

VOTER'S GUIDE
ELECTION DAY, 2009
Primary Election - September 15
General Election - November 3

Voting is an important part of being a United States citizen. In 2009, local officials will be elected - your mayor or town supervisor, your town council members, etc. These are the people who will make decisions about the local services that directly affect your life. Voting is your chance to choose the decision makers and tell them what you want. In New York State, before you can vote you need to register. This *Voter's Guide* will answer many of your questions about registering and voting. You can also go to the League of Women Voters of New York State web site at www.lwvny.org, or call us toll free at 1-866-598-6971.

WHO CAN VOTE?

To vote, you must:

- be a United States citizen
- be 18 years old by the date of the election in which you want to vote
- live at your present address at least 30 days before the election
- not be in prison or on parole for a felony conviction, and
- not claim the right to vote elsewhere.

HOW DO I REGISTER?

You can register to vote by mail or in person. You must fill out a new Voter Registration Form if you move to a new address, change your name, or want to change your political party; otherwise your registration is permanent. If you change your political party enrollment, the change will not take effect until after the next general election.

REGISTRATION BY MAIL

Voter Registration Forms are available on the New York State Board of Elections website (www.elections.state.ny.us), at your county board of elections office, town and city halls, your post office and library, from political parties, state offices, many social service agencies, and the League of Women Voters. *Consult the "Countdown to Election Day" portion of this guide for the deadline dates.*

REGISTRATION IN PERSON

You may register at your local board of elections or any state agency participating in the National Voter Registration Act on any business day throughout the year. *Consult the "Countdown to Election Day" portion of this guide for the deadline dates.*

WHAT IF I MOVE?

Submit a Voter Registration Form with your new information. If you move to a new county, send the form to your new board of elections. If you are already registered, your change of address must be received by your board of elections by August 26 to vote in the Primary Election, or by October 14 to vote in the General Election. If you move within your county and cannot notify your board of elections, you can go to the polling place for your new address and vote by affidavit (paper) ballot. The ballot will be sent to the board of elections to verify the new address. If verified, your vote will be counted and your change of address will be made a part of their records.

HOW DO I MAKE SURE I AM REGISTERED TO VOTE?

New York State has a centralized data base of all registered voters, and creates the voter rolls at the polling places from this information. As with all computer systems, there can be problems with the data, and your name could be erroneously eliminated from the rolls. Protect your right to vote by watching your mail for a card from your board of elections with the location of your polling place. If you do not receive such a card well before the election date, call your local board of elections to inquire about your status. Ask them: "*Am I registered to vote? Is my registration status set to 'Active'? If not, to what is it set? Will my name appear in the polling place roll book on Election Day?*" While you can check your registration information on the NYS Board of Elections website, the

information that you see does not indicate your status and is not assurance that you will be on the rolls. Your standing with your local board of elections is the determining factor.

WHAT IF I DON'T KNOW WHERE TO VOTE?

Your board of elections should send you a card telling you the location of your polling place. If you do not receive it, call your board of elections to verify your registration and ask about your polling place. You can also use the online Voter Registration Search facility on the NYS Board of Elections website at:

<https://voterlookup.elections.state.ny.us/votersearch.aspx>. You can also call the League of Women Voters of New York State at 518-465-4162 or toll free 1-866-598-6971.

WHAT IF I CAN'T GO TO MY LOCAL POLLING PLACE ON ELECTION DAY?

If you will be away on Election Day or will be unable to go to your polling place because of illness or disability, you can vote by absentee ballot. First, you must obtain an Absentee Ballot Application form from your board of elections, or download one from the New York State Board of Elections website. Complete the application and submit it by mail or in person; *consult the "Countdown to Election Day" portion of this guide for the deadline dates*. The board of elections will send or give you an Absentee Ballot form. Complete the ballot and submit it by mail or in person; *consult the "Countdown to Election Day" portion of this guide for the deadline dates*.

I AM IN THE MILITARY AND WILL BE AWAY. HOW WILL I VOTE?

You will vote by absentee ballot. To receive an absentee ballot to vote in the Primary Election, your application must be received by the board of elections by August 21 if you are not already registered to vote, or by September 8 if you are already registered to vote. You may also apply in person until September 14 if you are previously registered to vote. To receive an absentee ballot to vote in the General Election, your application must be received by the board of elections by October 23 if you are not already registered to vote, or by October 27 if you are already registered to vote. You may also apply in person until November 2 if you are previously registered to vote.

HOW DO I VOTE WHILE I AM IN COLLEGE?

When you are attending college outside your hometown, you may vote in person or by absentee ballot in your home community. You must be registered in your hometown district to vote there. You can only claim the right to vote in one locality. If you attend college in NYS and consider yourself a resident of your college community, and have lived there for at least 30 days before an election, you may register and vote in that community, but not elsewhere. If you are from NYS and attend college in another state and consider your college community your residence, consult the elections authority of that state to determine your voting rights.

CAN I GET TIME OFF FROM WORK TO VOTE?

NYS law states that if you do not have sufficient time outside your working hours to vote, you may take off up to 2 hours at the beginning or the end of your shift, with pay, to allow you time to vote. You must notify your employer no more than 10 and not less than 2 days before the day of the election that you will take that time.

WHAT CAN I EXPECT WHEN I GO TO THE POLLS?

A sample ballot should be posted. If you do not know how to use the voting machine, ask one of the election inspectors for assistance. If you are not on the rolls at your polling place, but believe you are registered to vote, and have verified with the poll worker that you are at the correct polling place for your address, you are legally entitled to vote on an affidavit (paper) ballot. You should also ask the poll worker for advice about following up on your status. After validation by your county board of elections, your affidavit ballot will be counted. If you determine that you are in the wrong polling place, go to the correct one to vote. Be sure to bring some identification, especially if you are voting for the first time.

WHAT IS AN AFFIDAVIT BALLOT?

An affidavit ballot, sometimes called a "provisional ballot" or "paper ballot," is used when a voter's name has been omitted from the computer-generated roll book. If you need to use one, you must swear that you are a registered

voter and provide your current and previous addresses. At a primary election, you must include the party in which you are enrolled. You may also use an affidavit ballot to challenge your party enrollment as stated in the roll book.

WHAT IDENTIFICATION DO I NEED TO VOTE?

Federal law requires persons who register by mail and are voting for the first time to provide identification, either on the Voter Registration Form or in person at the polling place. Identification usually means a current NYS driver's license or the last four digits of your Social Security number. If you do not have a current NYS driver's license, you need to provide the last four digits of your Social Security number. If you do not have either of these, you may provide a copy of a valid photo ID, or a current utility bill, bank statement, government check or some other government documentation that shows your name and address.

FOR WHOM/WHAT WILL I BE VOTING IN THE 2009 ELECTION?

In the Primary Election (September 15) and the General Election (November 3), voters in New York State will elect local officials (e.g. your mayor, town supervisor, town council members, etc.) and possibly the delegates that choose the NYS Supreme Court Justices. When two or more candidates from the same political party seek election for the same office, voters registered in that party vote in the Primary Election to choose the candidate who will represent that party in the General Election. In the General Election, you may also be voting on statewide and/or local ballot proposals.

WHAT KIND OF MACHINE WILL I BE USING?

The old lever machines, which are inaccessible to many disabled persons and which do not comply with several federal Help America Vote Act (HAVA) requirements, are in the process of being replaced in NYS by paper ballots and optical scanning equipment. For the 2009 elections, to comply with federal mandates, many local boards of elections have opted to participate in a pilot of this replacement equipment by implementing it in some or all polling places. *The New York City counties, the city of Buffalo, and the counties of Westchester, Rockland, Suffolk and Nassau, in addition to some other upstate counties, will NOT be participating in this pilot.* Call your board of elections to determine if your polling place will be piloting the new optical scanning equipment. In addition, as in the 2008 election, NYS polling places will have at least one ballot marking device (BMD) that makes it possible for individuals with disabilities to vote independently and privately.

MY POLLING PLACE WILL BE PILOTING THE NEW OPTICAL SCANNING EQUIPMENT. HOW DOES THAT AFFECT MY VOTING PROCESS?

If your polling place is participating in the pilot program, you will be voting using paper ballots and optical scanning equipment; the lever machines will not be in use. Voters who need to, or wish to, can mark their ballots with a ballot marking device (BMD); please consult the section below. Voters not using the BMD will be given a pre-printed paper ballot with a "privacy sleeve". You will go to a "privacy booth" to mark your choices with a pencil or other marking tool. The privacy sleeve allows poll workers to help you, if necessary, without being able to read your ballot. Be careful to read and follow the directions about marking the ballot. You then take it, in the sleeve, to the assigned optical scanning equipment, and feed the ballot into the scanner for tabulation. If you have made a mistake, such as voting for too many candidates, your ballot will be rejected and voided and you should request a new one. The screen on the machine will show you how the machine has read the marks on your ballot, and if you are satisfied with the results you will tell the machine to accept and count your ballot. Your paper ballot is securely stored in the machine after scanning. There is provision on the paper ballot for write-in candidates. The equipment is simple to use, and poll workers have been trained to assist voters in using it; be sure to request their assistance if you are not clear about the new process.

I NEED TO USE THE BALLOT MARKING DEVICE. HOW DO I DO THAT?

Individuals with disabilities who cannot use a lever machine or mark a paper ballot (and any other voter who wishes to) can use the ballot marking device (BMD) to create a marked paper ballot for casting their vote. Tell the poll worker that you would like to use the BMD and what accessibility options you will need; they are trained to help you. These machines assist the disabled voter through special interfaces, features and accessories. For voters

who cannot see or read the ballot text, a multiple-language audio interface with headphones recites the ballot, including all contests and candidates, allows the voter to make selections, and verifies selections by reciting them back to the voter. A key pad with raised buttons, Braille and other markings enables the visually impaired voter to navigate through the ballot and record their vote. For voters who are unable to use their hands as a selection device, or who are quadriplegic or paraplegic, a “sip and puff” device enables navigation and selection. The accessible paddles, pads and buttons of these machines enable voters with limited manual dexterity to mark their ballots independently and privately. These interfaces and features are common to the two brands of BMDs that New York counties have chosen, although the devices look very different. New York City, Erie, Rockland, Schenectady and Albany counties have chosen the AutoMark device, and all other counties have chosen the ImageCast device. Full instructions can be found at the NYS Board of Elections web site.

If you are marking your ballot with the BMD you will follow a process similar to those marking their ballot in the privacy booth: you will check in and be handed either a pre-printed or blank paper ballot with a privacy sleeve, will place it into the BMD and will mark it using the BMD accessible interfaces. The machine will display the ballot choices, and when you are satisfied the BMD will print the completed ballot out into its privacy sleeve. Then you will either submit the completed ballot to a secure deposit location to be counted later by the board of elections or, if the polling place is piloting the new tabulating equipment, you will scan the ballot as described above. On some machine models, the marked ballot is automatically scanned and counted from the BMD or is automatically stored after printing without transporting it. If you are hearing impaired, you will use earphones to hear the equipment read back the ballot, so that you can be sure of the accuracy of the input before final submission. Poll workers can help with scanning and submitting the ballot.

COUNTDOWN TO ELECTION DAY

PRIMARY ELECTION—TUESDAY, SEPTEMBER 15, 2009

- **Last day to register for the Primary Election by mail: Postmarked by *August 21*, received by *August 26***
- Last day to register for the Primary Election in person: *August 21*
- Last day to postmark an Absentee Ballot Application for the Primary Election: *September 8*
- Last day to submit an Absentee Ballot Application in person for the Primary Election: *September 14*
- Last day to submit your Absentee Ballot by mail: Postmarked by *September 14*, received by *September 22*
- Last day to deliver your Absentee Ballot in person to your county board of elections: *September 15*

GENERAL ELECTION—TUESDAY, NOVEMBER 3

- **Last day to register for the General Election by mail: Postmarked by *October 9*, received by *October 14***
- Last day to register for the General Election in person: *October 9*
- Last day to register for the General Election in person for those honorably discharged from the military or who become naturalized citizens after October 9: *October 23*
- Last day to postmark an Absentee Ballot Application for the General Election: *October 27*
- Last day to submit an Absentee Ballot Application in person for the General Election: *November 2*
- Last day to submit your Absentee Ballot by mail: Postmarked by *November 2*, received by *November 10*
- Last day to deliver your Absentee Ballot in person to your county board of elections: *November 3*

PRIMARY ELECTION – TUESDAY, SEPTEMBER 15TH

Polls are open on Primary Day from 6 a.m. to 9 p.m. at the following localities: New York City and the counties of Nassau, Suffolk, Westchester, Rockland, Orange, Putnam and Erie. In all other counties in New York State, polls are open on Primary Day from 12 noon to 9 p.m.

GENERAL ELECTION – TUESDAY, NOVEMBER 3RD

Polls are open 6 a.m. – 9 p.m.