



NEW YORK STATE SENATOR

Jack M. Martins

Martins-Schimel Voting Mandate Relief Measure Passes Both Houses

JACK M. MARTINS June 22, 2012

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Just as they did two years ago, Senator Jack M. Martins and Assemblywoman Michelle Schimel stood up to fight for villages, school districts and special districts by passing legislation that ensures the democratic process will go on in local communities without a costly mandate that would ultimately have to be borne by taxpayers.

After hearing the concerns of localities and school districts from across the state, Senator Martins and Assemblywoman Schimel worked together to pass legislation (S.6296-A/A.9178-A) that will allow villages, school districts and special districts to continue using lever voting machines as they have in the past for an additional two years. Without this legislation, local governments and school districts would be forced to purchase or rent electronic voting machines at an exorbitant cost or use paper ballots in conducting their local elections.

“On behalf of my village, the 64 Nassau County villages and all of the villages in New York State, I would like to thank Senator Martins and Assemblywoman Schimel for sponsoring this critically important legislation. In today’s difficult economic times and with the real property tax cap in effect, this legislation will save taxpayers millions of dollars without adversely affecting anyone’s ability to vote. Our other state legislators and the Governor need to follow the lead of these knowledgeable and concerned legislators in finding other ways to provide further relief from existing State unfunded mandates and to avoid new ones. Also, while two years may seem like a long time, we must promptly work on a permanent solution,” said Ralph J. Kreitzman, Mayor of the Village of Great Neck, President of the Nassau County Village Officials Association and member of the Executive Committee of the New York State Conference of Mayors and Municipal Officials.

The Help America Vote Act (HAVA) required states to adopt new voting machines in federal elections, and in implementing the Act, New York chose to use new machines for all elections. This has proven costly to local governments in both time and money.

“The new scanner machines were intended to move us forward, but unfortunately were a huge step back for many,” said Senator Martins, chairman of the Senate Standing Committee on Local Government. “There are school districts, villages, and special districts that simply do not have the access to the scanners. As the law stands, their only alternative would be a paper ballot and in this day and age it is not acceptable that we regress to a paper voting

system. The prospect of our school districts and villages having to count thousands of paper ballots is absurd. Rather, the only way to insure the integrity of every person's vote is to allow for lever machines when scanners are not available. This bill does that."

"Whew, that was a close one. It took a lot of pragmatism, compromise, and elbow grease to get this bill passed in the Assembly. But I always remember, nothing worthwhile is ever easy. And this bill will bring relief to villages, schools, and special districts. A special thank you to Ralph Kreitzman, Mayor of the Village of Great Neck, Larry Greenstein, Trustee of the Port Washington School Board, Kevin Greenstein, Disability Advocate, and Terry Hood, Business Administrator of the Great Neck School District, for trekking to Albany to lobby on behalf of the bill. It made all the difference."

School districts and villages have expressed a preference to continue using the lever-style voting machines. This legislation provides significant relief to local school districts, villages and special districts from the HAVA mandate that was intended to apply only to federal elections that have higher voter turnout and less annual costs to administer elections using optical scan voting machines.

"At a time when local governments are facing some of their greatest fiscal challenges – and are further constrained by a property tax cap – the last thing they need is to be compelled to spend more taxpayer dollars because of a federal mandate which was never intended to apply to local elections," said Peter A. Baynes, Executive Director of the New York State Conference of Mayors. "By passing this bill, it is clear that Senator Martins and Assemblywoman Schimel understand the difficulties that villages, school districts and special districts have had to contend with since the scanner machines were put to use. The Conference of Mayors commends Senator Martins and Assemblywoman Schimel for their continuous efforts to assist cities and villages across New York State. Their willingness to take the lead on this issue is just another example of their commitment to improving the

quality of life in our local communities.”

“I am happy that this bill passed. My disability makes the new electronic voting machines hard to use. I can use the lever machines easily. Thank you to Assemblywoman Michelle Schimel and Senator Jack Martins for helping to keep my right to a secret vote,” said Kevin Greenstein, a 19 year-old advocate for people with developmental disabilities.

“This legislation will allow villages to continue to hold elections the way they have in the past without having to incur the costs of securing scanning machines. It will ensure that the democratic process continues to take place without the burden of another mandate placed on local government,” said Village of Kensington Mayor Susan Lopatkin, President of the Great Neck Village Officials Association.

“We are very grateful for the tireless bi-partisan efforts of Senator Martins and Assemblywomen Schimel in passing this important mandate relief legislation. They have spared all taxpayers the unnecessary expense that would have been incurred had this bill not been passed. Now, we are hopeful that Governor Cuomo will follow suit and sign this important measure into law. This legislation gives villages and other special districts two years to make sure that local elections can be held in a cost effective manner. Senator Martins’ and Assemblywoman Schimel’s leadership in this effort is much appreciated,” said Village of Westbury Mayor Peter Cavallaro.

“We commend our local state representatives who clearly understand the financial impact of foolishly mandated paper ballot voting on local government. It is refreshing to see legislators who take a stand on matters which directly save taxpayers' money,” said Bob Lincoln, Commissioner of the Great Neck Park District.