



**New York State Board of Elections
Annual Report
2010**



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STATE BOARD OF ELECTIONS

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Douglas A. Kellner
Co-Chair

Evelyn J. Aquila
Commissioner

Robert A. Brehm
Co-Executive Director

To: The Honorable Andrew Cuomo, Governor
Members of the New York State Legislature

We are pleased to submit to you the New York State Board of Elections' 2010 Annual Report. This report provides a comprehensive review of board programs and accomplishments during the calendar year 2010.

The Board's mission consists of the oversight of each County Board of Elections and the Board of Elections in the City of New York, as well as statewide compliance with the Help America Vote Act and the National Voter Registration Act. The Board, among other things, administers several critical programs, including the statewide voter registration list (NYSVoter), all agency-based registration, and the voting system certification program. In addition to ensuring fair and broad ballot access for hundreds of candidates from throughout the State, the Board is committed to the active investigation of election law violations, and oversight and enforcement of campaign financial disclosure filing requirements.

There were several significant accomplishments in 2010. After the Board voted in 2009 to certify the use of new optical scan voting systems for use throughout the state, the 2010 Fall election cycle was the first state wide test of the new system. While it can be argued there were some bumps during the Primary, the General Election in November represented a major achievement. The ballot was the most crowded since the 1938 General Election. All 212 members of the State Legislature, 29 Congressional races, and all the statewide offices including both U.S. Senate seats were on the slate at the same time. Despite the fourth lowest turnout for a gubernatorial election since 1932 (44.5%) the election was a major test of the voting system which replaced the 70-year-plus lever system.

In accordance with federal law, the state also implemented a new absentee ballot system for military and overseas voters. The Military & Overseas Voters Empowerment Act (MOVE) was passed by Congress during the 2009 Session. For the first time New York was required to make ballots available to military voters and U.S. Citizens living overseas via email. In addition, ballots were mandated to be available at least 45 days prior to an election – a difficult prospect when the Primary was only 49 days before the General Election. Nonetheless, New York led the nation in the number of voters who utilized the new email system.

The New York State Board of Elections has worked diligently to embrace each of the new programs it has faced, and is recognized on the national level as a leader in enhancing the participation of eligible voters to the elective franchise. Its commitment to providing open, accessible and accurate elections is without equal.

Respectfully submitted,

Douglas A. Kellner
Co-Chair

James A. Walsh
Co-Chair

Evelyn J. Aquila
Commissioner

Gregory P. Peterson
Commissioner



Front Row: L to R, Commissioner Douglas A. Kellner, Commissioner Evelyn J. Aquila, Commissioner James A. Walsh, Commissioner Gregory P. Peterson.
Back Row: L to R, Co-Executive Director Robert A. Brehm, Co-Executive Director Todd D. Valentine.

Mission Statement



The State Board of Elections was established in the Executive Department, June 1, 1974 as a bipartisan agency vested with the responsibility for administration and enforcement of all laws relating to elections in New York State. The Board is also responsible for regulating disclosure and limitations of a Fair Campaign Code intended to govern campaign practices. In conducting these wide-ranging responsibilities, the Board offers assistance to local election boards and investigates complaints of possible statutory violations. In addition to the regulatory and enforcement responsibilities, the board is charged with the preservation of citizen confidence in the democratic process and enhancing voter participation in elections.

PERSONNEL DIRECTORY

Commissioners

Douglas A. Kellner
Co-Chair

James A. Walsh
Co-Chair

Evelyn J. Aquila
Commissioner

Gregory P. Peterson
Commissioner

Robert A. Brehm
Co-Executive Director

Donna Mullahey
Secretary

Todd D. Valentine
Co-Executive Director

Maryellen Reda
Secretary

Office of the Special Counsel

Kimberly A. Galvin, *Special Counsel*
Paul Collins, *First Deputy Counsel*

Office of the Enforcement Counsel

Elizabeth C. Hogan, *Enforcement Counsel*
William J. McCann, Jr., *Special Deputy Counsel*

Campaign Financial Disclosure

Patricia M. Lloyd, *Associate Accountant*
Josephine T. Jackson, *Senior Accountant*

Public Information

John W. Conklin, *Dir. of Public Information*
Thomas E. Connolly, *Dep. Dir. of Pub Information*

Agency-Based Voter Registration

Gregory Fiozzo, *Coordinator of NVRA Operations*
Patrick Campion, *Coordinator of Special Projects*

Election Operations & Services

Anna E. Svizzero, *Director of Election Operations*
Joseph T. Burns, *Dep. Dir. of Election Operations*

Information Technology

George Stanton, *Chief of Data Processing Servs*
Daniel E. Valvo, *Mgr of Data Processing Servs*

Administrative Office

Thomas Jarose, *Assoc. Personnel Administrator*
Colleen Koch, *Administrative Assistant*

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COUNSEL'S OFFICE

Legal Opinions

The Office of Special Counsel is responsible for preparing responses to requests for formal opinions from the board. These formal opinions serve to further clarify certain sections of the Election Law. The Board issued no formal opinions for 2010, however did provide numerous informal opinions throughout the course of the year.

You may obtain copies of individual opinions or a complete set of opinions by visiting the Board's website.



Legislative Activities

Counsel's office, in consultation with the executive staff, regularly monitors all legislative action which could impact the Board and the election process in New York. Such activities include attending legislative committee meetings, responding to inquiries regarding legislation, and responding to requests for comments on legislation. In addition, Counsel's office is responsible for drafting any legislative proposals of the Board. In addition to any New York State legislative initiatives the office has worked extensively with other members of the staff in reviewing any Federal legislative proposals that may have an effect on elections in New York.

The following is a brief summary of significant Legislation that was enacted in 2010:

Chapter Number	Brief Summary
5	Authorizes ½ day shifts by election inspectors
28	Relates to the deadline for publication of enrollment lists
38	Relates to special ballots for domestic violence victims
62	Provides that an affidavit ballot shall constitute a voter registration application
63	Reduces the required information required for absentee ballot
73	Authorizes certain confidential voter registration for domestic
76	Authorizes certain students to serve as election inspectors or poll
97	Relates to absentee ballot applications
104	MOVE act compliance bill
116	Relates to the appointment of election commissioners
129	Relates to court orders for full manual count in certain special
155	NYC purchasing practices
156	Campaign finance address change and depository information
163	Relates to canvassing, counting and inspecting votes
164	Relates to the opening of polls and inspector duties
165	Relates to the form of Election Day and absentee ballots
323	Relates to the accessibility of voters in state buildings
359	Authorizes school districts to continue to use lever voting
424	Relates to candidate withdrawal from a primary election run-off.
432	Relates to the location of polling places
505	Provides for accessible polling place ADA standards
512	Gives county boards the power to create and change election districts

Election Law Inquiries



The Office of Special Counsel handles general questions on election, excluding most enforcement matters. Local boards of elections, town clerks, elected officials, candidates, political committees, and involved citizens all rely on the expertise of the board's attorneys in interpreting the law. It is estimated that the Office of Special Counsel received and responded to several hundred inquiries regarding administration and interpretation of the Election Law.

Litigation

The Office of Special Counsel represented the Board in approximately 70 new court actions in 2010. 60 of those actions were specifically related to various ballot access requirements and or challenges. Often times those petition challenges involved internal hearings that were also monitored and scheduled by the unit.

The following is a brief summary of the remaining significant litigation activity in 2010:

LITIGATION SUMMARY

United States v. New York State

In 2006, the United States Department of Justice brought suit against the State of New York and the State Board of Elections to enforce provisions of the Help America Vote Act. The State Board and the Department of Justice established a consent decree with the Court setting forth a plan which would bring the State into compliance as soon as possible. At a minimum, the Counsel's Office participated in weekly monitoring calls with the Department of Justice. This monitoring has required that the office become very involved with the full machine deployment that occurred for the 2010 primary and general elections.

Nassau County v. NYSBOE

Brought an action in state court challenging the certification of the HAVA compliant voting system used in the 2010 primary and general elections. SBOE has moved to dismiss the state court proceeding commenced by Nassau County challenging the certification of new voting systems and the constitutionality of the state statute implementing HAVA and the motion is under consideration by the court. The matter was transferred to Albany County where oral arguments were heard on the matter.

United States v. NYS and NYSBOE

The United States Department of Justice brought suit against the State of New York and the New York State Board of Elections for its failure to comply with the ballot transmittal requirements set forth in the federal legislation known as the MOVE Act.

Simply put, many counties throughout New York State failed to transmit ballots to their UOCAVA voters 45 days before the 2010 general election.

The consent decree ultimately entered in to by the parties required extensive and ongoing reporting requirements regarding all UOCAVA voters. In addition, the consent decree requires the defendants in the action to make a report to them on or before April 1, 2011, setting forth all of the actions that have been taken to date to ensure future compliance with the MOVE Act provisions.

While legislative success has been made to ensure said compliance in the event of any special election in New York, the efforts continue to ensure this same outcome as it relates to primary and general elections.

The process remains ongoing with the DOJ closely monitoring any and all activity and progress being made by the legislature. Legislative enactment of extensive statutory changes is required to accomplish full compliance.

Conservative Party, et.al. v. James A. Walsh, et. al and NAACP et. al . V. -----.

Although separate federal litigations these cases involve similar issues. In these actions the plaintiffs are alleging that the various procedures and warning messages involving how both over votes and double votes are handled by the new HAVA compliant voting systems are legally insufficient and deprive the voters and minor political parties of various rights.

Both cases are currently in the discovery stage. The discovery for each of them is extensive and requires significant coordination of effort between the State Board of Elections, the County Boards of Election and the voting system vendors.

In the Matter of the Application of Warren Redlich et.al. V. New York State Board of Canvassers et.al.

This Article 78 proceeding is alleging that number of votes that was certified as being cast for the candidate for Governor of the State of New York on the Libertarian line in the 2010 general election was erroneous and that the certification of result should be annulled and set aside and that a new certification showing that the line received in excess of 50,000 votes should be executed.

This matter is in the very early stage of the litigation at this point.

National Organization for Marriage v. NYSBOE

NOM brought a federal action in the Western District of New York alleging that NYS Election law §14-100.1 unreasonably infringes on their organizations right to free speech. They are seeking a declaratory judgment that this particular section of law is unconstitutional as applied to NOM's speech and facially.

The action is still pending.

Voter Registration Unit

Agency-Based Voter Registration

Since 1995, the New York State Board of Elections has been assisting and guiding participating state agencies in understanding and executing their voter registration responsibilities mandated by the National Voter Registration Act of 1993 (NVRA) and its corresponding state laws. The intent of the program is to offer individuals the opportunity to register to vote, when they apply for or renew a driver's license, or when they apply for services at any of the approximately 725 offices that participate in the program.



Including the Department of Motor Vehicles, 16 New York State agencies participate in the agency-based voter registration program. Designated as state agencies which provide public assistance are the Department of Social Services and the Department of Health. Designated as state agencies that provide programs primarily engaged in providing services to people with disabilities are the Department

of Labor, Office for the Aging, Division of Veterans' Affairs, Office of Mental Health, Office of Vocational and Educational Services for Individuals with Disabilities, Commission on Quality of Care and Advocacy for Persons with Disabilities, Office of Mental Retardation and Developmental Disabilities, Commission for the Blind and Visually Handicapped, Office of Alcoholism and Substance Abuse Services, State University of New York Disability Offices, City University of New York Disability Offices, and certain offices which administer programs established or funded by such agencies. Additional state agencies designated as voter registration sites are the Department of State and the Division of Workers' Compensation.

Registration Statistics

During 2010, 386,467 voter registration applications or transactions were received by county boards of elections which resulted from the efforts of state agencies. The Department of Motor Vehicles yielded the highest volume of registration applications among the various agencies mandated by the NVRA, accounting for 78% (301,988) of the total number of voter registration applications or transactions in the state. The remaining agencies/programs participating in the program accounted for 21% (84,479). Armed services recruiting offices accounted for 0 applications. Voter registration applications and transactions incorrectly sent to the state board by mail and forwarded to the county boards of elections accounted for 510 of the above total.

Sources of Voter Registration

Motor Vehicles	301,988
Public Assistance Agencies	74,741
Disability Agencies	8,057
State Designated Agencies	755
By Mail	926
Armed Services	0
Total	386,467

Agency-Based Voter Registration Statistics

Year	<u>New Registrations</u>	<u>Address Changes</u>	<u>Enrollment Changes</u>	<u>Name Changes</u>
1995	316,627	64,005	23,108	4,644
1996	326,356	132,169	33,855	6,356
1997	273,190	171,275	32,773	8,164
1998	238,961	160,474	36,635	9,205
1999	220,771	156,619	40,089	9,400
2000	194,170	135,255	25,270	9,322
2001	191,403	129,267	26,550	10,496
2002	179,684	123,636	30,290	10,354
2003	187,100	125,627	31,403	10,949
2004	217,289	137,926	38,691	12,359
2005	147,792	106,395	19,569	9,314
2006	144,977	94,685	15,912	8,452
2007	166,341	89,779	18,113	9,665
2008	203,486	98,763	25,722	11,157
2009	160,690	97,747	26,353	10,665
2010	162,270	96,017	29,083	10,667

Training

The State Board of Elections is responsible for the development of training materials and presentation of training programs on the requirements and implementation of the agency-based voter registration program. In 2010, the bi-annual regional agency-based voter registration training offerings were presented to the participating NVRA sites in New York State. State Board staff continues to provide updated training and reference materials as well as on-going telephone guidance and support to agency program liaisons, site personnel in all offices offering agency-based voter registration, as well as to county boards of election. The following is a listing of the dates and locations of the agency-based training that was provided in 2010.

Agency-Based Voter Registration Regional Training

<u>DATE</u>	<u>LOCATION</u>
4/19-4/20	New York City
9/16-9/17	New York City

Agency Oversight

The success of the agency-based registration program relies on cooperation among the participating state agencies, county boards of elections, and the New York State Board of Elections. Due to the numerous and unique differences in clientele and services provided by each of the agencies, the administrative policies at each agency's participating offices and programs are conducted at the discretion of each individual state agency, under the guidance, input, approval and support of the State Board of Elections. Also, staff responds to all inquiries, and acts to assist agency program coordinators, site personnel, and county board staff in resolving administrative and procedural issues in an effort to ensure effective and efficient operation of the agency-based registration program in New York State.

In addition, statistical reports containing data on voter registration activity for all agency-based sites are mailed to agency commissioners and program coordinators each month. Review of these reports enables program coordinators to monitor voter registration activity and program compliance, as well as identify inconsistencies at each participating office. This information also assists the State Board of Elections in evaluating the workload placed on county boards of elections offices by NVRA program requirements.

Distribution of NVRA Program Supplies

Supplies for the agency-based registration program are shipped weekly by NVRA staff as requested by participating sites. Constant tracking of supply order and shipping dates is made possible by a computerized supply order and inventory system specifically developed for monitoring distribution of NVRA program materials. The system also provides staff with current inventory balances to ensure that supplies, including forms in multiple languages as required by the Voting Rights Act, are

reordered as needed. The New York State Board of Elections processed 827 individual supply shipments to participating NVRA sites during 2010.

In addition, the State Board of Elections provides “read only” copies of the NYS voter registration form in both Braille and large print formats. Copies of both versions as well as a poster-sized version of the agency-based voter registration form are provided to agencies and programs participating in the NVRA program that serve people with disabilities upon request.

The State Board also distributed mail registration forms to institutions of the State University of New York for inclusion in admission and orientation packets of students enrolling in the September 2010 semesters.

Voter Registration Cancellations

When New York State residents relocate to another state or when out-of-state residents move into New York State and subsequently register to vote, a notice of registration cancellation is returned either to a county board of elections or the New York State Board of Elections so that voter registration rolls may be updated. In 2010, staff at the State Board of Elections processed 53,018 New York State and 23,843 out-of-state registration cancellations and forwarded them to the appropriate county board of elections or state election official.

DMV Address Change Requests

The New York State Board of Elections assists the Department of Motor Vehicles with the distribution of customer address change requests resulting from licensing or driver I.D. transactions by counting, sorting and forwarding them monthly to county boards of elections. Also received from the Department of Motor Vehicles and processed by state board staff, are the DMV internet change-of-address request forms which have been downloaded by customers, completed, and forwarded to DMV. The state board distributed 37,879 address change requests received from the Department of Motor Vehicles to county boards during 2010.

County HAVA Funds Program

The Help America Vote Act (HAVA) has provided funds to the State of New York for poll worker training, voter education, and poll site accessibility. Since June 2006, the State Board has been overseeing the grant application process, as well as the disbursement of federal and state funds, to further the HAVA and State program objectives. The Poll Site Access Improvement Program provides funds to county boards of elections to assist them in ensuring that all New York polling places are accessible and provide the same opportunity for all voters to participate in the election process. The Voter Education and Poll Worker Training Program provides funds to county boards of elections to implement programs to educate poll workers and the general public on the proper use of new voting systems.

Poll Site Access Program

The New York State Board of Elections has received funding from State appropriations and from the Department of Health and Human Services to establish, expand, and improve access to and participation by individuals with a full range of disabilities in the elections process. The polling place access improvement funds will assist county boards in undertaking minor temporary improvement or renovation projects, and the purchase of proper signage, materials, and low-tech devices to help assist persons with disabilities on election days and to assure voter privacy and independence. The funds may be used to make polling places, including parking, the path of travel, door hardware, entrances, exits, and voting areas of each polling facility, accessible to individuals with the full range of disabilities (e.g. impairments involving vision, hearing, mobility, dexterity, emotional, or intellectual) through the use of varied accessibility tools (e.g. ramps, handrails, and signage).

Poll Worker Training and Voter Education Program

The New York State Board of Elections has received HAVA funds to be dispersed and used by county boards for the specific and limited purpose of advancing Voter Education and Poll Worker Training. County Boards will implement programs to educate individuals on the proper use of new voting systems, including ballot marking devices. These efforts are intended to help bolster public confidence in the election process by providing information to election administrators on methods for keeping the process secure while ensuring that every eligible voter can

cast a vote and have that vote counted. Training and education must extend to all voters, including those with a full range of disabilities, as well as those with language barriers.



The On-line Poll Worker Training Program continued to be available in 2009 to further poll worker training. In 2008, the State Board created the On-line Poll Worker Training Project as a supplemental means to training poll workers. Our solution provider, SOE Software, accumulated existing training materials. The project was an inclusive effort to deliver training to poll workers through both a written manual and an online training platform. SOE Software has collaborated with the State Board and a bi-partisan Advisory Group consisting of seven counties and the New York City Board of Elections. This resulted in the development and distribution of a county-level administrator user manual of the online poll-worker training platform, as well as an instructor manual and a student poll-worker training manual. Full use of the on-line training platform was completed in October 2008 and its use has been ongoing.



The State Board of Elections, in conjunction with the New York Broadcasters' Association and the SUNY New York Network, produced radio and television public service announcements (PSAs) which aired from August 2010 through November 2010. The PSAs informed voters of the availability of voting systems in the polling sites, directing them to the State Board's www.Vote-NY.com voter information webpage for further instructions on how to use the particular voting equipment available within their county. Additionally, the PSAs included information for absentee and military voters. Also, the voter education website serves as a recruiting tool to interest the public in becoming poll workers.

NYSVoter County Reviews

In 2007, the State Board of Elections implemented NYSVoter, a statewide voter registration database in order to comply with the Help America Vote Act (HAVA) and subsequent amendments to the New York State Election Law. NYSVoter was built by integrating a centralized database system with the county voter registration/ election management systems (VR/EMS). This gave the State Board administrative control over the centralized database and the responsibility for auditing the system to assure that the local election officials are conducting the business of voter registration in a compliant manner. State Board personnel visit the county boards to perform periodic reviews of their NYSVoter procedures, and in 2010, 23 counties were reviewed and found to be in substantial compliance with state regulations.



Election Operations Unit



The Election Operations Unit of the New York State Board of Elections' major responsibilities include the oversight and support of the State's 62 County Boards of Elections; the facilitation of ballot access efforts by candidates for a variety of public offices and party positions, and the full statewide deployment of new voting systems.

The Unit engages in day-to-day communication with County Boards of Elections and the general public on a broad array of election-related topics. Of significant note in 2010, are the Unit's efforts to complete and then support the deployment of electronic voting systems for use in New York State.

Candidate Ballot Access

In 2010 ballot access efforts were significantly heightened, due to increased activity relating to races for the offices of Governor, Lieutenant Governor, Comptroller, Attorney General, and two United States Senate seats.



Races appearing in each even-numbered year include Member of Assembly, State Senator, and Member of the House of Representatives. The State Board is also the repository for the filing of petitions relating to the selection of delegates and alternate delegates to Judicial District Conventions. These delegates and alternate delegates nominate candidates for the office of Justice of the Supreme Court from each of the thirteen judicial districts in the State. Additionally, petitions for those seeking to become State Party Committee Members, representing certain Assembly and Congressional districts, are also filed with the State Board.

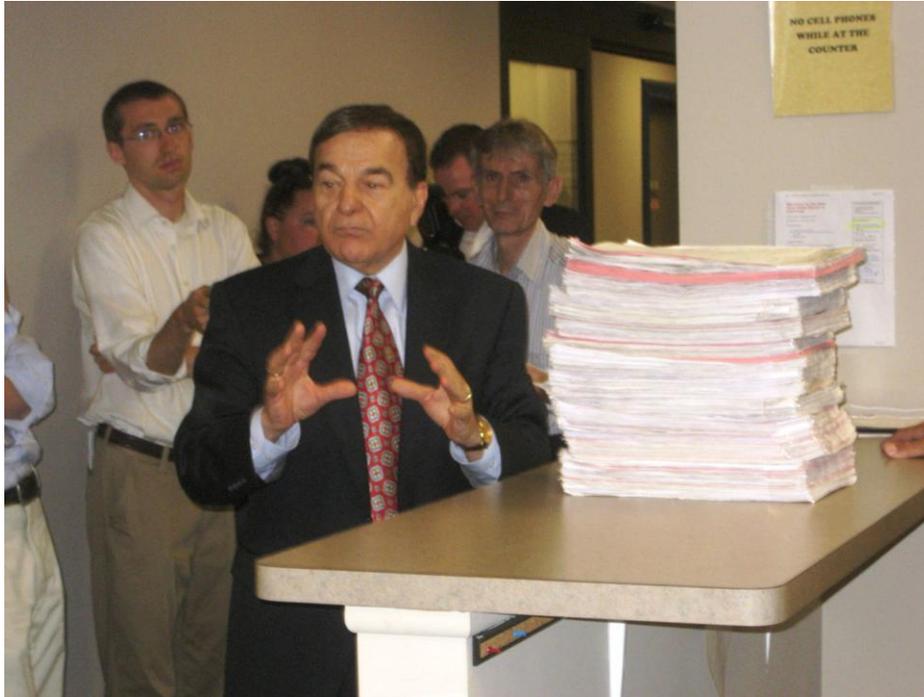
From May 18 through June 8, 2010 the New York State Committees held meetings to nominate candidates for statewide office. The nominations filed were as follows:

- Governor: 5 nominations; 2 declinations; 2 substitutions.
- Lt. Governor: 5 nominations; 1 declination; 1 substitution
- Comptroller: 5 nominations
- Attorney General: 5 nominations; 2 declinations; 2 substitutions
- U.S. Senate (unexpired term): 5 nominations
- U.S. Senate (full term): 5 nominations

Ballot access activity, relating to the public, party, and judicial offices described above, is extensive, and involves not only data entry of all petition and certificate information, but also the creation and dissemination of corresponding acknowledgements and other related documents, and responding to information requests to either view original documents or purchase copies of same. In 2010, the filing season consisted of the following:

515 Petitions for Public Offices, of which:

- 3 Petitions were filed for Statewide Office
- 92 Petitions were filed for Congressional offices
- 135 Petitions were filed for State Senate offices
- 179 Petitions were filed for State Assembly offices, with
- 36 Petitions filed for State Committee positions, in addition to
- 70 Petitions for Judicial Delegate and Alternate Del. positions.



Additional filing related to petitions were received, posted, and acknowledged, consisting of:

- 5 Certificates of Declination
- 4 Certificates of Substitution
- 266 Acceptances (certificates required to be filed by candidates designated or nominated by parties other than their own)
- 209 Authorizations (certificates required to be filed by party officials, relating to the nomination or designation of candidates who are not members of the party).

Independent petitions may be filed for public office, and they also require acceptance by the candidate being nominated, as well as posting and acknowledgement. The 2010 Independent filing season saw the submission of:

- 8 Petitions for Governor/Lt. Governor
- 4 Petitions for Comptroller
- 3 Petitions for Attorney General
- 13 Petitions for U.S. Senate
- 10 Petitions for Congressional offices

- 7 Petitions for State Senate offices
- 10 Petitions for State Assembly offices
- 2 Petitions for Justice of the Supreme Court

Some State Senate and Assembly districts, and some Congressional districts, are wholly contained by county boundaries. In these cases, candidate filings are made in those counties; however, the County Board of Elections must notify the State Board of any such activity. This is the method used to prepare and certify a complete list of candidates for any primary elections as well as for all offices to be elected at the November election.

Ballot access filings are not validated by the State Board of Elections. However, the validity of a filing may be challenged by persons choosing to do so. Challenges require the filing of an initial notice, indicating that a detailed list of specific objections to the filing will be submitted to the Board. Once received, staff then reviews each specific, itemized objection, notes their research findings on a reporting form, and submits it to a hearing officer for review. Determinations are then made by the Commissioners of the State Board, and notice of those determinations is made to all participants. Objections to party petitions and corresponding specifications received, posted, and researched, were as follows in 2010:

- 295 Objections filed
- 139 Sets of specifications filed.

Objections and specifications can also relate to independent petition filings. The process of determining the validity of these specific objections is identical to that used in the party petition process described above. This year's independent initiatives resulted in the receipt of:

- 64 Objections filed;
- 23 Sets of specifications filed.

Vacancies existed in seven of the State's thirteen Judicial Districts. Delegates and Alternate Delegates were notified by their respective parties to attend conventions, which were convened on various dates beginning on September 21 and running through September 27. From each of the seven Judicial Districts that had vacancies, a total of 28 nominations were received, posted, and acknowledged, representing the

designation of 92 candidates for the office of Justice of the Supreme Court.

There was a considerable volume of post-election activity, which included the collection, recording, and validating of all election results corresponding to the offices noted above. Certificates are prepared for signature by the State Commissioners in their capacity as the State Board of Canvassers. Once certified, appropriate certificates are prepared for candidates, and delivery to the respective legislative houses in Albany and Washington, D.C.

Special elections are conducted, once the Governor issues a proclamation in which the date of that election is provided. In 2010, six such special elections were called, for which certifications and corresponding calendars were prepared, and for which candidate information was collected and processed, as described above. The results of those special elections were also collected and processed, then certified by the Commissioners of the State Board.

Special Elections were conducted on February 9th, as follows:

3rd Assembly District – due to the resignation of Hon. Patricia A. Eddington.

15th Assembly District – due to the resignation of Hon. Rob Walker.

24th Assembly District – due to the resignation of Hon. Mark S. Welprin.

89th Assembly District – due to the resignation of Hon. Adam T. Bradley.

A Special Election was conducted on March 16th, as follows:

13th Senate District – due to the expulsion of Hiram Monserrate.

A Special Election was conducted on November 2nd, as follows:

29th Congressional District – due to the resignation of Hon. Eric J.J. Massa

Voting System Certification Activities and Support

In 2010, concluding steps in the full statewide transition to optical scanning devices remained the Unit's highest priority. As such, Election Operations continued to carry out a high volume of work relative to full compliance with the Help America Vote Act (HAVA). This multi-faceted and complex responsibility required a broad range of oversight and technical support efforts by staff. In this regard, the Unit undertook – and in some cases, continued – the following activities, as well as many others relating to electronic voting systems in New York State:

- Ongoing work with the consulting firm NYSTEC (New York State Technology Enterprise Corporation) concerning voting systems and their statewide deployment from a security perspective. A key aspect of this endeavor in 2010 involved discussions, research, and meetings with voting system vendors, relative to test findings which remained outstanding from examination conducted by independent testing lab SLI Global Solutions.
- A continued extensive investment of time was made this year by the Unit in the ongoing work of creating and refining the multitude of new forms, policies, and procedural documents necessary to manage the new voting system. This material was disseminated via an ftp (file transfer protocol) site specifically set up for the purpose of making materials easily accessible to County Boards. This year saw the first full implementation of new voting technology across the state, with attendant procedural refinements required as a result of knowledge gained through the experience of those counties that participated in pilot programs in 2009. A key element of this work was feedback and discussion with a Pilot Review Committee designated by the New York State Election Commissioners' Association, in which a representative number of County Boards of Elections participated.
- Acceptance Testing at the State Campus site was conducted on systems to be delivered to various locations around the state, and was concluded in June 2010. Thereafter any additional voting equipment deliveries will require on-site testing at the County Board receiving the systems. For example, additional on-site Acceptance Testing of newly-delivered voting systems was performed in Rockland and Oswego counties in December 2010. Acceptance testing is another ongoing responsibility of the Unit.

- Active outreach to multiple organizations that historically used lever machines, to enable understanding about the impact of the transition, including the NYS Education Department (relative to school district elections); NY Conference of Mayors (regarding village and city special elections); the Association of Towns (which run special elections of their own); as well as the Fire District Association.
- Software upgrades for voting equipment used by County Boards was tested, certified, disseminated, overseen, and supported by Unit staff.
- Help Desk technical support for County Boards was provided before, during, and after the Primary and General Elections, with dedicated staff assigned to assist County Board personnel in building ballots; running test decks; conducting 3% audits; ballot layout; and related tasks.
- Election Operations Unit staff also provided Election Management System, Test Deck, and Technical training for machine operation to County Board Technicians and other personnel. This essential training is necessary in order for Boards to properly run and manage elections.
- An on-site presence was established on Primary Day at the Rockland, Ulster, Dutchess, Columbia, Westchester, Suffolk, Nassau, Clinton, Essex, Warren, Washington, Cattaraugus, Allegany, Wyoming, and Livingston County Boards, and various polling sites in each county, which were visited to observe operations, speak with voters, poll workers, and County Board personnel.
- An on-site presence was also established on General Election Day at the Monroe, Genesee, Orleans, Niagara, Ontario, Wayne, Onondaga, Chenango, Manhattan, Bronx, and Queens County Boards and various polling sites in each county which were visited to observe operations, speak with voters, poll workers, and County Board personnel.
 - Many improvements were noted overall since the Unit's on-site observations during the 2009 Pilot Project implementation. Primarily these relate to refinements in training for poll workers; changes in the election day start time for poll workers in some cases; and, the benefit of

having already experienced an election using the new voting equipment. Voter feedback was predominantly positive, although some transition issues continue to offer improvement opportunities for the future.

- Election Operations staff continued refining the test deck process, while ensuring that it remains thorough and robust. Feedback from County Boards, as well as input from NYSTEC regarding security, support the goal of sculpting the test deck process.

Statewide County Boards of Elections Operational Support

In addition to election assistance, support to County Boards of Elections in the area of daily operations remains a principle role of the Unit.

County Boards are provided with support in a myriad of ways, including phone calls; emails; customized workshops tailored to individual counties; informative conference presentations; participation in and appearances at Election Commissioners' Association regional meetings; topical memorandums; workshops presented at the agency's Annual Conference; and extensive procedural documents and forms. As new regulations emerge, or previous topics become heightened areas of interest, the Unit strives to communicate appropriate guidance to County Board personnel.

Continuing an initiative begun in 2009, further steps were taken to procure and implement an asset management system to assist County Boards in tracking their voting equipment in a method consistent with federal requirements for assets purchased using federal funds. Such a system must deliver the ability to track and inventory equipment for accountability and maintenance history, as well as its physical movement between locations. Completing work initiated in 2009, the Unit, in collaboration with the Office of General Services and NYSTEC, released a Request for Proposal (RFP), soliciting bidders for the provision of an automated asset management system to both the County Boards and the State Board. Key requirements for the system included: access to a single, centralized, system; full history and accounting for each voting system; chain of custody documentation for the life of the voting system; reporting capability; and, ongoing history of the equipment (such as maintenance and upgrades). In 2010, a vendor was selected, and project planning with that vendor is now well underway. System delivery is tentatively targeted for late summer 2011. In the interim, a manual process is

overseen by Unit staff, with on-site random audits targeted to begin in early 2011.

The State Board also provides National Change of Address (NCOA) information to all of the State's counties. NCOA services are a required component of New York's statutory voter registration list maintenance procedures, and help to ensure that voter addresses are synchronized with information on file with the U.S. Postal Service. This process is further enhanced as data is processed more uniformly, via the statewide database. In 2010, data concerning over 530,178 such changes were provided to County Boards for use in updating their records, notifications, and other routine list maintenance tasks.

Also in 2010, a new grant program was implemented to allow County Boards to purchase privacy booths and related items for Election Day. The "Privacy Booth Reimbursement Program" saw the participation of 14 counties in 2010, for a total annual reimbursement of \$480,290.68.



The State Board received federal funds to assist County Boards in complying with and implementing HAVA. Although County Boards may purchase voting systems, ballot marking devices and auxiliary assistive devices for voters with disabilities, and services and privacy booths directly from existing state contracts, in instances where costs are incurred for items essential to the deployment of voting systems that are

not covered under current state contracts, such purchases must be made using county funds. County Boards that have used local funds to purchase privacy booths which are not currently on a state contract may apply to obtain reimbursement, in whole or part, from HAVA funds allocated to the county by the State Board. To obtain reimbursement, County Boards must complete and submit an application packet to the Election Operations Unit.

Under the "Privacy Booth Grant" program, funds may be used for any of the following activities:

- Purchase of privacy booths of a portable, temporary nature, including those which are accessible to voters with disabilities, where the County Board of Elections has provided additional assurance that the units purchased meet or exceed criteria specified
- Privacy booth accessories including lighting, curtains, and accessible seating
- Hand carts for transporting privacy booths

Work with the Office of General Services (OGS) continued, as the agency developed a State HAVA Operational Expenses (SHOEBOX) Program. The Program is intended to allow reimbursement to County Boards utilizing the balance of HAVA funds available to them, by way of specific types of allowable purchases, once the county has completed their transition to optical scan voting technology. It is anticipated that this program may be launched in 2011.



Public Election Services

Additional services provided by Unit staff include responding to inquiries for data and/or information from the public, and the distribution of related documentation. A multitude of general information is also disseminated, including election results (current and previous years), political calendars, candidate lists, the State Board's

“Running for Office” booklet, voter registration forms, Election Law books, and other information and data relating to elections and the election process. Further, the Unit also has responsibility for managing the State Board’s toll-free voter registration application request number (1-800-FOR-VOTE), as well as fulfilling requests submitted via the agency website. In 2010, to these requests for voter registration applications Unit staff transcribed 6,876 requests and 11,763 voter registration forms were sent out.



Additional Unit Activities

In addition to ongoing operational and technical support to County Boards of Elections, public election services, ballot access assistance, and voting system certification and technical support, Election Operations personnel assist other Units in the agency through active participation in workgroups and projects, support of other Agency missions affected by staffing shortages, and contributing to the various priorities identified by the Agency.

Information Technology Unit

All of the program units in the Agency rely heavily on technology to perform the Board's collective mission. This is especially true with the changes in election management within the State of New York and nationally. The Information Technology Unit (ITU) is tasked with providing the most efficient and cost effective technology solutions to assist program unit staff to perform their responsibilities.

Among the ITU responsibilities are the procurement, operations and maintenance of all computing systems for the State Board of Elections. ITU staff performs or manages development, implementation, maintenance and support of all election information systems for the Agency. Information Technology Unit staff is responsible for data storage, data processing, security of networks and data as well as accessibility to election-related data. ITU keeps the Board current with emerging technology and makes recommendations to the Co-Executive Directors regarding technology procurement.

Additionally, the Agency's Chief Information Officer represents the Board of Elections on the New York State CIO Council and serves on CIO Council's technology committees. The Agency's Information Security Officer oversees all aspects of network and Internet security and represents the Board of Elections on the New York State ISO Council.

Computing Environment and Infrastructure

The New York State Board of Elections operates two network environments. The Internal Agency network is a Novell NetWare networking environment using Microsoft Windows XP client operating systems on the desktop. The NYSVoter Wide Area Network (WAN) is a Microsoft Network. The Information Technology Unit is responsible for the design, installation, configuration and maintenance of the networks. This responsibility includes servers, switches, wiring plant, workstations and all of the ancillary devices required for operating a stable, secure network. Information Technology staff is also responsible for the design and maintenance of the Agency database, Intranet and Internet infrastructures and applications. ITU staff assures that backup, disaster recovery and network security are performed with attention to best industry standards and practices.

Information Technology management is responsible for developing an IT budget and submitting the Annual Technology Plan (ATP) to the Division of Budget and Office for Technology for review. IT Management is also responsible for obtaining purchase approval for all technology purchases by submitting justified "Intent to Purchase" documentation and submitting requisitions for purchase to the finance/procurement officer.

ITU staff develops, maintains and supports the major applications and systems, described below, which are used at the State Board of Elections.

Financial Disclosure Administration System (FIDAS).

The Financial Disclosure System is an Oracle network-based system used by auditing and enforcement staff for the management of the financial disclosure reports for committees and candidates for statewide office. The Information Technology Unit develops and maintains the Oracle databases and applications associated with the administration of campaign finances. The Agency's Electronic Filing Software, which is used by candidates and political committees for filing their reports, was developed by and is maintained by the Agency's IT staff. The Information Technology Unit is currently re-engineering the filing software to operate on any computer operating system that can support Java applications. The software is also being improved to better support the filing community

ITU is responsible for receiving and processing electronic filings from approximately 15,000 filers and loading them into the Campaign Financial Disclosure Database. 2010 was a gubernatorial election year so there were eight major filing periods. A small, but efficient help desk staff performs this work in addition to delivering telephone support to the financial report filers, County Boards of Elections and agency staff.

National Change of Address Processing (NCOA)

NCOA processing was coordinated by the State Board as required by the National Voter Registration Act. A file with all the names and addresses is produced and forwarded electronically to an NCOA vendor for matching against the U.S. Post Office's Change-of-Address database. The file resulting from the processing is retrieved electronically by the State Board where it is parsed and redistributed to the

individual counties of origin. The NCOA processing for 2010 included nearly 12 million voter records from sixty-two counties. Centralizing this NCOA processing through the State Board, as opposed to the processing by individual counties, provides the counties with a substantial savings in revenue due to the economy of scale that the State Board is able to leverage.

Election Operation Support

The Information Technology Unit provides support to the Election Operations Unit in the form of the Candidate Petition Administration System (CAPAS), which is used to administer the candidate petition process, as well as, create correspondence, ballots and reports pertaining to elections. The year 2010 was a major election year, so the Elections Operations Unit relied heavily on the CAPAS system.

Agency-Based Voter Registration/Public Information

The Information Technology Unit supports the database applications used by the Voter Registration Unit to manage the registration sites and transactions. There is also a supplies inventory system created and maintained by the Agency's IT staff.

The Public Information Officer has oversight of the content on the Agency's web site. The Agency has adopted a policy of making as much information as possible available electronically thus cutting the cost of printing and reproduction. The Information Technology staff works closely with the Public Information Office to oversee the technology, design and application development associated with the Agency's Internet web site.

NYSVoter Statewide Voter Registration Database

As part of the Federal Help America Vote Act (HAVA), legislation that was passed in 2002, as well as New York State election law changes, the State Board of Elections was required to create a statewide voter registration database. The Statewide Voter Registration Database, NYSVoter, was developed and implemented in 2007. Since then the system has become mature and stable.

NYSVoter is a complex architecture of over 60 servers and multiple networks including a Wide Area Network consisting of Virtual Private Networks that requires a great deal of monitoring and maintenance activity on a daily basis. The NYSVoter staff

not only maintains the production system that resides at the NYSBOE data center, but also a disaster recovery site that resides at the State Emergency Management Office data center in Hawthorne, New York.

The information technology unit worked with the Federal Voting Assistance Program to implement the Military Overseas Voter Empowerment Act to assist military voters and voters who live overseas to vote absentee ballots. An interim solution was implemented for the 2010 elections and a permanent system will be developed during 2011.



ENFORCEMENT AND INVESTIGATIONS

The Board's Enforcement Counsel supervises the Enforcement, Investigation and Campaign Finance Units.

The Enforcement Unit consists of 6 staff: Enforcement Counsel, Deputy Enforcement Counsel, Confidential Secretary, a Confidential Aide, and 2 Enforcement Specialists.

The Unit enforces violations of the Election Law. Whenever a complaint alleging a violation is made, it is reviewed to ascertain that the conduct complained of would, if true, be a violation of that law, and that there is evidence to support it. Counsel examines the nature and scope of the alleged conduct, and recommends an appropriate disposition of the complaint to the Board's Commissioners. In addition to general complaints of Election Law violations, Enforcement also has responsibility for complaints of violations of Title III of the Help America Vote Act of 2002, in accordance with the specific processes statutorily imposed.

In 2010, the Board opened 65 complaints alleging violations of the Election Law. The Enforcement Unit processed 97 complaints to a Determination during 2010. One was referred by the Board for investigation, and 1 Final Determination was made.

Additionally, Enforcement initiates civil proceedings relative to campaign financial reporting mandates. If a required campaign financial disclosure report is not filed, the committee treasurer and/or the candidate is notified by Certified and First Class mail of the failure to file. If the filing is not received by the Board within five days of receipt of that letter, the Board initiates a civil action requesting the Court to order the filing be made, as well as to assess a monetary penalty and court costs. In 2010, the Enforcement Unit initiated 7 lawsuits and obtained 861 Judgments against candidates and treasurers for failure to file campaign financial disclosure reports. By year's end, 239 Judgments were satisfied.

Enforcement's Investigation arm consists of 1 Investigator, who conducts any investigation of alleged violations of the Election Law ordered by the Board, including in the areas of campaign financial disclosure, petitions, illegal registration and voting, and the conduct of elections.

CAMPAIGN FINANCE

The Campaign Finance Unit (CFU) is headed by the Enforcement Counsel who, with the Deputy Enforcement Counsel, supervises a campaign finance staff of 11 who are assigned to the three subunits within Campaign Finance: Intake and Processing; Education Outreach and Training; and Audit and Review.

CFU/Intake and Processing sub unit consists of 5 staff: an Associate Accountant; a Senior Accountant; a Calculations Clerk II; and 2 Campaign Finance Analysts. This staff is primarily responsible for registrations and terminations of committees, receiving and processing campaign financial disclosure reports, and for operating the call center, where inquiries about the Election Law and filing mandates are handled. In 2010, January and July Periodic financial disclosure reports were required of all registered committees. As well, primary and general election reports



were required as applicable. Two special elections were held in 2010. In 2010, there were 11,007 active filers with the Board. A total of 27,766 financial disclosure statements were received by the Board in 2010, consisting of 11,667 from state filers, and 16,099 from county filers who were mandated to register and file with the State Board. There were 26,371 electronic submissions, 315 by diskette, and 1,080 paper

filings. All filings are available for public viewing on the Board’s website. If a mandated filing is not made, the candidate and/or committee treasurer is notified by Certified and First Class mail of the failure to file. In 2010, the CFU sent nearly 4,800 such letters. Subsequently, 7 lawsuits were initiated by the Enforcement Unit and a resulting 861 Judgments for failure to file were entered.

The number of active filers with the Board continues to increase, as is indicated below:

	2006	2007	2008	2009	2010
State Filers	2,564	2,159	2,152	2,014	2,549
County Filers	4,094	6,701	6,989	8,936	8,458
TOTAL	6658	8,860	9,141	10,950	11,009

Filers include both committees, and candidates without a committee who are making their own filings. In 2010, 2,103 new committees registered with the Board. With each new registration, the CFU sent a confirmation to the treasurer, providing the committee identification number, a personal identification number that acts as an electronic signature when making filings, and other information relating to filing requirements and obligations. There were 1,737 committee/candidate terminations processed in 2010.

Other duties of this subunit which they accomplished in 2010 include:

- Creation and publication of the campaign financial disclosure filing calendar.
- Calculation of the contribution limits as set forth in Election Law Article 14.
- Providing the public, as well as all filers with the State Board or County Boards of Elections, with information regarding campaign finance. In 2010, the staff responded to 14,647 telephone inquiries through the call center, and filled 330 requests for campaign finance forms and materials. Staff also assisted people who visited our public view area.

The CFU/ Education Outreach and Training sub unit is staffed by 3 people. Their primary area of responsibility is the preparation and dissemination of information and materials relative to the financial disclosure mandates of the Election Law. In 2010 this sub unit accomplished the annual revision of the Campaign Finance Handbook, revised forms promulgated by the Board relative to Article 14 of the Election Law, created the annual Filer Update for distribution to all filers. As well, they conducted 22 training seminars for filers throughout the State to provide information as to the requirements of financial filing and applicable Election Law provisions. They also created a 'train the trainer' program for county boards of elections so that the staffs at the boards could better assist filers. In 2010 they created a supplemental series of seminars on selected topics which were held at the State Board offices in Albany.

The CFU/Audit and Review sub unit in 2010 reviewed filings for compliance with statutory mandates. As well, they reviewed multiple data fields in reports and intra agency software. This enabled implementation of improvements for efficient administration of processes and procedures relative to campaign finance and enforcement. Three people staff this subunit.

Public Information

Media Relations

The Public Information Officer serves as the board's spokesperson and is responsible for handling all press inquiries. In 2010, the Public Information Office received over 10,000 requests from reporters, interested parties and the general public seeking information on election results, voter registration, campaign finance, enforcement matters, election law, implementation of the Help America Vote Act, new voting machines and board policies. The Public Information Officer also produced press releases and advisories throughout the year which provided information on these topics to the state and national press corps and the general public. This information was also made available via the Internet through the Board's website along with a wide range of election-related data of interest to New York State voters all over the world.

Freedom of Information Law

The Public Information Officer also serves as the Board's Records Access Officer. He is responsible for processing all FOIL requests received by the agency. In 2010, 613 requests were received by the Records Access Officer. This number represents a continuing climb from year to year due to the ability of the public to make FOIL requests by e-mail. Most requests were for data and records from the New York State Board of Elections' statewide database of registered voters (NYSVoter). Of the requests received, 537 requests were granted, 52 were denied in accordance with the provisions of Section 87 of the Public Officers Law, and in 24 instances no records were found.

Registration Hotlines

The board's automated hotline (1-800-FOR-VOTE) and the board's webpage on-line registration system (www.elections.state.ny.us) provide a dependable, efficient and convenient way in which citizens may request voter registration application forms. The hotline remains a positive component of the board's outreach program and the web page continues to capture a larger share of the program as more of the population comes online.

Annual Conference

The Board again held its annual conference for county election commissioners this spring in Albany. The annual conference provides a forum for election officials throughout the state to learn and exchange ideas on election laws and administration. More than 300 people attended the three-day event and took advantage of several meetings to discuss implementation in New York of new voting machines and the Help America Vote Act of 2002. The seminar attracted local board commissioners and staff from every local board in New York.

Legal Notices

Pursuant to Section 4-116 of the Election Law the State Board is required to publish once in the week preceding any election at which proposed Constitutional Amendments or other propositions or questions are to be submitted to the voters of the state, an abstract prepared by the Attorney General explaining the amendment or question. There were no ballot propositions on the 2010 General Election ballot.

Website (www.elections.state.ny.us)

Lastly, the Public Information Office works in close concert with the Information Technology Unit to operate and maintain the agency's website. With the rise of the Internet, our website has become an integral part of the Board's effort to provide information with the general public. The PIO e-mailbox received more than 3900 e-mails during 2010. The homepage received 977,145 total hits during 2010. The voter search page received 332,653 hits and the webcasting page received 42,366 hits for the year.



AGENCY ADMINISTRATION

The Board's Administrative Office consists of three staff members. The duties of this unit include all personnel administration, purchasing, mail and warehouse operations and general Agency Administrative tasks relating to day to day operations. The agency has a Host Agency agreement with the Office of General Services for activities related to Budgeting, Contracts, Purchasing and Payment of Vouchers.

Fiscal Operations

The State Board of Elections received a fiscal year 2010-11 appropriation of \$6,135,000 in the General Fund, \$7,500,000 in Federal Funds and \$500,000 in Special Revenue Funds.

In 2010-11, the agency was appropriated \$1,000,000 to authorize the expenditure of the federal 2010-11 Health and Human Services grant for services and expenses related to the alteration of poll sites to provide accessibility for disabled voters, and \$6,500,000 to authorize the expenditure of HAVA State Operations funds to implement the Military and Overseas Voter Empowerment (MOVE) Act of 20089. There was also an appropriation of \$500,000 in Special Revenue Funds for prior year liabilities related to the HAVA Matching Funds Account.

The State Board of Elections was granted the following re-appropriations for 2010-11:

- \$3,900,000 in General Fund/Aid to Localities for expenses related to the alteration of poll sites to provide accessibility for disabled voters
- \$1,000,000 for services and expenses in the federal 2009 Health and Human Services account, including prior year liabilities, related to Poll Site Accessibility improvements
- \$1,000,000 for services and expenses in the federal 2008 Health and Human Services account, including prior year liabilities, related to Poll Site Accessibility improvements
- \$1,000,000 for services and expenses in the federal 2007 Health and Human Services account, including prior year liabilities, related to Poll Site Accessibility improvements

- \$2,500,000 in Federal Funds/State Operations for expenses related to testing and certification contracts for voting machines through the Help America Vote Act
- \$1,500,000 in Federal Funds/State Operations for services and expenses incurred prior to April 1, 2005 related to the Help America Vote Act
- \$2,500,000 in Federal Funds/State Operations for services and expenses incurred on or after to April 1, 2005 related to the Help America Vote Act
- \$14,500,000 in Federal Funds/Aid to Localities appropriated in 2009 for Help America Vote Act expenses including the purchase of new voting machines and the transfer up to \$6,000,000 to the State Operations account for HAVA related expenses.
- \$10,000,000 in Federal Funds/Aid to Localities appropriated in 2008 for Help America Vote Act expenses including the purchase of new voting machines and the transfer up to \$700,000 to the State Operations account for the development of curriculum for use by local boards of elections for poll worker training and voter education.
- \$15,000,000 in Federal Funds/Aid to Localities appropriated in 2007 for Help America Vote Act expenses including the purchase of new voting machines and disability accessible ballot marking devices for use by local boards of elections.
- \$12,000,000 in Federal Funds/Aid to Localities appropriated in 2006 for Help America Vote Act expenses including the purchase of new voting machines and disability accessible ballot marking devices for use by local boards of elections.
- \$9,000,000 in Federal Funds/Aid to Localities appropriated in 2005 for Help America Vote Act expenses incurred for Poll Worker Training and voter education efforts.
- \$109,500,000 in Federal Funds/Aid to Localities appropriated in 2005 for Help America Vote Act expenses related to the purchase of new voting systems for use by local boards of elections pursuant to HAVA.

- \$1,000,000 in Special Revenue/State Operations appropriated in 2009 related to satisfying the matching funds requirements of section 253(b)(5) of HAVA.
- \$5,000,000 in Special Revenue/State Operations appropriated in 2007 related to satisfying the matching funds requirements of section 253(b)(5) of HAVA.
- \$3,000,000 in Special Revenue/State Operations appropriated in 2009 for services and expenses related to the examination of electronic voting and ballot counting machines.
- \$500,000 in Special Revenue/State Operations appropriated in 2006 for services and expenses related to the examination of electronic voting and ballot counting machines.

Personnel Administration

The agency was initially authorized a staffing level of 63 full time positions for the 2009/10 Fiscal Year. The authorized staffing level was reduced by the Division of the Budget to 60 full time positions in September, 2010.

As a result of the 2007-2011 negotiated agreements with NYS Bargaining Units, staff members represented by the Civil Service Employees Association, Inc. (CSEA) and the Public Employees Federation, AFL-CIO (PEF) were paid a statewide salary increase of 4% in annual salaries effective April 1, 2010. Management and Confidential (M/C) staff members statewide salary increase was withheld.

Revenue Fiscal Year 2010-11

Voting Machine Certification	\$180,000.00
Judgments	\$77,513.96
Campaign Finance Photocopies	\$81.00
Election Operations Photocopies	\$16,557.25



Appendix

NYSVoter Enrollment by County, Party Affiliation and Status Voters Registered as of November 1, 2010

COUNTY	STATUS	DEM	REP	IND	CON	WOR	GRE	LBT	RTH	SWP	BLANK	TOTAL
Albany	Active	90,438	39,251	8,393	2,732	586	458	39	0	1	38,450	180,348
Albany	Inactive	10,055	3,137	1,186	203	98	106	6	0	1	4,699	19,491
Albany	Total	100,493	42,388	9,579	2,935	684	564	45	0	2	43,149	199,839
Allegany	Active	6,170	12,623	1,004	343	125	49	12	0	0	3,666	23,992
Allegany	Inactive	1,146	1,681	252	74	34	19	2	0	0	1,368	4,576
Allegany	Total	7,316	14,304	1,256	417	159	68	14	0	0	5,034	28,568
Broome	Active	42,625	43,392	5,280	1,404	536	335	53	0	1	19,791	113,417
Broome	Inactive	5,063	3,557	751	130	113	86	8	0	0	2,917	12,625
Broome	Total	47,688	46,949	6,031	1,534	649	421	61	0	1	22,708	126,042
Cattaraugus	Active	16,014	18,008	1,937	965	275	90	9	0	0	8,609	45,907
Cattaraugus	Inactive	1,650	1,596	293	77	40	17	2	0	0	1,400	5,075
Cattaraugus	Total	17,664	19,604	2,230	1,042	315	107	11	0	0	10,009	50,982
Cayuga	Active	15,651	17,200	2,148	1,183	181	113	6	0	0	8,606	45,088
Cayuga	Inactive	1,421	1,393	309	84	34	15	1	0	0	1,177	4,434
Cayuga	Total	17,072	18,593	2,457	1,267	215	128	7	0	0	9,783	49,522
Chautauqua	Active	29,052	27,038	4,563	1,937	412	142	44	0	2	17,842	81,032
Chautauqua	Inactive	2,510	2,066	556	134	73	26	3	0	0	2,348	7,716
Chautauqua	Total	31,562	29,104	5,119	2,071	485	168	47	0	2	20,190	88,748
Chemung	Active	16,525	21,104	2,665	621	205	95	9	0	0	9,195	50,419
Chemung	Inactive	2,030	1,853	332	47	66	16	1	0	0	1,497	5,842
Chemung	Total	18,555	22,957	2,997	668	271	111	10	0	0	10,692	56,261
Chenango	Active	7,770	12,726	1,515	431	178	118	13	0	0	5,739	28,490
Chenango	Inactive	899	1,034	213	38	30	25	2	0	0	857	3,098
Chenango	Total	8,669	13,760	1,728	469	208	143	15	0	0	6,596	31,588
Clinton	Active	17,144	15,363	2,844	431	198	102	8	0	2	10,022	46,114
Clinton	Inactive	1,617	1,146	342	33	27	36	5	0	0	1,321	4,527
Clinton	Total	18,761	16,509	3,186	464	225	138	13	0	2	11,343	50,641
Columbia	Active	12,669	12,368	2,524	1,123	188	174	19	0	2	10,695	39,762
Columbia	Inactive	1,247	805	299	104	23	28	3	0	0	1,077	3,586
Columbia	Total	13,916	13,173	2,823	1,227	211	202	22	0	2	11,772	43,348
Cortland	Active	8,775	10,439	1,377	403	118	70	1	0	0	6,037	27,220
Cortland	Inactive	1,314	821	267	37	22	16	0	0	0	1,240	3,717
Cortland	Total	10,089	11,260	1,644	440	140	86	1	0	0	7,277	30,937
Delaware	Active	7,515	12,336	1,314	431	84	101	9	0	1	4,745	26,536
Delaware	Inactive	919	955	189	40	23	19	2	0	0	734	2,881
Delaware	Total	8,434	13,291	1,503	471	107	120	11	0	1	5,479	29,417
Dutchess	Active	55,519	52,204	8,555	3,226	590	376	72	0	0	44,571	165,113
Dutchess	Inactive	7,078	4,705	1,060	234	100	101	12	0	0	5,389	18,679
Dutchess	Total	62,597	56,909	9,615	3,460	690	477	84	0	0	49,960	183,792
Erie	Active	285,957	151,679	23,716	11,533	2,558	1,254	180	0	10	91,396	568,283
Erie	Inactive	45,174	21,246	3,179	1,441	412	321	19	0	2	19,454	91,248
Erie	Total	331,131	172,925	26,895	12,974	2,970	1,575	199	0	12	110,850	659,531

**NYSVoter Enrollment by County, Party Affiliation and Status
Voters Registered as of November 1, 2010**

COUNTY	STATUS	DEM	REP	IND	CON	WOR	GRE	LBT	RTH	SWP	BLANK	TOTAL
Essex	Active	6,567	12,348	1,664	185	60	67	6	0	1	4,285	25,183
Essex	Inactive	613	933	191	15	17	15	2	0	0	603	2,389
Essex	Total	7,180	13,281	1,855	200	77	82	8	0	1	4,888	27,572
Franklin	Active	9,985	9,575	1,437	338	93	49	3	0	0	4,600	26,080
Franklin	Inactive	738	673	149	14	12	11	0	0	0	613	2,210
Franklin	Total	10,723	10,248	1,586	352	105	60	3	0	0	5,213	28,290
Fulton	Active	7,988	16,327	1,433	448	133	58	6	0	0	4,967	31,360
Fulton	Inactive	413	582	113	21	13	3	0	0	0	333	1,478
Fulton	Total	8,401	16,909	1,546	469	146	61	6	0	0	5,300	32,838
Genesee	Active	9,479	15,599	1,546	789	174	65	11	0	0	7,121	34,784
Genesee	Inactive	698	831	160	45	23	8	2	0	0	704	2,471
Genesee	Total	10,177	16,430	1,706	834	197	73	13	0	0	7,825	37,255
Greene	Active	7,020	12,175	1,564	776	102	68	1	0	0	7,189	28,895
Greene	Inactive	895	1,100	207	71	17	13	1	0	0	930	3,234
Greene	Total	7,915	13,275	1,771	847	119	81	2	0	0	8,119	32,129
Hamilton	Active	980	2,795	187	43	7	5	0	0	0	497	4,514
Hamilton	Inactive	82	209	14	2	1	1	0	0	0	64	373
Hamilton	Total	1,062	3,004	201	45	8	6	0	0	0	561	4,887
Herkimer	Active	10,830	19,047	2,116	520	112	65	3	0	0	6,145	38,838
Herkimer	Inactive	784	1,033	199	29	26	11	1	0	0	740	2,823
Herkimer	Total	11,614	20,080	2,315	549	138	76	4	0	0	6,885	41,661
Jefferson	Active	16,663	24,344	2,828	725	191	81	4	0	0	11,015	55,851
Jefferson	Inactive	1,534	1,829	329	56	31	16	2	0	0	1,540	5,337
Jefferson	Total	18,197	26,173	3,157	781	222	97	6	0	0	12,555	61,188
Lewis	Active	4,495	8,913	681	234	49	25	3	0	1	2,432	16,833
Lewis	Inactive	225	344	39	9	2	2	2	0	0	181	804
Lewis	Total	4,720	9,257	720	243	51	27	5	0	1	2,613	17,637
Livingston	Active	10,560	16,772	1,674	753	139	114	16	0	0	7,762	37,790
Livingston	Inactive	1,042	998	183	53	19	16	3	0	0	980	3,294
Livingston	Total	11,602	17,770	1,857	806	158	130	19	0	0	8,742	41,084
Madison	Active	11,232	16,337	2,421	786	189	118	7	0	0	8,524	39,614
Madison	Inactive	1,230	1,402	375	56	34	23	1	0	0	1,194	4,315
Madison	Total	12,462	17,739	2,796	842	223	141	8	0	0	9,718	43,929
Monroe	Active	169,043	134,328	17,419	7,531	1,233	936	237	0	5	98,638	429,370
Monroe	Inactive	19,597	7,948	1,551	464	249	218	13	0	0	10,786	40,826
Monroe	Total	188,640	142,276	18,970	7,995	1,482	1,154	250	0	5	109,424	470,196
Montgomery	Active	10,020	10,272	1,360	545	110	46	8	0	0	5,431	27,792
Montgomery	Inactive	842	721	133	36	23	8	1	0	0	687	2,451
Montgomery	Total	10,862	10,993	1,493	581	133	54	9	0	0	6,118	30,243
Nassau	Active	340,517	323,049	26,984	9,250	1,874	1,082	0	0	0	192,122	894,878
Nassau	Inactive	13,923	11,155	1,150	326	86	81	0	0	0	7,554	34,275
Nassau	Total	354,440	334,204	28,134	9,576	1,960	1,163	0	0	0	199,676	929,153

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Niagara	Active	55,066	43,314	5,271	2,548	836	206	6	0	0	20,648	127,895
Niagara	Inactive	5,583	3,798	749	213	159	55	2	0	0	3,116	13,675
Niagara	Total	60,649	47,112	6,020	2,761	995	261	8	0	0	23,764	141,570
Oneida	Active	45,842	50,478	6,610	1,620	453	141	2	1	0	23,329	128,476
Oneida	Inactive	2,142	1,948	402	52	42	21	0	0	0	1,460	6,067
Oneida	Total	47,984	52,426	7,012	1,672	495	162	2	1	0	24,789	134,543
Onondaga	Active	101,566	88,343	12,546	4,482	1,200	653	115	0	0	68,030	276,935
Onondaga	Inactive	10,958	6,674	1,376	295	235	161	23	0	0	8,224	27,946
Onondaga	Total	112,524	95,017	13,922	4,777	1,435	814	138	0	0	76,254	304,881
Ontario	Active	19,153	25,912	3,237	1,145	150	153	6	0	0	13,966	63,722
Ontario	Inactive	1,900	2,001	400	93	26	33	0	0	0	1,715	6,168
Ontario	Total	21,053	27,913	3,637	1,238	176	186	6	0	0	15,681	69,890
Orange	Active	72,818	69,939	9,583	3,365	672	451	31	0	0	43,277	200,136
Orange	Inactive	7,261	5,922	941	238	91	83	4	0	0	4,902	19,442
Orange	Total	80,079	75,861	10,524	3,603	763	534	35	0	0	48,179	219,578
Orleans	Active	5,790	10,718	997	473	129	46	8	0	0	4,684	22,845
Orleans	Inactive	655	936	118	34	23	7	1	0	0	770	2,544
Orleans	Total	6,445	11,654	1,115	507	152	53	9	0	0	5,454	25,389
Oswego	Active	17,968	33,005	3,306	1,515	320	93	21	0	1	13,295	69,524
Oswego	Inactive	2,728	3,612	607	201	89	52	1	0	0	2,887	10,177
Oswego	Total	20,696	36,617	3,913	1,716	409	145	22	0	1	16,182	79,701
Otsego	Active	10,374	13,343	1,830	461	108	108	16	0	0	6,480	32,720
Otsego	Inactive	1,417	1,087	313	39	25	34	0	0	0	1,193	4,108
Otsego	Total	11,791	14,430	2,143	500	133	142	16	0	0	7,673	36,828
Putnam	Active	17,166	21,273	3,076	2,002	166	116	19	0	0	14,552	58,370
Putnam	Inactive	1,586	1,583	282	121	14	30	1	0	0	1,437	5,054
Putnam	Total	18,752	22,856	3,358	2,123	180	146	20	0	0	15,989	63,424
Rensselaer	Active	27,231	25,071	6,262	4,283	1,156	236	41	0	2	28,234	92,516
Rensselaer	Inactive	4,149	2,526	871	353	278	65	13	0	0	3,698	11,953
Rensselaer	Total	31,380	27,597	7,133	4,636	1,434	301	54	0	2	31,932	104,469
Rockland	Active	80,205	41,656	6,128	3,330	514	189	3	0	0	38,422	170,447
Rockland	Inactive	6,636	3,252	597	187	51	33	0	0	0	3,695	14,451
Rockland	Total	86,841	44,908	6,725	3,517	565	222	3	0	0	42,117	184,898
Saratoga	Active	38,714	64,566	8,054	2,003	413	309	39	0	0	34,741	148,839
Saratoga	Inactive	2,700	3,230	569	107	32	33	1	0	0	2,554	9,226
Saratoga	Total	41,414	67,796	8,623	2,110	445	342	40	0	0	37,295	158,065
Schenectady	Active	34,721	25,962	4,643	3,009	588	153	4	0	0	20,695	89,775
Schenectady	Inactive	3,046	1,833	465	156	77	42	0	0	0	2,097	7,716
Schenectady	Total	37,767	27,795	5,108	3,165	665	195	4	0	0	22,792	97,491
Schoharie	Active	4,944	7,481	1,065	368	65	59	15	0	1	4,069	18,067
Schoharie	Inactive	503	574	170	30	20	19	1	0	0	508	1,825
Schoharie	Total	5,447	8,055	1,235	398	85	78	16	0	1	4,577	19,892

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Schuyler	Active	3,338	4,746	590	195	76	64	3	0	0	2,295	11,307
Schuyler	Inactive	379	451	102	12	12	9	0	0	0	391	1,356
Schuyler	Total	3,717	5,197	692	207	88	73	3	0	0	2,686	12,663
Seneca	Active	6,422	7,975	881	419	108	47	3	0	0	3,687	19,542
Seneca	Inactive	329	335	39	6	6	7	1	0	0	235	958
Seneca	Total	6,751	8,310	920	425	114	54	4	0	0	3,922	20,500
St.Lawrence	Active	22,094	21,615	2,911	739	243	145	21	0	0	11,134	58,902
St.Lawrence	Inactive	2,038	1,665	380	52	44	31	2	0	0	1,641	5,853
St.Lawrence	Total	24,132	23,280	3,291	791	287	176	23	0	0	12,775	64,755
Steuben	Active	15,347	30,160	2,760	798	229	133	13	0	0	8,917	58,357
Steuben	Inactive	921	1,385	167	38	43	19	1	0	0	846	3,420
Steuben	Total	16,268	31,545	2,927	836	272	152	14	0	0	9,763	61,777
Suffolk	Active	289,372	302,230	35,563	20,290	3,663	1,526	275	0	2	229,848	882,769
Suffolk	Inactive	36,487	30,203	4,007	1,964	474	303	32	0	0	28,236	101,706
Suffolk	Total	325,859	332,433	39,570	22,254	4,137	1,829	307	0	2	258,084	984,475
Sullivan	Active	18,153	13,177	2,081	937	187	129	5	0	0	10,402	45,071
Sullivan	Inactive	2,331	1,270	251	91	44	25	2	0	0	1,742	5,756
Sullivan	Total	20,484	14,447	2,332	1,028	231	154	7	0	0	12,144	50,827
Tioga	Active	8,620	14,267	1,510	358	124	83	14	1	0	5,676	30,653
Tioga	Inactive	664	1,024	155	14	14	16	3	0	0	627	2,517
Tioga	Total	9,284	15,291	1,665	372	138	99	17	1	0	6,303	33,170
Tompkins	Active	23,679	13,303	2,042	310	199	476	13	0	0	11,028	51,050
Tompkins	Inactive	4,542	1,551	472	52	56	163	8	0	0	2,770	9,614
Tompkins	Total	28,221	14,854	2,514	362	255	639	21	0	0	13,798	60,664
Ulster	Active	37,229	29,409	4,839	2,519	487	661	67	0	0	33,408	108,619
Ulster	Inactive	5,481	2,720	764	189	88	167	16	0	0	4,630	14,055
Ulster	Total	42,710	32,129	5,603	2,708	575	828	83	0	0	38,038	122,674
Warren	Active	10,479	20,573	2,225	536	135	124	6	0	0	7,943	42,021
Warren	Inactive	984	1,358	266	49	27	28	0	0	0	922	3,634
Warren	Total	11,463	21,931	2,491	585	162	152	6	0	0	8,865	45,655
Washington	Active	8,769	15,735	2,033	537	179	98	3	0	0	7,116	34,470
Washington	Inactive	1,179	1,423	326	62	44	31	0	0	0	1,171	4,236
Washington	Total	9,948	17,158	2,359	599	223	129	3	0	0	8,287	38,706
Wayne	Active	13,986	23,197	2,607	1,336	219	117	24	0	0	13,008	54,494
Wayne	Inactive	990	1,139	203	72	30	13	1	0	0	1,088	3,536
Wayne	Total	14,976	24,336	2,810	1,408	249	130	25	0	0	14,096	58,030
Westchester	Active	247,866	134,072	20,312	8,483	1,224	626	79	0	2	118,191	530,855
Westchester	Inactive	30,682	14,696	2,651	842	284	182	0	0	0	15,829	65,166
Westchester	Total	278,548	148,768	22,963	9,325	1,508	808	79	0	2	134,020	596,021
Wyoming	Active	6,200	11,218	1,086	456	96	14	0	0	0	4,798	23,868
Wyoming	Inactive	322	396	62	21	6	2	0	0	0	326	1,135
Wyoming	Total	6,522	11,614	1,148	477	102	16	0	0	0	5,124	25,003

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Out NYC Tot	Active	2,473,757	2,237,011	285,775	118,426	24,692	13,448	1,634	2	34	1,444,190	6,598,969
Out NYC Tot	Inactive	263,782	175,033	31,822	9,475	3,995	2,925	207	0	3	171,571	658,813
Out NYC Tot	Total	2,737,539	2,412,044	317,597	127,901	28,687	16,373	1,841	2	37	1,615,761	7,257,782
Bronx	Active	475,507	42,053	12,062	2,912	2,389	321	65	0	12	82,831	618,152
Bronx	Inactive	57,995	5,587	1,686	362	366	57	3	0	1	12,037	78,094
Bronx	Total	533,502	47,640	13,748	3,274	2,755	378	68	0	13	94,868	696,246
Kings	Active	890,080	114,671	25,590	4,182	4,202	1,993	218	1	13	202,087	1,243,037
Kings	Inactive	105,595	12,688	3,569	486	561	567	16	0	0	26,446	149,928
Kings	Total	995,675	127,359	29,159	4,668	4,763	2,560	234	1	13	228,533	1,392,965
New York	Active	647,917	94,130	26,407	1,675	1,622	1,638	320	0	13	160,842	934,564
New York	Inactive	95,696	18,179	4,903	349	291	516	31	0	0	28,609	148,574
New York	Total	743,613	112,309	31,310	2,024	1,913	2,154	351	0	13	189,451	1,083,138
Queens	Active	673,306	130,738	23,923	5,767	2,720	1,068	130	0	6	192,784	1,030,442
Queens	Inactive	43,767	9,509	1,841	374	246	154	2	0	0	14,549	70,442
Queens	Total	717,073	140,247	25,764	6,141	2,966	1,222	132	0	6	207,333	1,100,884
Richmond	Active	117,298	75,316	7,745	4,107	929	243	52	0	0	49,682	255,372
Richmond	Inactive	9,221	5,451	682	297	125	29	2	0	0	4,550	20,357
Richmond	Total	126,519	80,767	8,427	4,404	1,054	272	54	0	0	54,232	275,729
NYC Total	Active	2,804,108	456,908	95,727	18,643	11,862	5,263	785	1	44	688,226	4,081,567
NYC Total	Inactive	312,274	51,414	12,681	1,868	1,589	1,323	54	0	1	86,191	467,395
NYC Total	Total	3,116,382	508,322	108,408	20,511	13,451	6,586	839	1	45	774,417	4,548,962
State Total	Active	5,277,865	2,693,919	381,502	137,069	36,554	18,711	2,419	3	78	2,132,416	10,680,536
State Total	Inactive	576,056	226,447	44,503	11,343	5,584	4,248	261	0	4	257,762	1,126,208
State Total	Total	5,853,921	2,920,366	426,005	148,412	42,138	22,959	2,680	3	82	2,390,178	11,806,744