Approved April 16, 2015

Minutes of the New York State Board of Elections
February 19, 2015

The meeting of the Commissioners of the New York State Board of Elections held at the offices of the New York State Board of Elections, 40 North Pearl Street, Albany, New York in the 5th Floor Conference Room was called to order at 12:25 p.m. The meeting was chaired by Commissioner Douglas Kellner. Commissioners present were Andrew Spano and Gregory Peterson. Staff members present were: Robert Brehm, Todd Valentine, Kathleen O'Keefe, Brian Quail, Anna Svizzero, Joe Burns, John Conklin, Tom Connolly and Risa Sugarman. The guest list is attached.

Minutes of January 12, 2015 – Minutes were accepted **(Commissioners Kellner, Spano and Peterson voting in the affirmative; 3 Yes and 0 No).**

Unit Updates:

Executive – Robert Brehm and Todd Valentine reported on several issues including:

- The Lever Machine report is complete and on our website.
- Todd and Bob attended the NASED conference is Washington, DC.
- Commissioner Kellner and Commissioner Rachel Bledi (Albany County) have been selected to represent New York State on the EAC's Standard Board.

Legal – Kathleen O'Keefe reported on activities related to the Counsel/Compliance Unit including:

- A CLE seminar was held in Albany during the Election Commissioners Association Winter Conference.
- Will start the permanent process of the Independent Expenditure Regulations shortly.

Election Operations – Anna Svizzero reported that the Election Operations unit is working on:

- Clear ballot test plans and test cases with NYSTEC.
- A demonstration on the Central Count System will be held next week.
- Finalizing a Comptroller's report on county board ballot procurement processes.
- Drafted a response to the Comptroller audit report

PIO/NVRA – John Conklin and Tom Connolly reported that the PIO/NVRA unit is working on several issues.

- Participated at the ECA Winter Conference.
- Attending meetings on the CAPAS/FIDSAS and NYSVoter Refresh Projects.
- Provided a signed MOU to the Interstate Voter Cross check. Will receive results by the end of the month.

ITU – Todd Valentine and Bob Brehm reported on projects IT is working on:

- Continued working and attending meetings on the 3 major projects.
- The CAPAS/FIDAS update is using HBITS to help with that project.
- The Data Center move will be to CNSE (Center for Nanoscale Sciences and Engineering).

Enforcement – Risa Sugarman reported on the Enforcement Unit:

- Looking into a Case Management Program.
- Letters for the July Periodic went out with a percentage of them returned due to wrong address. Will be looking at a different process to bring more people into compliance.
- Looking into a method of collecting judgments. Applying to become a Creditor Agency with the Statewide-Off-Set Program through the Department of Budget.

New Business:

- VOTE on Resolution to update the Voter Registration Application and the NVRA Voter Registration Application. **The motion was approved unanimously (Commissioners Kellner, Spano and Peterson voting in the affirmative; 3 Yes and 0 No.)**
- VOTE on Resolution to update the Affidavit Envelope. **The motion was approved unanimously (Commissioners Kellner, Spano and Peterson voting in the affirmative; 3 Yes and 0 No.)**
- Enforcement is looking at having 10 hearing officers which will be used on a revolving basis. The position has to first be classified by Civil Service.
- VOTE on the Resolution to accept the new Campaign Finance Contribution Limits**. The motion was approved unanimously (Commissioners Kellner, Spano and Peterson voting in the affirmative; 3Yes and 0 No.).**
- VOTE to accept items 1-13 of the 2015 Legislative Packet. **The motion was approved unanimously (Commissioners Kellner, Spano and Peterson voting in the affirmative; 3 Yes and 0 No.)** Items 14 and 15 will be tabled**.**
- The next board meeting is scheduled for Thursday, April 9th.
- There was a motion to go into Executive Session. **The motion was approved unanimously (Commissioners Kellner, Spano and Peterson voting in the affirmative; 3 Yes and 0 No.)**

Previous Actions Taken

- VOTE at the January 12, 2015 board meeting to authorize the Chief Enforcement Counsel pursuant to Election Law subdivision 5 of section 3-102 and 3-104 (3) in relation to request #4-15 and 5-15.**The motion was denied. (Commissioners Kellner, Walsh, Spano and Peterson voted No. The vote was 0 Yes and 4 No.)**.

- VOTE at the January 12, 2015 board meeting to authorize the Chief Enforcement Counsel pursuant to Election Law subdivision 5 of section 3-102 and 3-104 (3) in relation to request #1-15, 2-15 and 3-15. **The motion was approved unanimously (Commissioners Kellner, Walsh, Spano and Peterson voting in the affirmative; 4 Yes and 0 No.)**.

- VOTE at the December 15, 2014 board meeting to authorize the Chief Enforcement Counsel pursuant to Election Law subdivision 5 of section 3-102 and 3-104 (3) in relation to request #8-14. **The motion was approved. (Commissioners Kellner and Spano voted in the affirmative; Commissioners Walsh and Peterson voted No; Chief Enforcement Counsel voted in the affirmative; 3 Yes and 2 No.)**.

- VOTE at the December 15, 2014 board meeting to authorize the Chief Enforcement Counsel pursuant to Election Law subdivision 5 of section 3-102 and 3-104 (3) in relation to request #9-14, 10-14 and 11-14. **The motion was approved unanimously (Commissioners Kellner, Walsh, Spano and Peterson voting in the affirmative; 4 Yes and 0 No.)**.

- VOTE at the November 17, 2014 board meeting to authorize the Chief Enforcement Counsel to refer request #3-14,4-14,5-14 and 6-14. **The motion was approved unanimously (Commissioners Kellner, Walsh, Spano and Peterson voting in the affirmative; 4 Yes and 0 No.)**.

- VOTE at the November 17, 2014 board meeting to authorize the Chief Enforcement Counsel pursuant to Election Law subdivision 5 of section 3-102 and 3-104 (3) in relation to request #7-14. **The motion was approved unanimously (Commissioners Kellner, Walsh, Spano and Peterson voting in the affirmative; 4 Yes and 0 No.)**.

- VOTE at the September 26, 2014 board meeting to authorize the Chief Enforcement Counsel to refer a criminal referral of request #01-14. Also, to authorize Enforcement to issue subpoenas for request #2-14. **The motions were approved unanimously (Commissioners Kellner, Walsh, Spano and Peterson voting in the affirmative; 4 Yes and 0 No.)**.

The meeting was adjourned 1:35 p.m.

15-01

New York State Board of Elections
APPROVED RESOLUTION – February 19, 2015

RESOLUTION TO APPROVE REVISED VOTER REGISTRATION FORM

WHEREAS, the New York State Board of Elections (hereinafter "the State Board"), is charged with designing statewide application forms for voter registration purposes as described in New York State Election Law, Sections 5-210.5 and 5-211.13; and

WHEREAS, a 'party' is defined as any political organization which at the last preceding election for governor polled at least fifty thousand votes for its candidate for governor as described in New York State Election Law, Section 1-104; and

WHEREAS, the Commissioners of the State Board, acting in their capacity of the Board of Canvassers at their December 15, 2014 meeting, certified election results for the November 4, 2014 General Election which showed two political organizations, the Women's Equality party and the StopCommonCore party, which had met the criteria provided for in Section 1-104; and

WHEREAS, the StopCommonCore party filed rules with the State Board on February 17, 2015 changing its name to the Reform party; and

WHEREAS, changes to the statewide and agency-based voter registration forms are required to reflect the addition of the two new parties as well as the reordering of the existing parties due to the aforementioned certified election results; and

WHEREAS, the attached samples reflect the consensus of the State Board staff's review of said forms;

NOW THEREFORE BE IT RESOLVED, that the State Board does hereby approve the sample voter registration forms as attached herewith, and directs staff to distribute said samples immediately to county boards and applicable agencies advising them to use the attached samples forthwith.

Approved February19, 2015

VOTE 3-0

15-02

New York State Board of Elections
APPROVED RESOLUTION – February 19, 2015

RESOLUTION TO APPROVE REVISED AFFIDAVIT ENVELOPE

WHEREAS, the New York State Board of Elections (hereinafter "the State Board"), is charged with prescribing a form to be used in polling place on election day by voters who find themselves in circumstances articulated in New York State Election Law, Section 8-302.2c and/or Section 8-302.3e; and

WHEREAS, the State Board has previously prescribed such forms, and approved at their June 6th, 2011 meeting an amended affidavit envelope which included a voter registration form; and

WHEREAS, a 'party' is defined as any political organization which at the last preceding election for governor polled at least fifty thousand votes for its candidate for governor as described in New York State Election Law, Section 1-104; and

WHEREAS, the Commissioners of the State Board, acting in their capacity of the Board of Canvassers at their December 15, 2014 meeting, certified election results for the November 4, 2014 General Election which showed two political organizations, the Women's Equality party and the StopCommonCore party, which had met the criteria provided for in Section 1-104; and

WHEREAS, the StopCommonCore party filed rules with the State Board on February 17, 2015 changing its name to the Reform party; and

WHEREAS, changes to the statewide and agency-based voter registration forms are required to reflect the addition of the two new parties as well as the reordering of the existing parties due to the aforementioned certified election results; and

WHEREAS, the attached samples reflect the consensus of the State Board staff's review of said forms;

NOW THEREFORE BE IT RESOLVED, that the State Board does hereby approve the sample affidavit ballot envelope form as attached herewith, and directs staff to distribute said sample immediately to county boards advising them to use said sample forthwith.

Approved February 19, 2015

VOTE 3-0