

MOTION OF THE COUNCIL OF ALLEGHENY COUNTY

Endorsing the provisions of H.R. 5036, currently pending before the United States House of Representatives, and urging the United States Congress to enact the provisions of the bill as currently drafted.

WHEREAS, the Help America Vote Act, 42 U.S.C. §15301 *et. seq.*, (HAVA) made federal funding available to jurisdictions that conduct mandatory modernizations their lever operated voting systems through the purchase of new electronic voting systems; and

WHEREAS, under the terms of the Help America Vote Act, Allegheny County was required to replace all lever voting systems in qualifying precincts within the County in time for the first election for federal office held after January 1, 2006 in order to qualify for this funding; and

WHEREAS, the Chief Executive and members of the Administration conducted an exhaustive evaluation of voting machines for purchase, but were not able to purchase machines that generate voter verified paper records, because no such machines were certified for use by the Pennsylvania Department of State; and

WHEREAS, while the Help America Vote Act does require that new voting systems purchased with the available federal funding generate a paper record that can be used to audit election results, it does not specifically require that a paper summary of individual voting decisions be made available to every voter before they confirm their selections; and

WHEREAS, the Commission on Federal Election Reform has issued the following recommendation regarding voting machines: "Congress should pass a law requiring that all voting machines be equipped with a voter verifiable paper audit trail and, consistent with HAVA, be fully accessible to voters with disabilities. This is especially important for direct recording electronic (DRE) machines for four reasons: (a) to increase citizens' confidence that their vote will be counted accurately, (b) to allow for a recount, (c) to provide a backup in cases of loss of votes due to computer malfunction, and (d) to test - through a random selection of machines - whether the paper result is the same as the electronic result."; and

WHEREAS, the Commission on Federal Election Reform advocates retrofitting voter verified paper record capabilities into voting machines that do not currently produce such paper records; and

WHEREAS, Allegheny County Council has repeatedly urged the Commonwealth of Pennsylvania to adopt legislation that would require a voter verified paper record for all electronic voting machines, and has also already allocated the funds that would be necessary for retrofitting the County's system with such a capability; and

WHEREAS, United States Representative Rush Holt of New Jersey has introduced HR 5036, a bill that would provide some funding for jurisdictions that purchase voting machines that produce an individual paper ballot that would allow voters to verify their choices and purchase emergency paper ballots, and at least 46 other Representatives have co-sponsored this bill; and

WHEREAS, various voting rights advocacy groups have expressed their support of H.R. 5036 as written to our representatives in both the House and Senate; and

WHEREAS, Council previously passed Bill Number 3858-08, a motion expressing support for the provisions H.R. 5036 as written, but copies of that motion were not expressly forwarded to the United States Senate;

NOW THEREFORE, IT IS MOVED, BY THE COUNCIL OF ALLEGHENY COUNTY,

SECTION 1.

The Council of the County of Allegheny, Commonwealth of Pennsylvania, reiterates its support of the production of voter verified paper records for each voter before they confirm their voting choices. The Council of Allegheny County accordingly again urges the United States Congress to adopt the provisions of HR 5036 as currently written, such that jurisdictions can obtain funding for the purchase of electronic voting machines that produce such records under the terms of the Help America Vote Act, and directs that copies of this Motion be transmitted to Senators Casey, Specter, and Feinstein, as well as to the Allegheny County delegation to the United States House of Representatives.

PRIMARY SPONSORS: COUNCIL MEMBERS DeFAZIO and McCULLOUGH

CO SPONSOR: CHIEF EXECUTIVE DAN ONORATO

In Council APRIL 15, 2008.

Read and Approved.



Rich Fitzgerald
President of Council

Attest: John Mascio
John Mascio
Chief Clerk of Council

Mascio, John R.

From: Mascio, John R.
Sent: Thursday, April 24, 2008 1:43 PM
To: Senator Arlen Specter; Senator Bob Casey; Congressman Jason Altmire ; Congressman John Murtha; Congressman Mike Doyle; Congressman Tim Murphy
Subject: Bill No. 3946-08 - Motion of Allegheny County Council
Attachments: 3946-08.PDF

At the Regular Meeting of Allegheny County Council held on April 15, 2008, Council unanimously approved the attached Motion (Bill No. 3946-08) sponsored by Council Members John DeFazio and Chuck McCullough; and Chief Executive Dan Onorato.

As you will read, the Motion endorses the provisions of H.R. 5036, currently pending before the United States House of Representatives, and urges the United States Congress to enact the provisions of the bill as currently drafted.

Your attention to this Motion is requested.

John Mascio
Chief Clerk
Allegheny County Council