

RENSSELAER COUNTY LEGISLATURE

Introduced by Legislator(s) Kelleher

Sent To: Rules & Legislative Operations

Committee

Date May 12, 2009

Resolution No. P/300/09

RESOLUTION URGING THAT COUNTIES IN NEW YORK STATE BE ALLOWED TO CONTINUE TO USE LEVER MACHINES FOR VOTING

WHEREAS, This Legislative Body has a record of advocating for protection of the best interests of the residents of Rensselaer County and the State of New York; and

WHEREAS, For several years, New York and states across the nation have been under a mandate to revise the current electoral process, as set forth in the Federal Help America Vote Act, and to revise the current configuration of voting machines as set forth by the State Election Reform and Modernization Act; and

WHEREAS, In compliance with these mandates, Rensselaer County has purchased optical scan machines which are stationed at polling places across the county during elections to ensure all voters, including those with special needs, are able to vote; and

WHEREAS, The combination of optical scan machines and lever voting machines makes the County compliant with HAVA, however, a total conversion to optical scan machines, replacing lever machines, is needed to comply with ERMA; and

WHEREAS, This Legislative Body believes optical scan machines have not been adequately tested to be used in the upcoming 2009 general election, there has not been sufficient public education to voters by New York State regarding the integration of optical scan machines, and there is a substantial expense to counties for implementation of the optical scan machines, which is too burdensome for counties and local taxpayers during the current recession; and

WHEREAS, There are numerous problems and inconsistencies documented regarding optical scan voting machines, including security issues; and

WHEREAS, This Legislative Body believes that it is the best interest of the voting public and taxpayers for a combination of lever machines and optical scan machines to be used for the 2009 election, and urges a more thorough review by the State of the potential problems and challenges created by a complete change to an optical scan system; now, therefore, be it

RESOLVED, That this Legislative Body does hereby urge the state to allow for level machines to be used in the 2009 general election; and, be it, further

RESOLVED, That the Clerk of this Legislative Body is hereby directed to transmit certified copies of this resolution to Senator Charles Schumer, Senator Kirsten Gillibrand, Congressman Paul Tonko, Congressman Scott Murphy, Governor David A. Paterson, Senator Roy McDonald, Assembly Majority Leader Ron Canestrari, Assemblyman Tim Gordon and Assemblyman Tony Jordan.

Resolution **ADOPTED** by the following vote:

Ayes: 19

Nays: 0

Abstain: 0

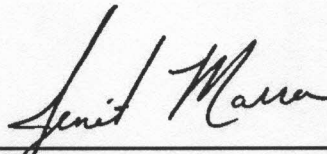
May 12, 2009

Rensselaer County Legislature

Clerk's Certification (P)

I, Jenét N. Marra, Clerk of the Rensselaer County Legislature, do hereby CERTIFY that I have compared the foregoing copy with the original resolution(s) enacted by the Rensselaer County Legislature at a legally convened meeting held on the 12th day of May, 2009, and that the same is a true and complete copy thereof. The original resolution(s) is/are on file in my office located at 1600 Seventh Avenue, Troy, New York.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Rensselaer County Legislature of Troy, New York, this 27th day of May, 2009.



Jenét N. Marra
Clerk of the Legislature
County of Rensselaer
State of New York

Seal

