

MINUTES

APPROVED
10/12/07

GOVERNMENT OPERATIONS COMMITTEE

AUGUST 21, 2007 5:20 P.M. LEGISLATIVE CHAMBERS

Present: G. Stevenson, Chair; D. Kiefer; M. Sigler; M. Hattery; P. Mackesey
Staff: C. Covert, Clerk of the Legislature; S. Dewitt, Election Commissioner

Call to Order

The meeting was called to order at 5:20 p.m.

Board of Elections - Resolution

It was MOVED by Ms. Mackesey, seconded by Ms. Kiefer, and unanimously adopted by voice vote, to approve and submit the following resolution to the full Legislature for approval:

RESOLUTION NO. – RESOLUTION IN SUPPORT OF CONTINUED USE OF LEVER VOTING MACHINES IN NEW YORK STATE

WHEREAS, Tompkins County and all of the other municipalities in New York State have been successfully using lever voting machines for decades, and

WHEREAS, the Help America Vote Act of 2002 (HAVA) prohibited the use of lever machines after September 1, 2006, and

WHEREAS, as of September 1, 2006, no HAVA-compliant voting machines were certified for use in New York State and a Federal Judge approved the use of lever machines in New York State for 2006 elections, and

WHEREAS, as of July 2007, HAVA-compliant electronic voting machines had not been certified for use in New York State and at this time there will not be a HAVA-compliant electronic voting machine certified for use in New York State in time for the Presidential Primary (February 5, 2008) and possibly not for the 2008 Presidential Election, and

WHEREAS, the New York State Legislature passed legislation in July of 2007 (and the bill was signed by the governor in August 2007) that effectively allows municipalities in New York State to use lever voting machines until at least one HAVA-compliant electronic voting machine is certified for use in New York State, and

WHEREAS, the current language of the proposed Voter Confidence and Increased Accessibility Act of 2007 (H.R. 811) would effectively prevent any municipality in New York State from using lever machines for any Federal election beginning in February 2008, and

WHEREAS, the only method of voting that would be available for use in New York State would be by Paper Ballot (which in Tompkins County would have to be manually counted – possibly twice), and

WHEREAS, manually counting paper ballots would likely delay the certification of the results of the election to a time well past the November 30th deadline mandated by law, and

WHEREAS, the lever machines still operate accurately and have the confidence of our voters, now therefore be it

RESOLVED, on recommendation of the Government Operations Committee, That the Tompkins County Legislature urges that language be inserted into the Voter Confidence and Increased Accessibility Act of 2007 (H.R. 811) that would permit municipalities in New York State to use the lever voting machines until at least two HAVA-compliant electronic voting machines of which one is an optical scanner are certified for use in New York State.

SEQR ACTION: TYPE II-20

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Adjournment

The meeting adjourned at 5:23 p.m.