS KELLNER: Thank you.

>>ANNA SVIZZERO: We can certainly ask for sys test and NYS tech to revise their estimates if that's at all helpful but they are

just going to grow exponentially until vendors make the sorts of changes that resolve the issues that are

outstanding and that testing be locked down to a certain degree.

We are trying to have -- set up a conference call with both of the vendors. We haven't been able to find a time that's been good for us and both of them.

But hopefully we tried to do that on Friday and it didn't work out.

So we're hoping perhaps either late this afternoon or at some point tomorrow we can speak to them.

>>KIM GALVIN: Do you have a current balance?

>>ANNA SVIZZERO: The current balance for ESNS is $187,483. The current Sequoia dominion balance is $308,000.

>>DOUGLAS KELLNER: What rate are they running at a month?

>>ANNA SVIZZERO: The past invoice was about 200,000 each. The June invoice.

>>DOUGLAS KELLNER: So ESNS has less than one month.

>>ANNA SVIZZERO: Yes. And we would be expecting a July bill in the next week to ten days. So if they run the same, they would be short.

>>DOUGLAS KELLNER: Okay. Those in favor of the resolution say aye.

(Chorus of ayes.)

>>DOUGLAS KELLNER: Opposed? All right. The resolution is adopted.

>>ANNA SVIZZERO: Thank you, Commissioners.

>>DOUGLAS KELLNER: All right. NVRA and public information Bob Brehm.

>>PAT CAMPION: Hi I'm Pat Campion the coordinator for special projects I'm filling in for Bob who is down at a hearing.

We continue to work on several items starting today actually NVAR training Greg is down in -- this week.

Those are the first of up to ten training programs we'll do around the state. We continue to work on the poll worker training projects.

We have been working with the counties and staff here for participation in the State Fair,

which begins on August 21st, where we will be manning the voter registration booth there.

And under new business we have a vote for funding of the 2008 resolution for our Public Service Announcement program. And that's all I have in the report.

>>DOUGLAS KELLNER: Thanks, Patrick. Campaign finance, Liz Hogan?

>>LIZ HOGAN: Thank you, Commissioner. A great number of staff have been devoted over the past several weeks to supporting

election ops and counsel's office in terms of reviewing petitions and those kind of issues.

So a lot of the staff time was devoted to that. And I thank them publicly.

The biggest issue that campaign finance is facing right now of course is as a result of the January periodic.

Those people who failed to file the January periodic did receive five day letters and candidates --

they went out on the 23rd. The order to show cause list is due to come to counsel on this Wednesday.

So a great deal of effort right now on campaign financing enforcement is devoted to getting that lawsuit initiated.

The number of projects that I previously talked about continue.

We have staff assigned to working on policies and procedures. Corporate overcontribution issues.

We have the electronic filing -- scanning project contract. I got the final version of it today actually. printed it off this morning.

So that will go to the comptroller so I guess within a couple of weeks the comptroller hopefully will sign off on that.

The contract is as expected. The big issue that we're facing in campaign finance other than of course the

lawsuit as a result of not filing for July is the number of personnel that were down in our call center.

I had previously discussed with the Commissioners that we have a full staff of six.

Four people have moved onto promotions. Out of agency mostly.

And so we were down to two. And I did at the last Board meeting thank the staff who pitched in if out of their own --

they were working out of their own jobs so those things weren't getting done to assist with calls as a result of the July periodic.

But this is a big issue because we're down to two out of the six.

Bill and I did over the past -- since the last Board meeting so over the past ten days I guess we interviewed a number of people for those positions.

We are ready to make a decision today to who to make offers to. Hopefully that will go forward because we desperately need that.

That's all I have to report on today. Thank you.

>>DOUGLAS KELLNER: Okay. Information technology, George Stanton.

>>GEORGE STANTON: This may be a short report because some of the stuff I was going to talk about has to do with New York City.

But other than supporting the petition filing processes and the campaign finance processes,

printing the certified mailers and that kind of thing, we've been working on the NYS voter duplicate resolutions.

Working with New York City on that. And I don't know if you want to talk p the insert that I put in the Board packet with the latest numbers now or later.

>>DOUGLAS KELLNER: You can go through it now.

>>GEORGE STANTON: As you can see, the New York City did do a great deal of purging of duplicate voters over the last two weeks.

In fact, statewide we went from 42,000 down to 6421 potential duplicates.

I just did some quick math here that it looks like New York City purged approximately 34,000 voters in the last two weeks.

The other thing we've been working on with New York City is the reverification we actually started doing a test with Richmond County on Thursday.

They originally had 2080 voters sitting out there that had not been verified. We've run --

actually they had 2145. We've run 2080 of them. We can do about 400 a night roughly in our batch process. Out of those 2080,

82% of them, 1725 came back with an exact match. And 17%, the other 355 came back with a partial match so with the exact and partials

we are getting about 100% hit and about 82 hit on exact matches. That's the good news.

The bad news is we haven't seen that New York City has modified the ID to yes and sent the transactions up to us for all of them yet.

We received about 293 of these where they set ID met to true. And the other 1432 we're looking into with their vendor, Bob Smith,

to see why those transactions haven't been processed.

I don't know if they've been processed on their end but not sent up to us on -- as an update. But they are having an issue.

But it's being looked into at the moment.

>>DOUGLAS KELLNER: Okay. Any questions for George? Thank you, George. So we'll move onto old business.

The first item listed on old business is review and discussion of voting procedures for ballot marking devices.

And I take it there's still no staff draft on the 2008 procedures.

>> No.

>>DOUGLAS KELLNER: All right. I do think that there are two issues that need to be addressed that are not

addressed in the procedures that were used when the ballot marking devices were used with a single device in each County.

When we did those procedures, it was the assumption that since people were going -- that there

would only be one device in each county for most places, that the ballot should be treated as absentee ballots.

But now that people are actually voting at their polling site, I think that the proper way to treat them is as paper ballots,

as emergency ballots. So that the ballots should go into the ballot box.

And it should be canvassed at the poll site and reported on the canvas reports that the inspectors prepare on Election Day.

So that's one issue. The second thing is that in the poll books for statistical purposes,

when the inspectors write down the public counter number,

since they are in the going to be voting on the lever voting machine they shouldn't be filling in the public counter number for the

lever voting machine but instead should be indicating a sequential number for the ballot marking device.

So those would be the two changes in procedures.

And then the third rule that I would propose would be that we continue the same rule that we had last year,

which is that anybody can vote on the ballot marking device by requesting to do so without any showing or claim of disability?

So that there's no question of the inspectors having to decide whether or not somebody is disabled in order to use the machine.

So those would be the three rules that I would propose.

It's just getting close to the primary election. And we need to get this done by our next meeting at the latest I would think.

>>GREGORY PETERSONl Wasn't it a problem then if somebody votes in a particular election District and it would be one

disabled person and they vote that way, obviously their vote is public. It's known.

>>DOUGLAS KELLNER: I guess that would be true. But how would that be different if they were the only one to vote op an emergency ballot.

>>GREGORY PETERSON: Instead of a ballot marking device.

>>DOUGLAS KELLNER: Well, suppose the machine is broken. They vote on an emergency ballot,

put it in the ballot box and then they are the only one to actually be in that category. I mean, it happens.

>>TODD VALENTINE: True, that was a concern that the Justice Department had raised.

And the judge specifically with regards to privacy issued related to these ballots that's one of the reasonings

behind treating them as an absentee ballot to get a larger pool for providing for privacy protection as opposed to doing it on

election night with the machine mark ballot. The court clearly stated you need to balance that out. But it's still a problem now.

>>DOUGLAS KELLNER: That the court spoke to this issue at all I'm not sure.

>>TODD VALENTINE: It did specifically back in its original ruling, yes.

>>DOUGLAS KELLNER: Paul?

>>PAUL COLLINS: Well, I understand what the Commissioner is saying.

The fact that any citizen may use the machine hopefully obviates the possibilityof having a single paper ballot used -- voted by a disabled person.

That's why any person will use the machine. Hopefully that will have good use and that will dissipate the issue.

by counting them at the voting place like the other voters and emergency ballots you ensure

full and complete participation there's no reason to treat these ballots as somehow different than other ballots.

>>DOUGLAS KELLNER: I think at this stage what we need to do is get a draft text. And maybe if we could even publish it before --

publish the drafts before the next meeting so we can get comments from the public on this. And then vote on this at the next meeting.

So could we ask Paul and Kim? I know this is an incredibly busy time. But to get a draft up by the 14th.

>>KIM GALVIN: Sure.

>>DOUGLAS KELLNER: And if there's not an agreed draft, you know, put up multiple versions and let people comment on them.

>>TODD VALENTINE: That's what we did last year.

>>DOUGLAS KELLNER: Yeah. Is that okay? Commissioners?

>> Yeah.

>> That's fine.

>>DOUGLAS KELLNER: All right. So let's move to the next item. The update on the status of part 6210.

>>KIM GALVIN: I'm sorry to report that I believe the status is the same as it was last time. In that Bob Brehm is not here.

And clearly he's the lead on it.

But I know that he's been trying to work through the comments on the audit. And work with the auditor.

I don't want to mispronounce his name. But we're stuck on the audit.

>>DOUGLAS KELLNER: Where do we stand now with Gore? I mean, should we adopt -- now, you said that the -- that the --

the usability numbers, which was Section 19 of part 6210, since we published it separately, we had to vote on it separately. And that's done, right?

>>KIM GALVIN: Which part?

>>DOUGLAS KELLNER: 6210.19.

>>KIM GALVIN: All of the notice procedures were satisfied.

>>DOUGLAS KELLNER: Where do we stand legally now in terms of -- is the idea that we're going to vote on everything all at once. Or are we going to renotice changes.

>>KIM GALVIN: Or pull apart the document and vote on different sections?

I mean, I think at this stage we might be looking to -- I don't know that we're going to reach agreement on the audit provisions in the very near future.

But we can -- if you -- if you would like, we can pull out the other sections.

>>DOUGLAS KELLNER: All right. One of my concerns about the audit provisions is 9-2.11 is in effect now.

So that the audit provisions actually -- the statute is in effect for those jurisdictions that are not using -- for those --

it's certainly in effect to the extent that there are paper trails where there's central counts of absentee ballots for example.

And that we ought to have procedures in place for those jurisdictions to be doing their audits.

So that this is not something that should wait forever. That -- all right.

Well, I guess the best I can do is just say let's carry it forward for next meeting and hopefully that will get some progress and at least a plan on what we will do.

If we have agreements on parts of it, then let's -- maybe we can vote on that.

>>KIM GALVIN: We have agreement on most of it. A great deal of it.

>>DOUGLAS KELLNER: All right. So we'll lay it over to next meeting.

And we move to new business. Vote on resolution for funding of the 2008 PSA program.

We have a written resolution in the packet. Is there any discussion on the resolution?

>>JAMES WALSH: Briefly, I notice the name of the employee, Mary Ellen Walsh. She is not related to me.

A name like that I'm sure she's imminently qualified. thank you. [Laughter.]

>>DOUGLAS KELLNER: Those in favor of the resolution say aye.

(Chorus of ayes.)

>>DOUGLAS KELLNER: Opposed? It's adopted. All right. Next is resolution to certify ballot propositions for 2008.

Amendment to the Constitution regarding veterans civil service credit. And again that was printed.

And in our packet. Is there any discussion? All in favor say aye.

(Chorus of ayes.)

>>DOUGLAS KELLNER: Opposed? So that's adopted. All right. Next is petition rules. Kim Galvin and Paul Collins.

>>KIM GALVIN: Well, we have four different segments, if you will.

>>DOUGLAS KELLNER: Excuse me. [Background talking.]

>>KIM GALVIN: We have four different segments of this particular -- of the petition process.

The if it meets with the Commissioners' approval, the order that I'm prepared to discuss them but we can switch them

around if you would like is the prima facia matter to be considered by the Board. Since that seems to be the simplest.

>>DOUGLAS KELLNER: Do we have something in writing on the prima facia?

>>KIM GALVIN: You should.

>>DOUGLAS KELLNER: What does it look like.

>>KIM GALVIN: It's the whole --

>> It's that material.

>> I gave you that Kim --

>>DOUGLAS KELLNER: I have this.

>>KIM GALVIN: Are they attached to those documents? That's only two pages long.

>> I'll give you my stuff again.

>>DOUGLAS KELLNER: All right. So these are 122nd assembly District judicial convention for the Democrats.

Various OTBs for independence party. Fifth Congressional District OTB for a conservative party.

Specifications of objections for the 90th assembly District against

William Goldman Republican and conservative party. And 62nd Senate District objection to declination of Donald Hogan.

So that's the list. Any discussion? Those in favor of approving the report on prima facia matters say aye.

(Chorus of ayes.)

>>DOUGLAS KELLNER: Opposed? All right. That report is approved. Next one, Kim.

>>KIM GALVIN: The next one I have, Commissioners, is the chart labeled missing acceptances or authorizations.

>>DOUGLAS KELLNER: Missing acceptances.

>>KIM GALVIN: Yeah. This document clearly -- states the office and District the party the name of the candidate the party they are enrolled and the document they are missing.

As you are aware clearly if they are not enrolled in a particular party you need an acceptance and authorization to run on that line.

When we ran the report and triple checked it,

these documents missing in the farthest right hand column are in fact not here at the Board which would invalidate any petition.

These are other documentations that were filed.

>>DOUGLAS KELLNER: Now, are any of these cases where there were multiple authorizations filed. And so we're -- no. That's a different issue.

>>KIM GALVIN: Right.

>>DOUGLAS KELLNER: Okay. So all of these petitions are being ruled void then for failure to have the necessary authorization or acceptance?

>>KIM GALVIN: Correct.

>>DOUGLAS KELLNER: Okay. I'll just quickly read the list. It's 20th Congressional District independence party Kirsten.

22nd. George Phillips. 27th Congressional District independence party Brian Higgins.

39th Senate District working families, Lauren Stelarose 60th District Antwon Thompson. 67th Joe Messi.

96th assembly District independence party Nancy Calhoun. 96th independent District Richard. 97th assembly District working families party, Ann Rabbit.

99th assembly District conservative party John Degman, 100th assembly District independence party Frank Skartatos.

10stassembly independence party Kevin Kahill. 11th independence party Bill Magi. 112th assembly District independence party Tony Jordan.

113th assembly District conservative

party Teresa Sayworth. 115th District conservative party David Townsend.

122nd assembly District conservative party DeeDee Scozapata. Any discussion on the list? Those in favor say aye.

(Chorus of ayes.)

>>DOUGLAS KELLNER: Opposed? All right. The list is -- the report is approved.

>>KIM GALVIN: The next segment gets a little trickier, Commissioner. I don't know if we want --

if you would like me to just do the case summary update and then move to the hearing schedule. Whichever you think --

I think the petition case summary is probably worth -- or this summary these are just my notes.

The petition case summary is probably more straightforward. And then we can get to the objections themselves.

It's clearly up to you which way you would like me to go now at this point.

>>DOUGLAS KELLNER: I think we should just go through the list.

>>KIM GALVIN: The big list?

>>DOUGLAS KELLNER: Are these all done? Where you had some reports are in progress.

So -- well, what is it that we're voting on? How do we frame the list to be voting on?

>>STANLEY ZALEN: You could vote to approve the recommendation of the hearing officer.

>>DOUGLAS KELLNER: Most of them are blank.

>>KIM GALVIN: Any with a blank like for example if you go down to Michael Rock those are in progress right now downstairs as we speak.

Any with a not applicable should have a reference in the notes section that is either on or off by court action.

>>DOUGLAS KELLNER: I see it. All right. So you have the first two are Gary Ackerman fifth Congressional District ruling valid. Elizabeth Bernie fifth Congressional District rule valid.

June Polacarpio fifth District valid for conservative party and invalid for Republican party. Right? So I've got that right.

>>KIM GALVIN: Right.

>>DOUGLAS KELLNER: All right. Then you don't have rules on Kirsten Gilabrand or Michael Rock. Or Gilabrand is off on the independence line for lack of authorization.

>>KIM GALVIN: Right.

>>DOUGLAS KELLNER: All right. Michael Rock we're waiting for the report. John Wallace we're waiting for the report. Is that --

>>KIM GALVIN: That's correct. That's in progress right now.

The Rock conservative the Wallace Republican are being done this morning downstairs.

The next one is the Michael Rock Republicans were done this morning. And the staff recommendation on those is that the petitions be held invalid.

>>DOUGLAS KELLNER: I so should write in invalid. So they are doing the hearing on Michael Rock conservative party designation.

And the report is invalid for Republican party designation.

>>KIM GALVIN: Correct.

>>DOUGLAS KELLNER: Okay. John Wallace, Republican party, 20th Congressional District.

>>KIM GALVIN: That is being done downstairs as well.

We're finishing the 20th because of the death in the families of one of the participants

they had to be moved from Friday to Monday for the hearings this morning.

>>DOUGLAS KELLNER: All right. So that's -- we're waiting for. Joseph Sullivan.

Joseph Sullivan Democratic 21st Congressional District. It has two question marks.

>>STANLEY ZALEN: That's not the right one.

>>TODD VALENTINE: It should be this one.

>>STANLEY ZALEN: This one is the right one?

>> Okay.

>>DOUGLAS KELLNER: Listen. Why don't we vote on these so we don't get too confused.

Let's go back to the fifth Congressional District. Can you stand up and tell us your name.

>> Yes. I'm a candidate in the Congressional District. I couldn't quite hear. Did you say that the Ackerman petition is invalid.

>>DOUGLAS KELLNER: No, it's valid.

>> It's valid?

>> That's the recommendation.

>>DOUGLAS KELLNER: The recommendation is Elizabeth Bernie, Republican fifth Congressional District valid. Gary Ackerman,

fifth Congressional District independent party and working families party valid. June Particarpia, valid.

And June fifth Congressional District Republican party invalid.

>> Yeah, I'm the working -- I'm the working on independence party we have been trying to get to the

Board apparently there was a problem getting the signatures from the Nassau County Board up here.

There were another 28 signatures that were bad signatures that didn't match at all.

We've been trying to get those to the Board for the last two days.

The we have been told originally and I understand under HAVA there's supposed to be a uniform state system

under which the Albany Board has access to all of the records of Nassau County.

They refuse to give out the signature cards. We tried to get the signature cards from there when we filed the objections originally. On the specs.

>>DOUGLAS KELLNER: Why would they need to look at the signatures.

>> Because they are -- they were non-matching signatures.

>>DOUGLAS KELLNER: That doesn't matter. That's an issue of fraud that you have to raise in the court.

>> These are non-matching signatures.

>> She's been in court.

>>DOUGLAS KELLNER: Excuse me have you been to court.

>> We have been and we are going to be again.

>> Have you been represented by counsel?

>> I'm sorry my counsel had to run to another hearing. Oh, here he is.

>>DOUGLAS KELLNER: Ms. Bernie we don't rule on fraud issues.

>> I understand that.

>>DOUGLAS KELLNER: We would not need to look at the signature cards.

>> You rule on completely non-matching signatures.

>>DOUGLAS KELLNER: No.

>> That's --

>>DOUGLAS KELLNER: No we don't. That's the ruling of the court.

>> What was the recommendation in terms of number of signatures that were saying were valid for Mr. Ackerman.

>>DOUGLAS KELLNER: Kim, did you provide them with a report?

>>KIM GALVIN: Did I provide who?

>>DOUGLAS KELLNER: Provide counsel with the clerk's report.

>>KIM GALVIN: At the end of the hearing I believe they were given a copy of the report.

>> We have not received that.

>>KIM GALVIN: Here it is right here.

>>DOUGLAS KELLNER: Right. Ms. Bernie it's your counsel who got it.

>> He's here he just arrived.

>> I have not received a copy of it at this point.

>>KIM GALVIN: Were you in fact told at the end of the hearing what the numbers were.

>> Yes, we were.

>>DOUGLAS KELLNER: We'll vote on it now. Those in favor of the staff report say aye. (Chorus of ayes.)

>> Excuse me.

>>DOUGLAS KELLNER: Opposed?

>> We've also given an opportunity at the end of the hearing to submit more informing so we don't know and they were going to

leave that open we don't know the number of signatures they are talking about here. We have not received.

>>DOUGLAS KELLNER: Well they'll go over it with you.

>> The other issue as a conservative, sir, the conservative --

>>DOUGLAS KELLNER: We already voted on it.

>> I've been trying to speak up. On the conservative, we were not given an opportunity to be heard on that.

We were told that we would be heard on the conservative petition.

>>DOUGLAS KELLNER: Counsel, what's the issue on the conservative.

>> If I may, Mr. Examiner, due to the volume of hearings that were going on that I was with Ms. Bernie with I believe hearing officer Valentine for approximately

12 hours or 13 hours that we were scheduled to have a conservative hearing at the same time that we were doing the Republican hearing.

I wasn't able to be in two places at once. I believe the hearing was conducted. Counsel Galvin made it available for me to review.

But because of the sheer volume and the numbers of petitions here I didn't have an opportunity to review the finding.

>>DOUGLAS KELLNER: Well, we voted on it.

With all these hearings everybody is stretched thin and you have to have multiple counsel if they are going to be separate challenges.

Because we're under very tight time deadlines in order to make our rulings. Todd is there anything you want to add for us on this.

Is there any issue that the Commissioners need to decide that wasn't in the report?

>>TODD VALENTINE: No.

>>DOUGLAS KELLNER: Okay. All right. Let's move on. 20th Congressional District. Did somebody pass up a note saying they wanted to be heard on that?

>>KIM GALVIN: Not to me.

>>DOUGLAS KELLNER: All right. We have two rulings so far on that with the Republican party petition for Michael Rock invalid.

Those in favor of the staff report say aye.

(Chorus of ayes.)

>>DOUGLAS KELLNER: Opposed? Staff report is adopted. Michael Rock's Republican petition is out.

All right. nd Congressional District, Bruce Layman. Republican. Valid. Wait a minute. Republican, invalid. Conservative is invalid.

>>DOUGLAS KELLNER: Okay all right. Bruce Layman 22nd Congressional District conservative party invalid.

Republican party, valid. Does anyone want to be heard on that? All in favor in -- those in favor of the staff report say aye.

(Chorus of ayes.)

>>DOUGLAS KELLNER: Opposed? All right. The staff report is adopted. Next we have Richard Hannah independence party.

Apparently there's a Court order putting him on the ballot.

>>KIM GALVIN: That's correct. Keeping him on the ballot.

>>DOUGLAS KELLNER: All right. Next is Thomas Connelly. 25th Congressional District independence party.

Invalid. John Chamopoli independence party invalid.

>> He's a substituted candidate for Mr. Connelly.

>>DOUGLAS KELLNER: I see it's the same petition.

>>KIM GALVIN: It is.

>>DOUGLAS KELLNER: Those in favor of the staff report say aye. (Chorus of ayes.)

>>DOUGLAS KELLNER: Opposed? Staff report is adopted.

>>KIM GALVIN: The next two you deemed invalid at the last board meeting. So no action is needed there.

>>DOUGLAS KELLNER: Then we go to 36th Senate District Crystal Wade. Invalid. Those in favor of the staff report say aye. (Chorus of ayes.)

>>DOUGLAS KELLNER: Opposed? All right. The staff report is adopted. Crystal Wade is off the ballot. Next is 43rd Senate

District Christopher Conswelo working families party. Ruling is valid. Is that the one Joanne Yepson wants to be heard on.

>>KIM GALVIN: She wants to be heard on her own which is the next one.

>>DOUGLAS KELLNER: So we have -- so let's just vote on Christopher -- Christof Consuelo as valid. Those in favor say aye. (Chorus of ayes.)

>>DOUGLAS KELLNER: Opposed? The staff report is adopted. Then Joanne Yepson Democrat 43rd Senate District staff report is invalid. Ms. Yepson.

>> Thank you, thank you, Commissioner. Last week at the staff hearing we came up approximately 32 signature short.

And I would like permission today to submit reports to address three categories of specific objections. And I would like to present this to the Board, please.

>>DOUGLAS KELLNER: When did you get this staff report?

>> it was on Tuesday of last week.

>>DOUGLAS KELLNER: And you are only doing this now?

>> Well, I was told to bring the materials today and present them to the Board.

>>DOUGLAS KELLNER: All right. Now, these are to specifications that are already on the petition.

>> Absolutely, yes.

>>DOUGLAS KELLNER: And --

>> We have affidavits. We have three -- several signatures that are being considered not in the 43rd District,

which we would like to present research that shows that they are.

And then the other affidavits have to do with regaining signatures in the category of no dems reside at this address.

We have affidavit to prove the research that shows the dems have moved but they still reside in the 43rd District.

>>DOUGLAS KELLNER: Who did the hearing on this?

>>TODD VALENTINE: Patrick -- Q. We can accept the information now as we're still waiting for other ones take a look while we're waiting to make the other

rulings and make an analysis and come back today it might be the most efficient use of our time.

>> May I be heard on this one?

>> Information is usually provided within 24 hours.

>>DOUGLAS KELLNER: Can you just bring it up and let us see what you've actually got?

>>TODD VALENTINE: Kind of reserve so to speak.

>>DOUGLAS KELLNER: It should have been submitted the day after the ruling.

Well, I don't know what you were told. So we'll give you the benefit of the doubt. [Background talking.]

>> They reside at the addresses that are on your database. These are the affidavits. Six with objections which I would like to overturn.

Each of these -- and in No. 4 oN each of these sheets it indicates what the specific objection is that I was addressing.

These are six good objections that I would like to overturn. Each of these are witness objections against hyper technicalities.

And again in the affidavits No. 4 would spell out each reason, each affidavit's husband signed and notarized.

>>DOUGLAS KELLNER: Are you going to have time to do this, Todd?

>>TODD VALENTINE: I can have Patrick do this.

>> yeah, sure.

>> I'm sorry; and the third category has to do with residing in the District. We have the petitions attached to the list indicating which ones are on the map in the 43rd District.

>>DOUGLAS KELLNER: Are they people who live in Saratoga springs.

>> No, this is Rennselaer County and most Saratoga County.

>>DOUGLAS KELLNER: Why would they be listed out of District on the computer?

>> I don't know. But we have the maps and the highlighted version.

>>KIM GALVIN: If it's not validated today she can bring a proceeding in court to validate it.

>>DOUGLAS KELLNER: But we should --

>>KIM GALVIN: I understand.

>>DOUGLAS KELLNER: All right. So give your materials to Mr. Campion.

>> thank you.

>>DOUGLAS KELLNER: And Patrick, would you start working on that right now?

>> Sure.

>> May I speak as the objector.

>>DOUGLAS KELLNER: Yes.

>> I'm Donna Lynch. I'm representing myself. I was informed that the next step would be to go to a court hearing on this.

And so I do not have benefit of counsel here with me today. If we're going to go through this,

I have gone through on my own and looked up election law. And have discovered if witnesses fail --

if they change something on the petition and they fail to initial the entire sheet is void. Am I correct?

>> That's correct.

>> There are several of those. And so that the 32 votes that -- the 32 signature that we're looking for will exceed quite that number.

>>DOUGLAS KELLNER: In other words, you're saying that in your specifications, you specified that there were

alterations to this subscribing witness statement that was uninitialled.

>> Yes on the work sheets we have when they listed the good objection as the witness they counted the good objection as 1 not 20.

So if -- as 1 not 20. So my understanding is if a witness --

>>DOUGLAS KELLNER: You'll go over all of this with Mr. Campion.

Todd, do you want a Republican to go with him? Is there somebody available.

>> Mr. Commissioner I would like to say my name is Jennifer --, Ms. Yepson came here without her

attorney as well it's kind of a wash that way and I have to say we were told we didn't need an attorney until we went to appeals.

>>DOUGLAS KELLNER: The Commissioners, we have to rule on it and we'll rule on the merits of this.

And just ask Mr. Campion to get the facts down so that they can present the report to the Commissioners.

>> I appreciate it. Thank you very much.

>> Thank you.

>>DOUGLAS KELLNER: All right. The next one -- let me get the right list again. The next one on the list, Kim, is Mark --, 60th District Democratic.

And that's valid. Those in favor say aye.

(Chorus of ayes.)

>>DOUGLAS KELLNER: Opposed? All right. Then 61st Senate District independence party, Michael Resenhoffer, valid.

And then 61st Senate District conservative party opportunity to ballot, invalid. Those in favor of the staff report say aye. (Chorus of ayes.)

>>DOUGLAS KELLNER: Opposed? The staff report is adopted. Independence party 99th assembly District opportunity to ballot, valid. Those in favor of the staff report say aye.

(Chorus of ayes.)

>>DOUGLAS KELLNER: Opposed? Staff reported is adopted. 108th District Republican Steven Mc Laughlin.

>>KIM GALVIN: Court decision on that matter.

>>DOUGLAS KELLNER: So he's on it. Then 112th assembly District, republican Christopher Lange, valid. Those in favor say aye. (Chorus of ayes.)

>>DOUGLAS KELLNER: Opposed? So staff report is adopted. Barbara Abbott King working families, 123rd assembly District off by court order.

>>KIM GALVIN: Independence is off by court order, as well.

>>DOUGLAS KELLNER: And then sergeant working families. 129th assembly. Off by court. Harold Sir 139th assembly working families off by court.

Well then Democrat, Harold Sir off by court. All right. Then G Douglas fourth judicial District conservative party, valid. Those in favor of the staff report say aye. (Chorus of ayes.)

>>DOUGLAS KELLNER: Opposed?

>> The remaining pages were scheduling pages.

>>DOUGLAS KELLNER: So we're finished. Pending the reports that are underway.

>>KIM GALVIN: They just brought one report up that we can deal with now if you would like,

otherwise we can wait until the other ones are done but this is Joseph Sullivan's 21st Congress District.

>> He's not on here.

>>KIM GALVIN: No, I'm telling them it's added. He was -- well it's a long story. But if we could add him --

>>DOUGLAS KELLNER: Joseph Sullivan, 21st Congressional District. What party.

>>KIM GALVIN: The Democratic party. It's a Democratic petition.

>>DOUGLAS KELLNER: All right. And the staff recommendation.

>>KIM GALVIN: Is valid.

>>DOUGLAS KELLNER: Those in favor say aye. (Chorus of ayes.)

>>DOUGLAS KELLNER: Opposed? I think the next thing on our agenda is to go into executive session to discuss litigation matters.

Dealing with the justice department lawsuit.

>>KIM GALVIN: Commissioner do you want to update it all just in case they are still floating around. Do you want to do that?

>>DOUGLAS KELLNER: I'm willing to wait until they are ready.

>>KIM GALVIN: Okay.

>> Will you be coming back.

>>DOUGLAS KELLNER: Yes we have to come back because we have to deal with the rest of the petition cases.

>> I didn't hear. I understand there were objections to the opportunity to ballot with the Congressional District.

I didn't hear anything about the results of that.

>>DOUGLAS KELLNER: Ms. Galvin? OTB in the fifth Congressional District.

>> Conservative.

>> that one is a candidate proceeding.

>>KIM GALVIN: That hasn't been heard yet.

>>DOUGLAS KELLNER: That's downstairs?

>>KIM GALVIN: Was that -- was that yours for today.

>>TODD VALENTINE: That was the one this morning.

>>KIM GALVIN: That was a candidate proceeding that was brought in court.

>>DOUGLAS KELLNER: There were no objections filed here.

>>KIM GALVIN: No.

>> So the opportunity to ballot is valid.

>> The court is -- I was there for the Board, Commissioner.

>> This was a prima facia matter.

>>DOUGLAS KELLNER: Was that a prima facia?

>> Yeah.

>>DOUGLAS KELLNER: So it was invalidated by us prima facia.

>> On what basis.

>>TODD VALENTINE: Invalid commitment to receive notices. It wasn't valid.

>>KIM GALVIN: On that one. That was a court action filed at the same time the objections were filed here.

They crossed this morning. The court has adjourned it pending the Board's determination.

>> It was through the court action.

>>KIM GALVIN: In validity they probably just went through the court action.

>> that's why Mr. Probe was here.

>>DOUGLAS KELLNER: Okay. Go ahead.

>> I'm sorry; but I mean I know you're here -- I really appreciate if we would have a chance to be heard on the conservative objections,

the conservative petitions. Because of all of the other hearings, we --

we stopped down there when this hearing was scheduled.

We said we would be a -- something at the independence party hearing we were told we would be given an opportunity to be heard. We haven't had that opportunity.

We would appreciate if they would take some time and put off the decision or put the decision in abeyance.

We didn't even have an opportunity to be heard on this. And we were told that we would have --

>>KIM GALVIN: What she says is true. We convened the hearing at a scheduled time. She came down.

I said to them look we're going to start now because we have hearings back to back we'll give you the opportunity to review the

documents two days later having still offered to review the documents unfortunately their hearing lasted much,

much longer than they had anticipated. And it was our opinion Bob, Paul and I that the opportunity to --

we were willing to share the numbers. I spoke with her attorney who affirmed that I did in fact shared the number, offered up the file.

>>DOUGLAS KELLNER: You've been through the issues.

>>KIM GALVIN: I've gone through the issues.

>>DOUGLAS KELLNER: One sentence. Your best shot. What's their error? In one sentence. What did they do wrong. What's the error?

>> They were invalid signatures.

>>DOUGLAS KELLNER: Why? Did they make a legal mistake or is this back again where you think that they -- the Board does not compare signatures.

>> I think it was with -- I mean it was other things, too, people out of the District and that sort of thing.

>>DOUGLAS KELLNER: You don't have a list.

>> I would -- I do have a list.

>>DOUGLAS KELLNER: It's already done. The proper way to do this is to do -- is to do this before the hearing.

>> We had our specific objections and there's a whole list on there.

>>DOUGLAS KELLNER: Right and they made rulings on every one of the specific objections.

>> Yeah but without the objector present, you know.

There's supposed to be an opportunity to be heard on both sides on this. And you know other --

you're hearing other people this afternoon. I would hear you -- I would ask you hear us, too.

>>DOUGLAS KELLNER: They prepared written exceptions which are going to be reviewed. So that's it. All right.

Now, we have to move on. Because we have to deal with this executive session.

>> Excuse me. As the independence party we were told -- I mean the other items we submitted it's considered we don't even know that.

>>DOUGLAS KELLNER: Staff will go over all of this with you. But right now we have to do our executive session.

So those in favor of going into executive session for litigation matters say aye.

(Chorus of ayes.)

>>DOUGLAS KELLNER: Opposed? All right. We're going to go into executive session. We'll reconvene later.

(Executive session)

>>DOUGLAS KELLNER: All right, the motion to go back into regular session.

>> So moved.

>> Second.

>>DOUGLAS KELLNER: Those in favor say aye. (Chorus of ayes.)

>>DOUGLAS KELLNER: Opposed? So we're back in regular session.

We're prepared to make a ruling on the objections to the petition of Joanne Yepson Democratic party 43rd Senate District.

The staff recommendation was that the petition be ruled invalid. And the motion is to ratify the staff report.

I just want to make a comment on it, if I might.

That we did go downstairs and try to review it. And regrettably there's just not enough time of the Commissioners to do a third review of this.

That if I were not aware of the fact that the parties could still resolve this in court, I might have a different view about reopening this.

But there are two factors that at least in my view have led me to this decision.

First is that there really was one opportunity already to review the staff report with the hearing officers who were Todd Valentine and Patrick Campion.

And that is the time when most of these objections should have been reviewed.

That the Commissioners routinely have not allowed reopening of those reviews in the past. And the only exceptions have really been for legal issues.

It would be an overencompassing legal issue as opposed to fact issues that we have in effect by reviewing line by line these objections again.

So certainly in the two or three that we looked at downstairs, at least one of them appeared to be an error on the part of our staff.

But it wasn't enough or sufficiently well organized at this stage for me to recommend holding up the Commissioners to redo this.

Especially since you'll have an opportunity in court to do it. And that's probably the best place is to review this in court.

So I am prepared to vote to uphold the staff report. Does anybody want to say anything else?

>>GREGORY PETERSON: Well, one of the reasons we wanted to commend -- time is important to you. And we want to make sure that you had this opportunity.

So by staying in executive session we wanted to come back in here and hear our decision and I'll vote invalid.

>>DOUGLAS KELLNER: So those in favor of upholding the staff report say aye. (Chorus of ayes.)

>>DOUGLAS KELLNER: Opposed? So it's unanimously upheld. So the petition is ruled invalid. Good luck to both sides in court.

>> Thank you very much for hearing us and taking so much of this time today. I do appreciate it. Thank you.

>>DOUGLAS KELLNER: And we'll stand in recess until approximately 4:00 o'clock or so as we wait for the other petition hearing to conclude.

>> Commissioners thank you very much. Thank you very much.

(Recess)

>>DOUGLAS KELLNER: So we'll call the Commissioners back into session.

Do we have a report on the two outstanding petition proceedings?

>>KIM GALVIN: On the Michael Rock, conserative petitions, it's' staff recommendation that they be held invalid.

>>DOUGLAS KELLNER: And I take it there's nobody to be heard on that? So those in favor of the staff report say "aye".

(Chorus of Aye's)

>>KIM GALVIN: And on the John Wallace Republican petitions in the 20th congressional District, it is the staff recommendation that they too be deemed invalid.

>>DOUGLAS KELLNER: Those in favor say "aye",

(Chorus of ayes)

>>DOUGLAS KELLNER: So the staff reports are adopted. Yepson we upheld the staff report.

Next meeting date? 19th? 20th?

>>TODD VALENTINE: Of September?

>>DOUGLAS KELLNER: August. We have to get these ballot marking device regulations done.

>>BOB BREHM: The 27th is our day at the State Fair, but that doesn't affect you. Only me, and Eric.

>>TODD VALENTINE: Last week in August?

>>BOB BREHM: ...Unless we send someone else.

(mumbling)

>>DOUGLAS KELLNER: Okay. So let's tentatively say the 19th.

Motion to adjourn?

>> I move we adjourn.