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COMMISSIONERS

BOARD OF ELECTIONS

IN
THE CITY OF NEW YORK
EXECUTIVE OFFICE, 32 BROADWAY
NEW YORK, NY 10004-1609
(212) 487-5300
www.vote.nyc.ny.us

EXECUTIVE DIRECTOR

DAWN SANDOW
DEPUTY EXECUTIVE DIRECTOR

PAMELA GREEN PERKINS
ADMINISTRATIVE MANAGER

STEVEN H. RICHMAN
GENERAL COUNSEL
Tel: (212) 487-5338
Fax: (212) 487-5342
E-Mail:

srichman@boe.nyc.ny.us

STATEMENT

of the

COMMISSIONERS OF ELECTIONS

IN THE CITY OF NEW YORK

The Commissioners of Elections in the City of New York, at their public meeting held on Tuesday, May 14, 2013 unanimously adopted the following statement providing their interpretation and opinion of the applicability of particular provisions of the New York State Election Law with respect to the form of the ballot for primary, general and special elections conducted entirely within the City of New York and directed that it be included in all future Calendar and Rules booklets distributed by the Board and that it be posted on the Board's website. Please note that this Statement and the interpretation and opinion expressed herein are consistent with the policies and practices that have been observed by this Board since 2011.

The Commissioners of Elections in the City of New York determined that with respect to the form of Election Day Paper Ballots used with the poll site optical scanning voting system, Section 7-106 of the New York State Election Law, which is captioned "Election day paper ballots; form of" is the applicable and controlling statutory provision for all such

ballots. This Board will be guided by and act in accordance with such provision.

In addition, the Commissioners determined that those provisions of the Election Law relating to the form of the ballot for voting machines [including, but not limited to Sections 7-104 and 7-116(6) of the Election Law] are not applicable to any Election Day Paper Ballot used with the poll site optical scanning voting system.

*Prepared by the Office of the General Counsel
of the Board of Elections in the City of New York,
May 14, 2013.*