

LEGISLATIVE MEMO:

WE SUPPORT



Res. 131

District Council 37 (DC 37), AFSCME supports Res. 131 sponsored by Councilmember Barron, urging the New York State Board of Elections to promptly certify Precinct Based/Optical Scan (PB/OS) voting systems for procurement by the local Boards of Elections and urging the New York City Board of Elections to select a PB/OS system as the new voting technology for the City of New York.

The Help America Vote Act (HAVA) federal legislation enacted in 2002 requires states to modernize voting machines. In New York State, this means replacing the old mechanical lever machines with either a PB/OS voting system or a Direct Recording Electronic (DRE) voting system by September 1, 2007.

New Yorkers for Verified Voting (NYVV) did a study analyzing the costs of acquiring the two different types of voting machines in New York State. The PB/OS voting machines would cost \$114,423,640 versus \$230,473,000 for DRE voting machines. **The cost savings for the PB/OS systems would be \$116,049,360.** DC 37 supports the PB/OS systems since they have a proven track record and can be maintained for a fraction of the cost of the DREs. The PB/OS system keeps the official record of the vote since it only counts the votes into memory that is marked by each voter and then deposits the ballot into a locked box, which is the official record of the vote if a re-count is needed. Furthermore, in the event of a power failure, voting can continue on PB/OS systems, which later can be either fed into the scanner or hand counted.

In addition, the PB/OS systems are much smaller than DREs and can be stacked for storage. The PB/OS machines are also easy to transport from storage to polling sites during elections. This would alleviate the storage problem the New York City Board of Elections mentioned in their testimony before the City Council.

DC 37 opposes the DREs since these machines pose a serious problem for recounts. The DRE systems have two ballots, the electronic record stored by the DRE and the voter verifiable paper ballots printed by the DRE. There have been disputes about which ballot, the paper or electronic, is the real ballot and has resulted in totals not matching. In 2004, DRE voting machines miscounted over 50,000 votes in North Carolina since the DRE machines lost votes, added votes and subtracted votes.

DC 37 supports the PB/OS systems because they are reliable and have been successful in U.S. elections for the last twenty years. Many other states such as Arizona, Ohio and West Virginia, are adopting PB/OS systems to meet HAVA compliance.

On behalf of the 121,000 members and 40,000 retirees of DC 37, we urge the City Council to pass Res. 131 because the PB/OS systems are auditable and cost effective.

Political Action and Legislation Department

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