



NEW YORK STATE SENATOR

Martin J. Golden

Senate Passes Bills to Allow Lever Machine Voting

MARTIN J. GOLDEN May 7, 2013



Legislation Would Allow Machine Voting for NYC Elections;

Also in Villages, School Districts and Special Districts

The New York State Senate today passed two bills that would allow for the use of lever-style voting machines in non-federal elections in New York City, and in elections held by villages, school districts and special districts.

Legislation (S4088B), sponsored by Senator Martin Golden (R-C, Brooklyn), would allow New York City to use lever voting machines for all non-federal elections, including the upcoming primary, run-off and general elections this fall. In addition, the bill would move the date for a potential run-off election in New York City from September 24th to October 1st to avoid a conflict with the Jewish holiday Sukkot.

“The lever voting machines had been successfully used in New York for over 100 years. They have proven to be reliable and easy for voters to use,” Senator Golden said. “In addition, using lever voting machines will expedite the canvass of votes cast in the primary election and reduce the number of paper ballots that would need to be hand-counted.”

“The new voting machines are confusing to people and very hard to read, especially for seniors,” Senator Simcha Felder (D-Brooklyn), a co-sponsor of the bill, said. “The old saying is that ‘if it ain’t broke, don’t fix it.’ To ensure an orderly election we should allow the simple, lever-style machines to be used.”

This year, the City of New York faces the prospect of three elections over a two-month period -- the primary, a run-off primary, and the general election. The offices up for election this year include Mayor, City Comptroller, Public Advocate, Borough President, and all of the City

Council seats.

“This legislation would actually increase voter access to dependable voting processes,” Senator Andrew Lanza (R-I-C, Staten Island), a co-sponsor of the bill, said.

The City cannot risk the possibility that the new voting systems will fail to provide a full and fair election. This bill gives the City the necessary authority to use a voting process that has proven to work in the past and alleviate what could be an unnecessarily chaotic election.

To accommodate the disabled voters, the legislation requires that if lever voting machines are used, each polling place must have a voting machine designed to allow voting by disabled voters. These voting systems are already owned and used by the Board of Elections.

In addition, the Senate also passed legislation (S3705), sponsored by Senator Jack Martins (R-C-I, Mineola), that would allow school districts, special districts and villages to permanently continue using lever voting machines in their respective local elections. This legislation would remove the 2014 sunset of provisions and permanently allow the use lever voting machines.

"The new scanner machines were intended to move us forward, but unfortunately were a huge step back for many," said Senator Martins. "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 ensure the integrity of every person's vote is to allow for lever machines when scanners are not available. This bill does that."

School districts and villages have expressed a preference to continue using the lever-style voting machines. This legislation would provide significant relief to local school districts, villages and special districts from the Help America Vote Act mandate. HAVA was intended to apply only to federal elections that have higher voter turnout.

The bills have been sent to the Assembly.