

RESOLUTION NO. 208413

RE: REQUESTING NEW YORK STATE TO PERMIT THE CONTINUED USE OF LEVER VOTING MACHINES

The Dutchess County Legislature offers the following and moves its adoption:

WHEREAS, for many decades Dutchess 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, Dutchess County believes that the continued use 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 Dutchess County Legislature passed Resolution No. 207026, requesting New York State to allow Dutchess County to continue the use of the lever voting machine, and

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

WHEREAS, the state's statutorily required elimination of lever style voting machines is unnecessary, inappropriate, and costly to Dutchess County taxpayers, now, therefore, be it

RESOLVED, that the Dutchess County Legislature hereby requests the New York State Legislature 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, and, be it further

RESOLVED, that a copy of this resolution be forwarded to Governor David A. Paterson, Senators Stephen M. Saland and Vincent Leibell, Assemblymen Thomas Kirwan, Joel M. Miller, Kevin Cahill, Greg Ball, and Marcus Molinaro, member-elect of the Assembly Frank Skartados, Co-Executive Directors of the New York State Board of Elections Todd Valentine and Stanley Zalen and New York State Board of Elections Commissioners James Walsh, Douglas Kellner, Evelyn Aquila and Gregory Peterson.

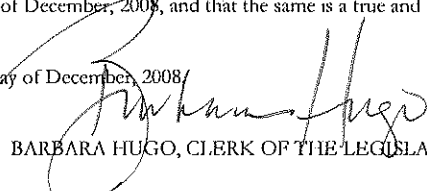
STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 8th day of December, 2008, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 8th day of December, 2008/


BARBARA HUGO, CLERK OF THE LEGISLATURE

Roll Call

District	Last Name	Yes	No
District 15 - Towns of Poughkeepsie and Wappinger	Higgins	✓	
District 14 - Town of Wappinger	Goldberg	✓	
District 25 - Amenia, Stanford, Washington, Pleasant Valley	Fettes	✓	
District 19 - Towns of North East, Stanford, Pine Plains, Milan	Cooper	✓	
District 8 - City and Town of Poughkeepsie	Rolison	✓	
District 1 - Town of Poughkeepsie	Doxsey	✓	
District 2 - Towns of Pleasant Valley and Poughkeepsie	Horn	✓	
District 3 - Town of La Grange	Sears	✓	
District 4 - Town of Hyde Park	Nash	✓	
District 5 - Town of Poughkeepsie	Keller-Coffey	✓	
District 6 - Town of Poughkeepsie	Flesland	✓	
District 7 - Town of Hyde Park	Kuffner	✓	
District 9 - City of Poughkeepsie	White	✓	
District 10 - City of Poughkeepsie	Jeter-Jackson	✓	
District 11 - Towns of Rhinebeck and Clinton	Tyner	✓	
District 12 - Town of East Fishkill	Weiss	✓	
District 13 - Towns of LaGrange, Union Vale, and Wappinger	McCabe	✓	
District 16 - Towns of Fishkill, East Fishkill and City of Beacon	MacAvery	✓	
District 17 - Town and Village of Fishkill	Miccio	✓	
District 18 - City of Beacon	Forman	✓	
District 20 - Town of Red Hook	Mansfield	✓	
District 21 - Town of East Fishkill	Horton	✓	
District 22 - Town of Beekman	Hutchings	✓	
District 23 - Town/Village of Pawling, Beekman and East Fishkill	Kelly	✓	
District 24 - Towns of Dover and Union Vale	Wassell	✓	

Present: 25 **Resolution:** **Total:** 25 0
Absent: 0 **Motion:** _____ **Yes** **No**
Vacant: _____ **Abstentions:** _____

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Date: December 8, 2008

Resolution: 208413