

Bill No. **3083-07**

No. **07-07-RE**

A RESOLUTION

A Resolution of the County of Allegheny, Commonwealth of Pennsylvania, urging the United States Congress to approve House Resolution 811 to amend the Help America Vote Act, 42 U.S.C. §15301 *et. seq.*, to require the creation of voter verified paper records (VVPRs) for each voter using an electronic voting machine.

WHEREAS, the Help America Vote Act, 42 U.S.C. §15301 *et. seq.*, 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 VVPRs, because a 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 VVPR capabilities into voting machines that do not currently produce such paper records; and

WHEREAS, the Report of the Commission on Federal Election Reform, issued in September of 2005, notes that as of August 2005, 25 states had already mandated VVPRs for

each voter before they confirm their selections, and another 14 had introduced legislation to do so; 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 811, a bill that would amend HAVA to require machines to produce an individual paper ballot that would allow voters to verify their choices, and at least 183 other Representatives have co-sponsored this bill;

The Council of the County of Allegheny hereby resolves as follows:

SECTION 1.

The Council of the County of Allegheny, Commonwealth of Pennsylvania, supports the production of voter verified paper records for each voter before they confirm their voting choices. The Council of Allegheny County accordingly urges the United States Congress to adopt the provisions of HR 811, such that all electronic voting machines must produce such records under the terms of the Help America Vote Act.

SECTION 2.

The Council of Allegheny County further resolves that copies of this Resolution be provided to the Pennsylvania representatives in the United States Congress.

SECTION 3.

If any provision of this Resolution shall be determined to be unlawful, invalid, void or unenforceable, then that provision shall be considered severable from the remaining provisions of this Resolution which shall be in full force and effect.

SECTION 4.

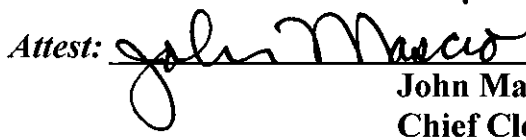
Any Resolution or Ordinance or part thereof conflicting with the provisions of this Resolution is hereby repealed so far as the same affects this Resolution.

PRIMARY SPONSOR: COUNCIL MEMBER DeFAZIO

Enacted in Council, this 6th day of MARCH, 2007.

Council Agenda No. 3083-07.


Rich Fitzgerald
President of Council

Attest: 
John Mascio
Chief Clerk of Council

Chief Executive Office MARCH 15, 2007.

Approved: 
Dan Onorato
Chief Executive

Attest: 
Donna Beltz
Executive's Secretary