

## **RESOLUTION ADVOCATING CERTIFICATION OF HAVA-COMPLIANT VOTING MACHINES AND RELATED ELECTION LAW IMPROVEMENTS**

MOVED by Ken Tuccillo, seconded by Mary Jane Shimsky

WHEREAS, free and fair elections provide the backbone of our democracy, and public confidence in the election system is crucial, and

WHEREAS, in October 2002, in response to the election debacle in Florida, Congress passed the Help America Vote Act (HAVA) to help States replace antiquated and unreliable voting systems and make voting accessible to people with disabilities, and

WHEREAS, New York State has yet to specify the details of its compliance with HAVA, but must act expeditiously or risk losing federal funding, and

WHEREAS, as it considers voting issues related to HAVA, the State Legislature should use the opportunity to consider additional election reform, and

WHEREAS, Connecticut is keeping its lever machines and a company in New Jersey has bought the patents for lever machines and is producing new parts for them, there seems to be no legitimate imperative to replace them, particularly in light of the imperfect state of computer voting technology, and

WHEREAS, paper ballots counted on precinct-counted optical scanners are the most reliable, user-friendly and cost-effective of the computer-based technologies, and can be supplemented with adaptive ballot marking devices that render this system usable by people with disabilities, now therefore be it

RESOLVED, that the Hastings Democrats urge the New York State Assembly, Senate, and Governor certify precinct-counted optical scanning machines with full-face paper ballots as the HAVA-compliant machine of choice for New York State,

RESOLVED, further, that the Hastings Democrats urge the New York State Assembly, Senate, and Governor to incorporate the following:

- Include computer experts as well as financial auditors, CPAs, or computer auditors on the citizen's voting machine selection advisory committee.
- Contracts to private firms to handle electronic voting systems should be banned
- Expertise in the software, data, and hardware of their electronic voting systems prior to their use, as well as the necessary knowledge of computer security and auditing is delegated to the staff of county boards of elections.
- The law that allows the use of electronic voting systems should require and fund the training needed for such staff to gain professional competence.
- Professional-quality 100% audits of elections conducted with electronic voting systems should be mandated. This would follow the practice of the professional world of information technology, in which all transaction-capturing and transaction-processing computer systems are 100% audited and discrepancies are 100% investigated and corrected.
- Before electronic voting systems are used, including tabulators used with optical scanners, all source code of their software be posted on the web site of the state Board of Elections.

- All voting systems must be equipped with adaptive devices for use of persons with visual and other disabilities
- Require election-district-level tabulation and public posting of each election-district's results at each polling place when the polls close

RESOLVED, further, That our election process be further improved by:

- Having the five percent cost not covered by Federal HAVA funds be paid by New York State rather than its individual counties (so as not to create a hardship on counties with fewer local resources and because the source of funds at the state level is more broad based).

RESOLVED, further, That this Council requests that New York State's HAVA implementation plan be amended in accordance with the above-bulleted list in a timely manner so that New York State will have sufficient time to receive Federal monies and purchase appropriate equipment,

RESOLVED, further, That a copy of this resolution be sent to Senators Schumer and Clinton, Congressmen Engel and Lowey, Governor George Pataki, State Senators Bruno and Spano, State Assemblymembers Silver and Brodsky, and Deputy Executive Director, New York State Board of Elections, Peter Kosinski.

cc:

Mayor and Trustees, Village of Hastings-on-Hudson

Village Clerk

Senator C. Schumer

Senator H. Clinton

President G. Bush

Congresswoman Nita Lowey

Congressman Elliot Engel

Governor George Pataki

State Senators Bruno and Spano

State Assemblymembers Silver and Brodsky

New York State Board of Elections, Peter Kosinsky, Deputy Executive Director

Westchester County Board of Elections, Carolee Sunderland and Reggie Lafayette

STATE OF NEW YORK )) ss: HASTINGS DEMOCRATS

I hereby certify that the foregoing is a true and correct transcript of a resolution adopted by the HASTINGS DEMOCRATS on the 9th day of February, 2005. IN WITNESS WHEREOF, I have hereunto set my hand this 9th day of February, 2005.

Margaret C.F. McLaughlin, Secretary      Hastings Democrats, Hastings-on-Hudson