

Urging 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

The Laws and Rules Committee (Chairman Bischoff and Legislators Cahill, Decker, R.S. Parete, Rodriguez, Shapiro, Cummings, Maloney and Roberts) and Legislators Legislators Aiello, Cummings, Fabiano, Felicello, Gerentine, Hansut, Harris, Maloney, Noonan, Petit, Roberti, Roberts, Ronk, Terrizzi and Zimet offer the following:

WHEREAS, for many decades Ulster 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, Ulster 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, New York State now has a transparent, secure, accurate and reliable electoral system using lever-style voting machines, and

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

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

RESOLVED, that the Ulster 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 the Clerk of the Ulster County Legislature shall forward copies of this resolution to Governor David Paterson, New York State Comptroller's Office, Senate Majority Leader Dean G. Skelos, Senate Minority Leader Malcolm Smith, Assembly Speaker Sheldon Silver, Assembly Majority Leader Ron Canestrari,

Resolution No. 47 February 11, 2009

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Assembly Minority Leader James N. Tedisco, New York State Senators John J. Bonacic and William J. Larkin, Jr., New York State Assemblymen Kevin A. Cahill, Clifford W. Crouch, Peter Lopez and Frank K. Skartados, the New York State Association of Counties, the Executive Directors of the New York State Board of Elections Todd Valentine and Stanley Zalen, the New York State Board of Elections Commissioners James Walsh, Douglas Kellner, Evelyn Aquila and Gregory Peterson and members of Congress Maurice Hinchey and United States Senators Charles Schumer and Kirsten Gillibrand,

and move its adoption.

ADOPTED AS AMENDED BY THE FOLLOWING VOTE:

AYES: 31 NOES: 0
(Absent: Legislators Aiello and Zimet)

Legislator Maloney motioned, seconded by Legislator Cummings to amend the resolution inserting a fourth "WHEREAS" as indicated in the body of the resolution.

MOTION ADOPTED BY THE FOLLOWING VOTE:

AYES: 31 NOES: 0
(Absent: Legislators Aiello and Zimet)

FINANCIAL IMPACT:
NONE

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