

A Resolution Urging New York State and the NYS Board Of Elections to Enact Laws, Rules And Regulations That Specifically Authorize the Continued Use Of Lever Style Voting Machines

WHEREAS, for many decades Cortland County has successfully used mechanical lever-style voting machines, with very few problems, and is desirous of continuing to do so, AND

WHEREAS, New York State enacted the Election Reform and Modernization Act of 2005 (ERMA) and other laws that require all lever machines to be replaced and prohibit the use of any lever machines in any future elections in New York State, AND

WHEREAS, said New York State legislation relating to voting machines far exceeds the federal requirements of Help America Vote Act (HAVA), AND

WHEREAS, while Cortland County has been the recipient of federal funds to implement HAVA, the state's additional requirements and method of allocating funds has created undue financial hardship with mandated expenses far exceeding formula based revenues, AND

WHEREAS, this inequitable formula is placing a severe burden on counties that have a smaller population and tax base with less ability to raise the funds necessary to purchase the hardware, software and additional training, AND

WHEREAS, Cortland County believes that the continued used of lever-style voting machines is in the best interest of the public and should be permitted to be used in future elections, AND

WHEREAS, the State's statutorily required elimination of lever-style voting machines is unnecessary, inappropriate, and costly to Cortland County taxpayers, and in these difficult economic times the cost to implement elections with these new machines will not be paid for by New York State and is an unfunded mandate, NOW, THEREFORE, BE IT


RESOLVED, that the Cortland County Legislature hereby urges the New York State Assembly, Senate and Governor and the New York State Board of Elections to enact laws, rules, and regulations that specifically authorize the continued use of lever-style voting machines, as a solution to the unwarranted expenses to the citizens of Cortland County relative to HAVA and ensuring New York State continued maintenance of a transparent, secure, accurate and reliable electoral system using lever-style voting machines, AND

BE IT FURTHER RESOLVED, that the Clerk of the Cortland County Legislature is directed to hereby forward certified copies of this resolution to Governor David Paterson, Senator James L. Seward and Assemblymen Brian M. Kolb and Gary Finch and Assemblywoman Barbara Lifton.

STATE OF NEW YORK) SS:
COUNTY OF CORTLAND)

This is to certify that I, the undersigned, Clerk of the Cortland County Legislature, have compared the foregoing copy with the original now on file in this office, and that the above actions were passed by the Cortland County Legislature on the 25th day of June, 2009, and that the same is a correct and true transcript of actions taken by the Cortland County Legislature.

IN WITNESS WHEREOF I have hereunto set my hand
And the official seal of the CORTLAND COUNTY
LEGISLATURE, this 26th day of June, 2009.



Jeremy D. Boylan, Clerk of the Legislature
Cortland County