



NEW YORK STATE SENATOR

Jack M. Martins

Senator Martins' Legislation Allowing School Districts & Local Governments Continued Use of Lever-Style Voting Machines Passed by Senate

JACK M. MARTINS May 14, 2014

| ISSUE: **LOCAL GOVERNMENT**

Senator Jack M. Martins (R-7th Senate District) announced that the New York State Senate passed legislation he sponsored which would allow school districts, local governments, and special districts to continue using lever-style voting machines in their local elections and budget votes.

“School district, village, and special district elections are not the same as regular, general elections. They are nonpartisan, locally administered elections with voter turnouts that are a fraction of a normal election. Continued use of lever-style voting machines allows these districts and villages to hold their elections in the most cost-effective way possible while still ensuring a fair and accurate outcome. I will continue to work with Assemblywoman Michelle Schimel so the Assembly can join the Senate in approving this legislation and deliver real relief to our school districts and local governments,” said Senator Martins, Chairman of the Senate’s Local Government Committee.

The federal Help America Vote Act (HAVA) was intended to require optical scan voting machines, rather than lever-style voting machines, to be used in elections administered by county Boards of Elections. However, elections for school districts, villages, and special districts are nonpartisan, often have low turnout, and are administered within the district rather than through the Board of Elections.

Senator Martins authored a law which currently allows villages, school districts, and special districts to continuing using lever-style voting machines. These machines are widely preferred by villages, school districts and special districts because of their ease and

availability as opposed to alternatives, which have been found to be prohibitive both in terms of costs and practicality. However, the law must be extended by the end of the year.

Senator Martins' legislation (S3705) would make this exemption for school districts, villages, and local governments permanent. Without this exemption, districts and villages would be required to use paper ballots, which cost money to print, require enormous time to count by hand, and are much more prone to error than a lever-style machine. The only other alternative would be using optical scan machines, which are not readily accessible and far more expensive because of the added costs of programming the machine and printing scannable ballots.

"Senator Martins' bill is essential to enable villages, school districts and other special districts to conduct their local non-partisan elections without incurring the excessive costs of utilizing electronic voting machines. Alarmingly, the County Board of Elections has already indicated to villages that they may not be able to make the electronic machines available for villages and other districts to use, and that would require the machines to be procured from other sources. Doing so would be cost-prohibitive, or require villages and other districts to revert to paper ballot elections. Certainly, neither Congress, nor the State Legislature, intended to encourage increased costs for non-partisan local elections, nor the use of less reliable paper ballots. Senator Martins' bill recognizes that these local elections are different from partisan political elections, and that they should be conducted in the most efficient and cost-effective manner possible. S3705 would accomplish that," said Village of Westbury Mayor Peter Cavallaro.

"I commend Senator Martins for sponsoring this important bill and for being a tireless advocate for local government. The requirement that villages use scanner machines is yet another costly unfunded mandate and, additionally, this unfunded mandate offers no benefit to our voters. In these times when we must do more with less and keep property taxes as low as possible, we need Senator Martins and know that he will continue to help us in limiting those mandates and assisting us in delivering most efficiently the important services our residents require and desire," said Village of Great Neck Mayor Ralph Kreitzman.

"For school district elections, lever voting machines are considerably more cost-effective than optical scanning machines," said Timothy Kremer, executive director, New York State School Boards Association. "School districts cannot afford another unfunded mandate. We thank Senator Martins for his leadership on this issue."