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December 7, 2015

Hon. Andrew M. Cuomo,
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The Capitol
Albany, New York 12224

Hon. John J. Flanagan,
Senate Majority Leader
Legislative Office Building, Room 805
Albany, New York 12247

Hon. Thomas P. DiNapoli,
Comptroller
110 State Street
Albany, New York 12236

Hon. Herman D. Farrell, Jr.,
Chair, Ways and Means
Legislative Office Building, Room 923
Albany, New York 12248

Hon. Carl E. Heastie,
Speaker
Legislative Office Building, Room 932
Albany, New York 12248

Hon. John A. DeFrancisco,
Chair, Senate Finance Committee
The Capitol, Room #416C
Albany, New York 12247

Dear Sirs:

On March 30, 2015, the Comptroller's Division of State Government Accountability released a report entitled "Localities' Procurement of Paper Ballots". The New York State Board of Elections ("State Board") responded to the draft report detailing how the agency, on an on-going basis, implemented the recommendations contained in the report. This letter identifies actions taken since publication related to the three recommendations in the report.

Recommendation One:

Work with the Local Elections Boards that do not print their ballots in-house to help ensure that paper ballots are procured through vendor competition.

Action Taken:

On May 28, 2015, the State Board presented to County Election Commissioners all of the options available for ballot production and procurement. These options included: (1) competitive procurement processes through county purchasing agents; (2) in-house ballot production, and (3) state contract options. The State

Board advised counties to explore all options, and reminded counties using the state contract they are free to negotiate better pricing. The written materials provided to county officials are posted to the State Board's FTP site.

Recommendation Two:

Work with the Local Elections Boards to develop a sound and reasonable methodology to project the number of ballots needed for each election. Use sound historical data of voter turn-out and the number of ballots procured to develop estimates of ballot needs.

Action Taken:

On May 28, 2015 the State Board also discussed with County Election Commissioners voter turnout prediction for ballot production purposes. The State Board reviewed historical variability of turnout percentages in elections of a similar type, referencing specific data spanning more than twenty-years. Similarly, the considerable variability of turnout between election districts within a county within the same election was noted. The State Board identified macro and micro factors influencing voter participation and how to apply these considerations. Case studies of Election Day ballot shortages in other states demonstrated why a ballot calculation methodology capturing the true range of variability in turnout is essential. To that end, the State Board strongly advised local boards of elections to plan for the highest potential turnout supported by the historical data because it is their legal duty to provide a ballot to every eligible voter seeking one on Election Day. The written materials provided to county officials are posted to the State Board's FTP site.

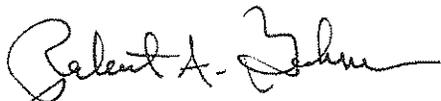
Recommendation Three:

Periodically meet and communicate with Local Election Board officials to discuss emerging administrative and fiscal issues

Action Taken:

The staff of the New York State Board of Elections continues to hold monthly conference calls with County Boards of Elections to address current issues and provide a mechanism for sharing concerns and ideas. The State Board of Elections will continue to advise county commissioners on the process of ballot procurement, the factors to consider and mechanisms to apply when determining ballot quantities, and will continue to meet and communicate with them about emerging administrative and fiscal issues.

Very Truly Yours,



Robert Brehm
Co-Executive Director



Todd Valentine
Co-Executive Director

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EXECUTIVE CORRESPONDENCE

DEC 11 2015

OFFICE OF THE STATE COMPTROLLER
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