



James A. Walsh
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Gregory P. Peterson
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Co-Executive Director

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Douglas A. Kellner
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Evelyn J. Aquila
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Co-Executive Director

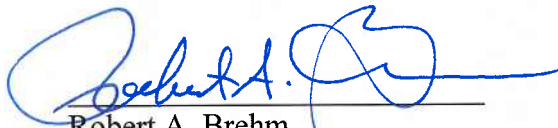
July 17, 2012

Honorable Dawn Sandow
Honorable Pamela Perkins
New York City Board of Elections
32 Broadway
7th Floor
New York, New York 10004

Dear Dawn and Pam:

Following our communication of July 13, 2012, we have conferred with all four commissioners and they concurred that the opinion that the NYCBOE may adopt procedures to implement §9-126(3) within the City of New York to provide for more accurate reporting of unofficial election night results. Therefore NYCBOE is statutorily authorized to enact such procedures on its own.

Sincerely,


Robert A. Brehm
Co-Executive Director


Todd D. Valentine
Co-Executive Director

cc: all NYC Commissioners

RAB/TDV/dsm



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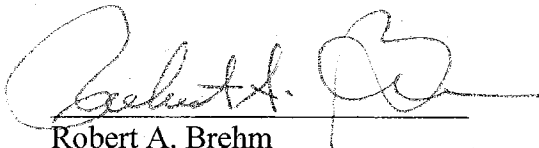
Honorable Dawn Sandow
Honorable Pamela Perkins
New York City Board of Elections
32 Broadway
7th Floor
New York, New York 10004

Dear Dawn and Pam:

We're writing in response to the July 11, 2012 inquiry of the New York City Board of Elections as to the applicability of Election Law §9-126(3) to the NYCBOE. It's our opinion that the NYCBOE may adopt procedures to implement §9-126(3) within the City of New York to provide for more accurate reporting of unofficial election night results. Therefore NYCBOE is statutorily authorized to enact such procedures on its own.

While the statute does not require State Board of Elections pre-approval of such procedures implemented by local boards of elections under §9-126(3), please let us know if we can provide any assistance in developing or reviewing any such procedures.

Sincerely,


Robert A. Brehm
Co-Executive Director


Todd D. Valentine
Co-Executive Director

cc: all NYC Commissioners

RAB/TDV/dsm