

B R E N N A N  
C E N T E R  
F O R J U S T I C E

Brennan Center for Justice  
*at New York University School of Law*

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New York, New York 10013  
646.292.8310 Fax 212.463.7308  
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October 23, 2014

Michael J. Ryan  
Executive Director  
New York City Board of Elections  
32 Broadway, 7th Floor  
New York, NY 10004  
*Sent via U.S. Mail and E-Mail to mjryan@boe.nyc.ny.us*

**RE: 2014 Ballot Design Improperly Penalizes Minor Parties**

Dear Mr. Ryan:

The Brennan Center for Justice at New York University School of Law represents the Conservative Party of New York and the Working Families Party, two minor political parties. We are deeply concerned that this November's New York City general election ballot (Attachment A) prejudices minor parties and risks the loss of thousands of votes through "overvoting"-- when a voter marks a ballot for more candidates than can be elected in one contest and thereby cancels his or her vote. The Board's prior procedures relating to overvoting were the subject of litigation and a subsequent agreement. *NAACP New York State Conference v. New York State Board of Elections*, No. 10-cv-2950 (E.D.N.Y. 2010). We write to ask the Board to replace this design in future elections and take steps to properly inform voters on November 4 about this design.

*I. The 2014 Ballot Discriminates Against Small Parties*

The 2014 New York City general election sample ballot (Attachment A) has six columns for 10 gubernatorial candidates, with the selection boxes for smaller parties being placed above and below one another. Voters who attempt to cast a "party-line" vote for minor parties run a heightened risk of overvoting. The ballot places Democratic and Republican gubernatorial nominees in columns with no other gubernatorial candidates below them. Only the small parties' nominees are alternately stacked atop one another in the same column.

Troublingly, this year's design appears to deliberately discriminate against minor parties. The city ballot departs from the New York State Board of Elections sample ballot (Attachment B), which evenly distributes the burden of a shared column between all parties, including the Democrats and Republicans. Rather than implement this design, the

Board chose to protect the major parties, leaving their lines clear of other candidates. We are not aware of any previous city ballot with as few as 10 parties per contest that required recognized parties to share columns.<sup>1</sup> Significantly, as far as we know, *every other* other local New York board managed to avoid doubling up minor parties on this year's ballot.<sup>2</sup> The Board could have avoided doubling up any parties along a single ballot line through a more conscientious design. We have previously shared an example of such a design with the Board (Attachment C).

There is no question this will cause overvotes, and therefore lost votes. Over the last few years, the Brennan Center has offered substantial evidence that such designs lead to more overvotes, and that these overvotes disproportionately occur where multiple parties share the same column. In 2010, a U.S. Senate race with candidates split across two rows produced substantially more overvotes than another U.S. Senate race with candidates across a single row on the very same ballot.<sup>3</sup> In 2013, when 20 parties and independent bodies fielded candidates for mayor (Attachment D), all parties except the Democrats and Republicans were forced to share columns. In 2013, city voters cast over 7,800 overvotes. The Brennan Center examined ballots from nine polling places from that election and found that a disproportionate number of overvotes involved candidates listed in the same column.

## *II. We Urge the Board to Take Appropriate Action*

We are distressed that the favoritism to the major parties that led to litigation in 2010<sup>4</sup> is repeating itself in 2014. Political parties have a constitutional right to have their votes counted and reported fairly and accurately. There is no justification for only minor parties to bear the risk of losing votes because of a discriminatory ballot. This disparity will directly harm minor parties in this year's gubernatorial election, for which vote totals will determine parties' ballot placement and eligibility. N.Y. Elec. Law § 7-116.

Two years ago, the State Board of Elections agreed to upgrade voting machines so that a voter receives a clear message when he or she has overvoted. Stipulation of Settlement, General Release, and Order of Dismissal, *NAACP New York State Conference v. New York State Board of Elections*, No. 10-cv-2950 (E.D.N.Y. Feb. 10, 2012). The Board is also bound by this agreement to display a clear overvote message "containing the language and substantially the same layout" as two attached samples (Attachment E).

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<sup>1</sup> Previous ballots have been designed such that multiple independent bodies (as distinguished from parties with a guaranteed ballot place, like our clients) shared a column.

<sup>2</sup> At least some counties doubled up a number of independent bodies this year.

<sup>3</sup> Lawrence Norden, Brennan Center for Justice, *Design Deficiencies, Lost Votes 21* (2011), available at <http://www.brennancenter.org/publication/design-deficiencies-and-lost-votes>.

<sup>4</sup> Four years ago, our clients brought an action against another New York electoral practice that unduly favored large parties: the automatic counting of "double votes" to the party that received more votes in the previous gubernatorial election. *Conservative Party of New York State and Working Families Party v. New York State Board of Elections, et al.*, No. 10-civ-6923 (S.D.N.Y. 2010). A consent decree binds the Board to properly inform voters of their possible double vote when they submit their ballots.

We ask the Board to ensure that all ballots are non-discriminatory in future elections, and to take the following immediate actions: 1) verify that voters who cast overvotes will receive the message agreed to in the 2012 settlement; 2) consider any changes in design can be implemented ahead of this November's election;<sup>5</sup> and 3) notify us of other actions that the Board is taking in response to this problem. Our clients welcome any efforts from the Board to invite their and other minor parties' input in such a process.

The Brennan Center can be contacted by phone at 646.292.8310 and by email at myrna.perez@nyu.edu.

Thank you for your attention to this matter.

Sincerely,



Myrna Pérez  
Director, Voting Rights and Elections  
Brennan Center for Justice at NYU School of Law

Cc:

Jose Miguel Araujo, President  
Michael Michel, Secretary  
Ronald Castorina Jr.  
John Flateau  
Maria R. Guastella  
Bianka Perez  
Michael A. Rendino  
Alan Schuklin  
Simon Shamoun  
Frederic M. Umane

Zachary W. Carter, Corporation Counsel of the City of New York  
Stephen Kitzinger, Assistant Corporation Counsel

Andrew G. Celli

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<sup>5</sup> In addition to adopting a ballot design that does not double up parties, the Board could consider using thicker lines to clearly separate the contests, with thinner lines between rows of candidates in one contest. For future elections, the Board could consider changing the ballot layout to use a horizontal layout. This layout, used in many other counties in New York State, reduces favoritism because parties are arranged in rows. Only independent bodies share space at the bottom of the column.

Mike Long, Conservative Party of New York  
Bill Lipton, Working Families Party

## Attachment A

New York  
Style: 0041

Papeleta Oficial para la Elección General - Ciudad de Nueva York  
Condado de Nueva York - 4 de Noviembre del 2014  
Vea las Instrucciones Adjuntas

## **PROPOSALS ON THE OTHER SIDE**

Vea las instrucciones Adjuntas PROPUESTAS

Democratic	Republican
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—  
—

## PROYECTOS AL OTRO LADO

SAMPLE BALLOT							
Governor and Lieutenant Governor Vote Once Gobernador y Vice Gobernador Vote por uno	<input type="radio"/> ANDREW M. CUOMO and - y KATHY C. HOCHUL Democratic	<input type="radio"/> ROB ASTORINO and - y CHRIS MOSS Republican	<input type="radio"/> ROB ASTORINO and - y CHRIS MOSS Conservative	<input type="radio"/> ANDREW M. CUOMO and - y KATHY C. HOCHUL Working Families	<input type="radio"/> ANDREW M. CUOMO and - y KATHY C. HOCHUL Independence	<input type="radio"/> HOWIE HAWKINS and - y BRIAN P. JONES Green	
			<input type="radio"/> Libertarian	<input type="radio"/> StopCommonCore	<input type="radio"/> Sapient	<input type="radio"/> Women's Equality	
			<input type="radio"/> MICHAEL McDERMOTT and - y CHRIS EDES Libertarian	<input type="radio"/> ROB ASTORINO and - y CHRIS MOSS StopCommonCore	<input type="radio"/> STEVEN COHN and - y BOBBY K. KALOTEE Sapient	<input type="radio"/> ANDREW M. CUOMO and - y KATHY C. HOCHUL Women's Equality	
Comptroller Vote for one Contralor Vote por uno	<input type="radio"/> THOMAS P. DINAPOLI Democratic	<input type="radio"/> ROBERT ANTONACCI Republican	<input type="radio"/> ROBERT ANTONACCI Conservative StopCommonCore	<input type="radio"/> THOMAS P. DINAPOLI Working Families	<input type="radio"/> THOMAS P. DINAPOLI Independence Women's Equality	<input type="radio"/> THERESA M. PORTELLI Green	
			<input type="radio"/> JOHN CLIFTON Libertarian				
			<input type="radio"/> CARL E. PERSON Libertarian				
Attorney General Vote for one Fiscal General Vote por uno	<input type="radio"/> ERIC T. SCHNEIDERMAN Democratic	<input type="radio"/> JOHN CAHILL Republican	<input type="radio"/> JOHN CAHILL Conservative StopCommonCore	<input type="radio"/> ERIC T. SCHNEIDERMAN Working Families	<input type="radio"/> ERIC T. SCHNEIDERMAN Independence Women's Equality	<input type="radio"/> RAMON JIMENEZ Green	
			<input type="radio"/> CARL E. PERSON Libertarian				
Justices of the Supreme Court Vote for any Two Jueces de la Corte Suprema Vote por cualquier dos	<input type="radio"/> MILTON A. TINGLING Democratic						
		<input type="radio"/> KATHRYN E. FREED Democratic					
Judge of the Civil Court - County Vote for any Two Juez de la Corte Civil - Condado Vote por cualquier dos	<input type="radio"/> LOUIS L. NOCK Democratic						
		<input type="radio"/> ARLENE P. BLUTH Democratic					
Representative in Congress Vote for one Representante en el Congreso Vote por uno	<input type="radio"/> JERROLD L. NADLER Democratic	<input type="radio"/> ROSS BRADY Republican	<input type="radio"/> Conservative	<input type="radio"/> JERROLD L. NADLER Working Families	<input type="radio"/> Independence	<input type="radio"/> Green	
				<input type="radio"/> JERROLD L. NADLER Working Families			
State Senator Senador Estatal	<input type="radio"/> BRAD M. HOYLMAN Democratic	<input type="radio"/> FRANK J. SCALA Republican		<input type="radio"/> BRAD M. HOYLMAN Working Families			
Member of the Assembly Vote for one Miembro de la Asamblea Vote por uno	<input type="radio"/> DEBORAH J. GLICK Democratic	<input type="radio"/> NEKESHIA WOODS Republican	<input type="radio"/> Conservative	<input type="radio"/> Working Families	<input type="radio"/> Independence	<input type="radio"/> Green	
						<input type="radio"/> Progressive	
					<input type="radio"/> ALEXANDER R. MEADOWS Progressive		

PROPOSALS ON THE OTHER SIDE PROPUESTAS AL OTRO LADO

OFFICIAL BALLOT

FOR THE  
GENERAL ELECTION  
NOVEMBER 4, 2014  
CITY OF NEW YORK  
COUNTY OF NEW YORK

2014-10-06 05:59:34 PM

Affidavit Stamp Here

Maria R. Guastella  
Bianka Perez  
Michael Rendino  
Alan Schuklin  
Simon Shamoun  
Frederic M. Umane

Commissioners of Elections

Jose Miguel Araujo  
President  
Michael Michel  
Secretary  
Ronald Castorina Jr.  
John Flateau, Ph.D.

Proposal Instructions

(1) To vote yes or no on a proposal, if any, that appears on the back of the ballot fill in the oval that corresponds to your vote.

Instrucciones para las Propuestas

(1) Para votar si o no por una propuesta, que aparece en la parte posterior de la papeleta, llene el óvalo que corresponde a su voto.

Proposal Number One, An Amendment: Revising State's Redistricting Procedure

The proposed amendment to sections 4 and 5 and addition of new section 5-b to Article 3 of the State Constitution revises the redistricting procedure for state legislative and congressional districts. The proposed amendment establishes a redistricting commission every 10 years beginning in 2020, with two members appointed by each of the four legislative leaders and two members selected by the eight legislative appointees; prohibits legislators and other elected officials from serving as commissioners; establishes principles to be used in creating districts; requires the commission to hold public hearings on proposed redistricting plans; subjects the commission's redistricting plan to legislative enactment; provides that the legislature may only amend the redistricting plan according to the established principles if the commission's plan is rejected twice by the legislature; provides for expedited court review of a challenged redistricting plan; and provides for funding and bipartisan staff to work for the commission. Shall the proposed amendment be approved?

PROPUESTA NÚMERO UNO, UNA ENMIENDA:  
Revisión del Procedimiento de modificación de distritos del estado

La propuesta de enmienda a las secciones 4 y 5 y la adición de la nueva sección 5-b al artículo 3 de la Constitución del Estado revisan el procedimiento de modificación de distritos para los distritos legislativos y congresionales del estado. La modificación propuesta establece una comisión de modificación de distritos cada 10 años a partir de 2020, con dos miembros designados por cada uno de los cuatro líderes legislativos y dos miembros seleccionados por ocho designados legisladores; prohíbe a los legisladores y otros funcionarios electos servir como comisionados; establece los principios que deben utilizarse en la creación de los distritos; obliga a la comisión a celebrar audiencias públicas sobre los planes de modificación de distritos propuestos; somete el plan de modificación de distritos de la comisión a promulgación legislativa; establece que la legislatura solo podrá modificar el plan de modificación de distritos de acuerdo con los principios establecidos si el plan de la comisión es rechazado en dos ocasiones por la legislatura; prevé la revisión judicial expedita de un plan de modificación de distritos que haya sido impugnado; y prevé la financiación y establece la conformación de personal bipartidista para trabajar para la comisión. ¿Debe aprobarse la enmienda propuesta?

YES  
Sí       NO

1

Proposal Number Two, An Amendment: Permitting Electronic Distribution of State Legislative Bills

The proposed amendment to section 14 of Article 3 of the State Constitution would allow electronic distribution of a state legislative bill to satisfy the constitutional requirement that a bill be printed and on the desks of state legislators at least three days before the Legislature votes on it. It would establish the following requirements for electronic distribution: first, legislators must be able to review the electronically-sent bill at their desks; second, legislators must be able to print the bill if they choose; and third, the bill cannot be changed electronically without leaving a record of the changes. Shall the proposed amendment be approved?

PROPUESTA NÚMERO DOS, UNA ENMIENDA:  
que permite la distribución electrónica de  
proyectos de ley estatales

La propuesta de enmienda a la sección 14 del artículo 3 de la Constitución del Estado permitiría la distribución electrónica de un proyecto de ley estatal para satisfacer el requisito constitucional de que un proyecto de ley esté impreso y en los escritorios de los legisladores del estado al menos tres días antes de que Legislatura lo someta a votación. Establecería los siguientes requisitos para la distribución electrónica: en primer lugar, los legisladores deben ser capaces de revisar el proyecto de ley enviado por vía electrónica en sus escritorios; en segundo lugar, los legisladores deben ser capaces de imprimir el proyecto de ley si así lo desearan; y en tercer lugar, el proyecto de ley no podrá ser modificado electrónicamente sin que se deje un registro de los cambios. ¿Debe aprobarse la enmienda propuesta?

YES  
Sí       NO

2

Proposal Number Three, A Proposition: The Smart Schools Bond Act of 2014

The SMART SCHOOLS BOND ACT OF 2014, as set forth in section one of part B of chapter 56 of the laws of 2014, authorizes the sale of state bonds of up to two billion dollars (\$2,000,000,000) to provide access to classroom technology and high-speed internet connectivity to equalize opportunities for children to learn, to add classroom space to expand high-quality pre-kindergarten programs, to replace classroom trailers with permanent instructional space, and to install high-tech smart security features in schools. Shall the SMART SCHOOLS BOND ACT OF 2014 be approved?

PROPUESTA NÚMERO TRES, UNA  
PROPIUESTA: LEY DE BONOS PARA  
ESCUELAS INTELIGENTES DE 2014

La LEY DE BONOS PARA ESCUELAS INTELIGENTES DE 2014, como se establece en la sección primera de la parte B del capítulo 56 de las leyes de 2014, autoriza la venta de bonos estatales por hasta dos mil millones de dólares (\$2,000,000,000) para proporcionar acceso a la tecnología de aula y conectividad a Internet de alta velocidad para igualar las oportunidades de aprendizaje de los niños, para adicionar espacio en las aulas y ampliar los programas de pre-kindergarten de alta calidad, para reemplazar las aulas-remolque con espacio educativo permanente y para instalar funciones de seguridad inteligentes de alta tecnología en las escuelas. ¿Debe aprobarse la LEY DE BONOS PARA ESCUELAS INTELIGENTES DE 2014?

YES  
Sí       NO

3

SALE  
VOTE  
NOT

## Attachment B

**OFFICIAL BALLOT FOR THE GENERAL ELECTION - City of New York** November 4, 2014  
NYC ED's 1 Through 8

## NYC ED's 1 Through 8

GOVERNOR AND LIEUTENANT GOVERNOR (VOTE ONCE)		A DEMOCRATIC ★	B REPUBLICAN	C CONSERVATIVE	D WORKING FAMILIES	E INDEPENDENCE	WRITE-IN	1. BEFORE VOTING THIS BALLOT, PLEASE READ THE INSTRUCTIONS ON THE OTHER SIDE OF THIS BALLOT
1	For Governor <b>Andrew M. Cuomo and Kathy C. Hochul</b> For Lieutenant Governor 1A DEMOCRATIC	For Governor <b>Rob Astorino and Chris Moss</b> For Lieutenant Governor 1B REPUBLICAN	For Governor <b>Rob Astorino and Chris Moss</b> For Lieutenant Governor 1C CONSERVATIVE	For Governor <b>Andrew M. Cuomo and Kathy C. Hochul</b> For Lieutenant Governor 1D WORKING FAMILIES	For Governor <b>Andrew M. Cuomo and Kathy C. Hochul</b> For Lieutenant Governor 1E INDEPENDENCE			
	J LIBERTARIAN	I STOPCOMMONCORE	H SAPIENT	G WOMEN'S EQUALITY	F GREEN			MARKING INSTRUCTIONS Correct Mark: 
	For Governor <b>Michael McDermott and Chris Edes</b> For Lieutenant Governor 1J LIBERTARIAN	For Governor <b>Rob Astorino and Chris Moss</b> For Lieutenant Governor 1I STOPCOMMONCORE	For Governor <b>Steven Cohn and Bobby K. Kalotee</b> For Lieutenant Governor 1H SAPIENT	For Governor <b>Andrew M. Cuomo and Kathy C. Hochul</b> For Lieutenant Governor 1G WOMEN'S EQUALITY	For Governor <b>Howie Hawkins and Brian P. Jones</b> For Lieutenant Governor 1F GREEN		WRITE-IN	
2	COMPTRROLLER (VOTE FOR ONE)	A DEMOCRATIC ★	B REPUBLICAN	C CONSERVATIVE	D WORKING FAMILIES	E INDEPENDENCE		
	Thomas P. DiNapoli 2A DEMOCRATIC	Robert Antonacci 2B REPUBLICAN	Robert Antonacci 2C CONSERVATIVE STOPCOMMONCORE	Thomas P. DiNapoli 2D WORKING FAMILIES	Thomas P. DiNapoli 2E INDEPENDENCE WOMEN'S EQUALITY			
				J LIBERTARIAN	F GREEN			
				John Clifton 2J LIBERTARIAN	Theresa M. Portelli 2F GREEN		WRITE-IN	
3	ATTORNEY GENERAL (VOTE FOR ONE)	A DEMOCRATIC ★	B REPUBLICAN	C CONSERVATIVE	D WORKING FAMILIES	E INDEPENDENCE		
	Eric T. Schneiderman 3A DEMOCRATIC	John Cahill 3B REPUBLICAN	John Cahill 3C CONSERVATIVE STOPCOMMONCORE	Eric T. Schneiderman 3D WORKING FAMILIES	Eric T. Schneiderman 3E INDEPENDENCE WOMEN'S EQUALITY			
				J LIBERTARIAN	F GREEN			
				Carl E. Person 3J LIBERTARIAN	Ramon J. Jimenez 3F GREEN		WRITE-IN	

# SAMPLE

OFFICIAL BALLOT  
FOR THE  
GENERAL ELECTION

NOVEMBER 4, 2014

CITY OF NEW YORK  
COUNTY OF NEW  
YORK

Style: 0033  
E.D.'S: Colonie Ward 1  
ED 33

**GENERAL ELECTION INSTRUCTIONS**

1. Mark only with a writing instrument provided by the board of elections.
2. To vote for a candidate whose name is printed on this ballot, fill in the oval or square below or next to the name of the candidate.
3. To vote for a person whose name is not printed on this ballot, write or stamp his or her name in the space labelled "write-in" that appears at the bottom of the column or the end of the row for such office and fill in the square or oval corresponding with the write-in space in which the voter has written in a name.
4. To vote on a proposal located on this ballot, fill in the oval or square that corresponds to your "YES" or "NO" vote.
5. Any other mark or writing, or any erasure made on this ballot outside the voting squares or blank spaces provided for voting will void this entire ballot.
6. Do not overvote. You may vote only for the maximum number of candidates for each office. The maximum number of candidates you may vote for in each office is listed at the top of the column for that office. Casting more votes than the maximum number allowed in any contest, will void your votes for that contest only.
7. If you tear, deface or wrongly mark this ballot, return it to a poll worker and obtain another. Do not attempt to correct mistakes on the ballot by making erasures or cross-outs. Erasures or cross-outs may invalidate all or part of your ballot. Prior to submitting your ballot, if you make a mistake in completing the ballot or wish to change your ballot choices, you may obtain and complete a new ballot. You have a right to a replacement ballot upon the return of the original ballot.
8. After completing your ballot, insert it into the ballot scanner and wait for the notice that your ballot has been successfully scanned. If no such notice appears, seek the assistance of an election inspector.

**PROPOSAL NUMBER ONE, AN AMENDMENT**

Revising State's Redistricting Procedure

The proposed amendment to sections 4 and 5 and addition of new section 5-b to Article 3 of the State Constitution revises the redistricting procedure for state legislative and congressional districts. The proposed amendment establishes a redistricting commission every 10 years beginning in 2020, with two members appointed by each of the four legislative leaders and two members selected by the eight legislative appointees; prohibits legislators and other elected officials from serving as commissioners; establishes principles to be used in creating districts; requires the commission to hold public hearings on proposed redistricting plans; subjects the commission's redistricting plan to legislative enactment; provides that the legislature may only amend the redistricting plan according to the established principles if the commission's plan is rejected twice by the legislature; provides for expedited court review of a challenged redistricting plan; and provides for funding and bipartisan staff to work for the commission. Shall the proposed amendment be approved?

YES

NO

**PROPOSAL NUMBER TWO, AN AMENDMENT**

Permitting Electronic Distribution of State Legislative Bills

The proposed amendment to section 14 of Article 3 of the State Constitution would allow electronic distribution of a state legislative bill to satisfy the constitutional requirement that a bill be printed and on the desks of state legislators at least three days before the Legislature votes on it. It would establish the following requirements for electronic distribution: first, legislators must be able to review the electronically-sent bill at their desks; second, legislators must be able to print the bill if they choose; and third, the bill cannot be changed electronically without leaving a record of the changes. Shall the proposed amendment be approved?

YES

NO

**PROPOSAL NUMBER THREE, A PROPOSITION**

SMART SCHOOLS BOND ACT OF 2014

The SMART SCHOOLS BOND ACT OF 2014, as set forth in section one of part B of chapter 56 of the laws of 2014, authorizes the sale of state bonds of up to two billion dollars (\$2,000,000,000) to provide access to classroom technology and high-speed internet connectivity to equalize opportunities for children to learn, to add classroom space to expand high-quality pre-kindergarten programs, to replace classroom trailers with permanent instructional space, and to install high-tech smart security features in schools. Shall the SMART SCHOOLS BOND ACT OF 2014 be approved?

YES

NO

SAMPLE

## Attachment C

# Official Ballot for the General Election



## 64th Assembly District, County of Queens City of New York, Election Districts 1, 7

November 4th, 2008 State of New York Ballot ID: 0001

### Instructions / Instrucciones



**To vote for a candidate whose name is printed on this ballot fill in the oval above the name of the candidate.**

**To vote for a person whose name is not printed on this ballot write or stamp his or her name in the space labeled "write-in" that appears at the end of the row for such office and fill in the oval corresponding with the write-in space in which you have written in a name.**

**Do not overvote. If you select a greater number of candidates than there are vacancies to be filled, your ballot will be void for that public office, party position or proposal.**

**Please read more instructions on other side of ballot.**

Para votar por un candidato cuyo nombre está impreso en este relleno de votación en el óvalo por encima del nombre del candidato.

Para votar por una persona cuyo nombre no se imprime en esta votación escribir o estampar su nombre en el espacio titulado "candidato por escrito" que aparece al final de la fila para este cargo y llenar el óvalo correspondiente a la escritura en el espacio en el que tienes escrito en un nombre.

No más de voto. Si selecciona un número mayor de candidatos que los puestos vacantes por cubrir, su voto será nulo para ese cargo público, la posición de las partes o propuesta.

Por favor, lea las instrucciones de más en el otro lado de la boleta.

	A ★ Democratic	B ⚖️ Republican	C 🐱 Independence	D 🏛️ Conservative	E 🏠 Working Families	F SWP Socialist Workers	G PSL Socialism & Liberation	H 🌿 Green	I 🌱 Populist	J 🌐 Libertarian	Write-in
<b>Electors of President and Vice-President of the United States</b> Electores para Presidente y Vice-Presidente de los Estados Unidos	A ○ Barack Obama and Joe Biden Democratic	B ○ John McCain and Sarah Palin Republican	C ○ John McCain and Sarah Palin Independence	D ○ John McCain and Sarah Palin Conservative	E ○ Barack Obama and Joe Biden Working Families	F ○ Roger Calero and Alyson Kennedy Socialist Workers	G ○ Gloria La Riva and Eugene Puryear Socialism & Liberation	H ○ Cynthia McKinney and Rosa Clemente Green	I ○ Ralph Nader and Matt Gonzalez Populist	J ○ Bob Barr and Wayne A Root Libertarian	○ write-in candidato por escrito
<b>Vote once</b> Vote una vez											
<b>Justices of the Supreme Court</b> Jueces de la Corte Suprema	A ○ Bernice Siegal Democratic	B ○ Kerry John Katsorhis Republican		D ○ Kerry John Katsorhis Conservative							○ write-in candidato por escrito
<b>Vote for any seven</b> Vote por cualquier siete	A ○ Jaime A Rios Democratic	B ○ Joseph F Kasper Republican		D ○ Joseph F Kasper Conservative							○ write-in candidato por escrito
	A ○ Lee A Mayersohn Democratic	B ○ Robert Beltrani Republican		D ○ Robert Beltrani Conservative							○ write-in candidato por escrito
	A ○ Orin R Kitzes Democratic	B ○ Joseph W Sancrainte Republican									○ write-in candidato por escrito
	A ○ Martin J Schulman Democratic	B ○ John F Casey Republican		D ○ John F Casey Conservative							○ write-in candidato por escrito
	A ○ Sheri S Roman Democratic	B ○ Anthony L Fumerelle Republican									○ write-in candidato por escrito
	A ○ Frederick DR Sampson Democratic	B ○ Peter Finocchiaro Republican									○ write-in candidato por escrito
<b>Judge of the Civil Court - County</b> Juez de la Corte Civil - Condado	A ○ Terrence C O'Connor Democratic										○ write-in candidato por escrito
<b>Vote for any two</b> Vote por cualquier dos	A ○ Carmen R Velasquez Democratic										○ write-in candidato por escrito
<b>Representative in Congress</b> Representante en el Congreso	A ○ Joseph Crowley Democratic	B ○ William E Britt Jr. Republican		D ○ William E Britt Jr. Conservative	E ○ Joseph Crowley Working Families						○ write-in candidato por escrito
<b>Vote for one</b> Vote por uno											
<b>State Senator</b> Senador Estatal	A ○ Hiram Monserrate Democratic				E ○ Hiram Monserrate Working Families						○ write-in candidato por escrito
<b>Vote for one</b> Vote por uno											
<b>Member of Assembly</b> Miembro de la Asamblea	A ○ Michael G DenDekker Democratic										○ write-in candidato por escrito
<b>Vote for one</b> Vote por uno											

Turn ballot over →

## Attachment D

**OFFICIAL BALLOT FOR THE GENERAL ELECTION - CITY of New York - County of Kings - November 5, 2013**  
 See Enclosed Instructions

Kings  
 Style: 0229

Papeleta Oficial para la Elección General  
 Ciudad de Nueva York - Condado de Kings  
 5 de Noviembre del 2013  
 Vea las Instrucciones Adjuntas

	Democratic	Republican	Conservative	Working Families	Independence	Green	Jobs & Education	Taxes 2 High	Libertarian	WRITE-IN CANDIDATO POR ELECCIÓN
<b>Mayor Alcalde</b>	<input type="radio"/> BILL DE BLASIO	<input type="radio"/> JOE LHOTA	<input type="radio"/> JOE LHOTA	<input type="radio"/> BILL DE BLASIO	<input type="radio"/> ADOLFO CARRION JR.	<input type="radio"/> ANTHONY GRONOWICZ	<input type="radio"/> JACK HIDARY	<input type="radio"/> JOE LHOTA	<input type="radio"/> MICHAEL SANCHEZ	<input type="radio"/> WRITE-IN CANDIDATO POR ELECCIÓN
	Democratic	Republican	Conservative	Working Families	Independence	Green	Jobs & Education	Taxes 2 High	Libertarian	<input type="radio"/> WRITE-IN CANDIDATO POR ELECCIÓN
			Socialist Worker	Affordable Tomorrow	Reform	Common Sense	Rent Is 2 Damn High	Tax Wall Street	School Choice	
			<input type="radio"/> DANIEL B. FEIN	<input type="radio"/> JOSEPH MELARAGNO	<input type="radio"/> CARL E. PERSON	<input type="radio"/> JACK HIDARY	<input type="radio"/> JIMMY MCMILLAN	<input type="radio"/> RANDY CREDICO	<input type="radio"/> ERICK J. SALGADO	
			Socialist Worker	Affordable Tomorrow	Reform	Common Sense	Rent Is 2 Damn High	Tax Wall Street	School Choice	
<b>Public Advocate Partidario Público</b>						<input type="radio"/> JOE LHOTA	<input type="radio"/> SAM SLOAN	<input type="radio"/> MICHAEL K. GREYS	<input type="radio"/> MICHAEL J. DILGER	<input type="radio"/> WRITE-IN CANDIDATO POR ELECCIÓN
						Students First	War Veterans	Freedom	Flourish	
						<input type="radio"/> JOE LHOTA	<input type="radio"/> SAM SLOAN	<input type="radio"/> MICHAEL K. GREYS	<input type="radio"/> MICHAEL J. DILGER	
						Students First	War Veterans	Freedom	Flourish	
<b>Comptroller Contralor</b>						<input type="radio"/> ROBERT MARESCA	<input type="radio"/> LETITIA JAMES	<input type="radio"/> JAMES LANE	<input type="radio"/> ALEX MERCED	<input type="radio"/> WRITE-IN CANDIDATO POR ELECCIÓN
						Conservative	Working Families	Green	Libertarian	
						<input type="radio"/> ROBERT MARESCA	<input type="radio"/> LETITIA JAMES	<input type="radio"/> JAMES LANE	<input type="radio"/> ALEX MERCED	
						Socialist Worker		War Veterans	Freedom	
						<input type="radio"/> DEBORAH O. LIATOS	<input type="radio"/> MOLLENAG FABRICANT	<input type="radio"/> IRENE ESTRADA	<input type="radio"/> MICHAEL K. LLOYD	
<b>Justices of the Supreme Court Jueces de la Corte Suprema Vote for any Five Jueces de la Corte Suprema Vote por cualquier cinco</b>						Students First	War Veterans	Freedom	Flourish	<input type="radio"/> WRITE-IN CANDIDATO POR ELECCIÓN
<b>BALLOT</b>	<input type="radio"/> BETTY J. WILLIAMS	<input type="radio"/> BETTY J. WILLIAMS	<input type="radio"/> BETTY J. WILLIAMS	<input type="radio"/> KEVIN A. FINNEGAN						<input type="radio"/> WRITE-IN CANDIDATO POR ELECCIÓN
	Democratic	Republican	Conservative	Working Families						
	<input type="radio"/> KENNETH P. SHERMAN	<input type="radio"/> KENNETH P. SHERMAN	<input type="radio"/> KENNETH P. SHERMAN	<input type="radio"/> ILAN SCHOENBERGER						<input type="radio"/> WRITE-IN CANDIDATO POR ELECCIÓN
	Democratic	Republican	Conservative	Working Families						
<b>BALLOT</b>	<input type="radio"/> DESMOND A. GREEN	<input type="radio"/> DESMOND A. GREEN	<input type="radio"/> ROSS BRADY	<input type="radio"/> MENDY MIROZNIK						<input type="radio"/> WRITE-IN CANDIDATO POR ELECCIÓN
	Democratic	Republican	Conservative	Working Families						
	<input type="radio"/> BERNARD J. GRAHAM	<input type="radio"/> BERNARD J. GRAHAM	<input type="radio"/> BERNARD J. GRAHAM							<input type="radio"/> WRITE-IN CANDIDATO POR ELECCIÓN
<b>BALLOT</b>	Democratic	Republican	Conservative							

# OFFICIAL BALLOT

## FOR THE GENERAL ELECTION ON NOVEMBER 5, 2013

### CITY OF NEW YORK COUNTY OF KINGS

2013-10-09 12:47:35 PM

Proposal Number One, An Amendment: Authorizing Casino Gaming  
The proposed amendment to section 9 of article 1 of the Constitution would allow the Legislature to authorize up to seven casinos in New York State for the legislative purposes of promoting job growth, increasing aid to schools, and permitting local governments to lower property taxes through revenues generated. Shall the amendment be approved?

La Propuesta Número Uno, Una Modificación: Autorización de juegos de casino  
La modificación propuesta a la sección 9 del artículo 1 de la Constitución es permisible a la Legislatura autorizar hasta siete casinos en el Estado de Nueva York para los fines legislativos de la promoción del crecimiento laboral, el aumento de la ayuda a las escuelas y el permiso a los gobiernos locales a disminuir los impuestos a la propiedad a través de ingresos generados. ¿Debe aprobarse la modificación?

YES Sí       NO No

1

Proposal Number Five, An Amendment: In Relation to a Land Exchange in the State Forest Preserve with NYCO Minerals, Inc.

The proposed amendment to section 1 of article 14 of the Constitution would authorize the Legislature to convey forest preserve land located in the town of Lewis, Essex County, to NYCO Minerals, a private company that plans on expanding an existing mine that adjoins the forest preserve land. In exchange, NYCO Minerals would give the State at least the same amount of land of at least the same value, with a minimum assessed value of \$1 million, to be added to the forest preserve. When NYCO Minerals finishes mining, it would restore the condition of the land and return it to the forest preserve. Shall the proposed amendment be approved?

La Propuesta Número Cinco, Una Modificación: En relación con el intercambio de tierras en la reserva forestal estatal con NYC O Minerals, Inc. La modificación propuesta a la sección 1 del artículo 14 de la Constitución autorizaría a la Legislatura a entregar tierra forestal protegida ubicada en el pueblo de Lewis, condado de Essex, a NYCO Minerals, una compañía privada que planea expandir una mina existente adyacente a la tierra forestal protegida. A cambio, NYCO Minerals le daría al Estado al menos la misma cantidad de tierra de al menos el mismo valor, con un valor imponible mínimo de \$1 millón que se agregaría a la reserva forestal. Cuando NYCO Minerals finalice las actividades de minería, restauraría la condición de la tierra y la devolvería a la reserva forestal. ¿Debe aprobarse la modificación propuesta?

YES Sí       NO No

5

Proposal Number Two, An Amendment: Additional Civil Service Credit for Veterans with Disabilities Certified Post Appointment  
The proposed amendment to section 6 of article 5 of the Constitution would entitle a veteran who has received civil service credit for a civil service appointment or promotion and subsequently is certified as disabled to additional civil service credit at a subsequent appointment or promotion. Shall the proposed amendment be approved?

La Propuesta Número Dos, Una Modificación: Crédito adicional de servicio civil con designación posterior o certificado de incapacidad  
La modificación propuesta a la sección 6 del artículo 5 de la Constitución le permitiría a un veterano que recibió un crédito de servicio civil para una designación o promoción de servicio civil y posteriormente es certificado como incapacitado a un crédito adicional de servicio civil en una designación o promoción posterior. ¿Debe aprobarse la modificación propuesta?

YES Sí       NO No

2

Proposal Number Six, An Amendment: Increasing Age until which Certain Judges Can Serve

The proposed amendment to the Constitution, amending sections 2 and 25 of article 6, would increase the maximum age until which certain state judges may serve as follows: (a) a Justice of the Supreme Court would be eligible for five additional two-year terms after the present retirement age of 70, instead of the three such terms currently authorized; and (b) a Judge of the Court of Appeals who reaches the age of 70 while in office would be permitted to remain in service on the Court for up to 10 years beyond the present retirement age of 70 in order to complete the term to which that Judge was appointed. Shall the proposed amendment be approved?

La Propuesta Número Seis, Una Modificación: Aumento de la edad hasta que puedan prestar servicios determinados jueces del Estado  
La modificación propuesta a la Constitución, modificación de las secciones 2 y 25 del artículo 6, aumentaría la edad máxima hasta que determinados jueces estatales puedan prestar servicios de la siguiente manera: (a) un magistrado del Tribunal Supremo sería elegible durante cinco términos de dos años adicionales después de la edad de jubilación presente de 70, en lugar de tres términos actualmente autorizados; y (b) un juez del Tribunal de Apelaciones que cumpla 70 mientras esté en el cargo tendría permiso para permanecer en servicio en el Tribunal durante un máximo de 10 años más allá de la edad de jubilación presente de 70 para completar el término al que fue designado dicho juez. ¿Debe aprobarse la modificación propuesta?

YES Sí       NO No

6

Proposal Number Three, An Amendment: Exclusion of Indebtedness Contracted for Sewage Facilities  
The proposed amendment to Article 8, section 5 of the Constitution would extend for ten years, until January 1, 2024, the authority of counties, cities, towns, and villages to exclude from their constitutional debt limit indebtedness contracted for the construction or reconstruction of sewage facilities. Shall the proposed amendment be approved?

La Propuesta Número Tres, Una Modificación: Exclusión de endeudamiento contraído por las instalaciones de aguas residuales

La modificación propuesta al artículo 8, sección 5 de la Constitución se extendería durante diez años hasta el 1 de enero de 2024, la autoridad de condados, ciudades, pueblos y poblaciones para excluir del endeudamiento de límites de deuda constitucional contraido para la construcción o reconstrucción de instalaciones de aguas residuales. ¿Debe aprobarse la modificación propuesta?

YES Sí       NO No

3

Julie Bent  
Marie R. Grestella  
Nichael Michel  
Michael Pardino  
Simon Stramroth  
L.F. SFP  
Commissioners of Elections

Frédéric M. L'Amore  
President  
Gregory C. Scouras  
Secretary  
José Miguel Arellano  
Norm Barnera

Commissioners of Elections

S A P P L E  
B A L L O T

## Attachment E

Page 1 of 2

**You filled in too many ovals in 6 contests**

**These votes will not count:**

In the contest for	You chose	You are allowed
<b>Governor/Lt Governor</b>	3 candidates	1
<b>Representative in Congress</b>	2 candidates	1
<b>State Senator</b>	2 candidates	1

There are 3 other errors on this ballot. To proceed, press Next.

Next

Page 2 Of 2

**You filled in too many ovals in 3 more contests**

**These votes will not count:**

In the contest for	You chose	You are allowed
<b>Town Supervisor</b>	3 candidates	1
<b>Town Clerk</b>	2 candidates	1
<b>Member of Town Council</b>	5 candidates	4

**Previous**

Press Previous to go back

**Return your ballot**

Press RETURN to get your ballot back and ask an inspector for a new one.

**Return**

**Ignore message. Cast ballot**

Ignore this message and cast your ballot with votes that will not count.

**Cast**

03/08/2011 03:47:00pm

**You filled in too many ovals in 3 contests**

**These votes will not count:**

In the contest for	You chose	You are allowed
Governor/Lt Governor	3 candidates	1
Representative in Congress	2 candidates	1
State Senator	2 candidates	1

**Return your ballot**

Press RETURN to get your ballot back and ask an inspector for a new one.

**Return**

**Ignore message, Cast ballot**

Ignore this message and cast your ballot with votes that will not count.

**Cast**











