



# The Broome-Tioga Voter

Bulletin of the *League of Women Voters of Broome & Tioga Counties*

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## "The Electoral College: A Barrier to Democracy"

Panel discussion led by

Douglas Garnar, Distinguished Service Professor  
Broome Community College

Tuesday, March 25, 2008

7:00 p.m. Refreshments

7:30 p.m. Program

Vestal Public Library

Vestal Parkway E., Vestal, NY

Public Welcome

(The Library is accessible to people with disabilities.)

## Co-President's Column:

Choosing a new voting technology that meets the requirements of HAVA and the additional criteria that the LWV requires for their approval has proved a difficult task. As we gain experience using the new systems, we're seeing new issues that we need to be aware of. My brother described to me the difficulty he foresees for using the paper ballot/optical scan technology the November election that was used in the Presidential primary in his county in Connecticut. Voters were given a fine-point Pilot pen to blacken a circle the size of perhaps, a 14-point upper-case O. It took quite a while to blacken such a large circle with such a fine-pointed pen. While it caused no problem in the Presidential Primary, where each voter had to vote for only one candidate, it would be a different story in a typical presidential-year election when each voter has to vote for several offices, and maybe for one or more ballot issues as well. Clearly watchdog groups like the LWV need to remain vigilant even after appropriate voting technologies have been selected to be sure they are implemented in a way that preserves citizens' right to vote.

## Sprawl and Global Warming

Sprawl is related to Global Warming. In the November 2007 State Board Report (go to the Members section of [lwny.org](http://lwny.org)) you'll find a description of a report that links these separate issues. With sprawl, and the land use policies that tend to go with it, we need to use our cars more often to go about our daily business. In the 1950s we could drive downtown and park to go to the drugstore, the book store, a variety of clothing stores, a toy store, a grocery store, and a bakery. In contrast, today we might go to a mall for clothing stores, a toy store, and a book store, and then get in the car to go to our favorite supermarket, which might have a bakery department and a drugstore either in a separate department or next door. That's if we're lucky. More likely, if we're fussy shoppers, it would take 3 or 4 or more stops for such a long list of errands, and we've driven much further, used more gas, and released more CO<sup>2</sup> into the atmosphere –

hence, more global warming. Governor Eliot Spitzer has created a Smart Growth Cabinet, recognizing that the State must make Smart Growth a priority. This strategy is win/win on many fronts. Not only does it fight global warming, it decreases our dependency on oil, saves us time (less driving between stores) and money (less driving means less money spent on expensive fuel), and decreases air pollution.

## And The "Beat" Goes On....

As the 2008 legislative session gets under way, the League has brought back to life an old favorite, "Capitol Beat." This bi-weekly update, by our State League's own Barbara Bartoletti, will contain legislative information about League issues, as well as political gossip. It will also outline the budget and of course will chronicle the always-lively end of session. Just log on to the LWVNY home page, <http://www.lwny.org>, and scroll down to the bottom of the page to find current and past issues of "Capitol Beat"!

## LWVUS Convention 2008 News

The LWVUS Convention will be held June 13-17, 2008 (that's Friday-Tuesday) at the Hilton Portland in Portland, Oregon. LWVNY delegates will have a special treat in being able to vote for former LWVNY President Marcia Merrins, nominated for a seat on the LWVUS Board. With that and the National Popular Vote study, which NYS Leaguers will move to consider, it promises to be an especially exciting convention!

## In the League, We Plan Ahead!

The next LWVNY Convention will be held May 15-17, 2009 at the Doubletree in Syracuse, NY. It's in East Syracuse, west of I81 and south of the NYS Thruway. That's an easy 1 ½ hour drive from the Broome & Tioga County area. We'd love to send a full contingent of delegates. Mark your calendars!

~ Anne Taft

## **Election Night Reporting - Presidential Primaries**

On Tuesday, February 5th, there were 5 supervisors, 32 phone clerks and 7 students from Jim Testani's Participation In Government Class who served as runners. Sue Garing handled the AP reporting in Broome County, and Lee Nesslage subbed for Jane Ebert in Tioga County. Everyone helped to make everything run smoothly and the evening went by quickly.

We want to thank all who participated in making this a successful night.

Please volunteer to participate in the September Primaries and in the General Elections in November.

~ Clare Simeone, Joanne Gee and Sondra Pruden

### **Students Inside Albany - 2008**

Our League is planning to send a student from Broome or Tioga County to the 2008 Students Inside Albany Conference on April 27 - April 30. We are asking for a letter of recommendation from any teacher, principal, coach, director, parent, grandparent or relative of a student, telling us of their efforts in academics, sports, and/or civil responsibility. This conference will help a future voter understand the workings of our democracy on a State level and inspire her/him to become a more informed and involved citizen.

All letters must arrive at my home by March 21 in order for our judges to select one and to give the selected student time to receive, fill out, and return all necessary forms to Albany by April 1. I have brochures with more information; call to request one or visit <http://www.lwvny.org/sia.html> for an online copy. All letters should be mailed to my address below and need to arrive before or on March 21.

Clare Simeone - 775 - 0035

3 Willow Way , Conklin, NY 13748

## **An update on United States of America v. New York State Board of Elections**

On March 23, 2006 the U. S. District Court issued an injunction reflecting New York's concession that it was in violation of the HAVA ( Help America Vote Act) legislation. A remedial order was given June 2, 2006.

In court on December 20, 2007 the District Court Judge, Hon. Gary Sharpe opened the proceedings by saying he was embarrassed. It seemed, he said, the people filing friends of the court briefs, including the League of Women Voters, had all the answers and he had none. That didn't prevent him from being embarrassed, he continued, because New York State is thumbing its nose at the Federal Government. Non-compliance, for whatever reason, is not an option. New York must comply.

That was the tone of the day long session. Possible options, if we do not comply, he warned will be bringing in the National Guard or locking up the commissioners of New York State's Board of Elections. He wasn't interested in New York's higher machine standards or the issue of preserving the fundamental integrity of the voting process.

At the end of the day there was a promise made that we would have a plan for replacing the voting machines by January 4.

The upshot is, as you probably know, the State Board of Elections plans to place accessible optical scan ballot marking devices alongside existing lever machines in each poll site across the state for this fall's elections. The NYS League of Women Voters president Barbara Bartoletti said, "Bravo. After years of delay and indecision, New York is finally on the road to a secure, accessible and auditable voting system. This is an all-too-rare case where common sense won out over the lobbyists."

~ Doris Lawton

## HAVA – The Saga Continued; Success Achieved

For several years, new voting machines have been under scrutiny, and the League has been advocating for adoption of paper ballot optical scan voting systems. Yet 2007 ended with no decisions made regarding new voting machines for New York State and a Department of Justice lawsuit pending against the state for its failure to comply with the Help America Vote Act of 2002. So far, 2008 has seen a whirlwind of activity. Here is a summary.

1. In mid-January, a US District Court Judge ruled that ballot marking devices (BMDs) for disabled voters must be available at each New York polling place for the 2008 fall elections and that all lever machines must be replaced by 2009.
2. The state Board of Elections redefined standards for BMDs that could include direct electronic touch-screen equipment (DREs) as well as already available ballot marking equipment compatible with paper-based optical scan systems. Local Election Boards were given a deadline of February 8 for making their selection.
3. DRE manufacturers hastily modified their machines to add a ballot marking feature and beefed up their lobbying. The New York State League of Women Voters and its partner good government organizations advocated vigorously for adopting only those BMD's compatible with optical scan.
4. On January 16 and 17, after further shameful and shameless haggling, the state Board of Elections determined that the DRE machines did not qualify as ballot marking devices and that only op-scan compatible BMDs met New York's strict requirements. The League and its allies cautiously celebrated a victory for optical scan.
5. The State Board of Elections is sued by the manufacturers of machines not on the list.
6. On February 4, a New York State Supreme Court overturned the Board of Elections and allowed touch screen voting machines to be purchased by counties.

7. By February 8, county Boards of Elections had to submit their choices.

**As of that date, 57 of New York's 58 counties have selected paper ballot optical scan systems to meet this year's requirement regarding accessible ballot markers and for year 2009 and beyond.**

Yes, decisions have been made. However, the situation may take more unexpected turns by the time you read this. For example, one piece of unfinished business is the testing and certification of machines regarding their compliance with New York election law. That is expected to be completed in mid- to late 2008! We can hope that voting systems purchased this year will actually qualify when all is said and done.

This is an amazing story of how citizens can impact important decisions.

We can be proud of the role of the League of Women Voters of New York State in achieving this victory for New York voters.

~ Jane Park

Just in case you are curious after reading Anne's article....

A 14 point upper case O looks like this:

O Clinton

O Obama

~ Sue, Editor

## March Program Notes

The Electoral College may well be an idea whose time has come – and gone. LWVUS has a long-standing position favoring its abolition and calling for direct popular election of the president. How to get from here to there is the challenge.

On **March 25** we will hear from a panel of history and political science professors from Broome Community College with Douglas Garnar as moderator. They will present a short historical overview of the Electoral College and efforts to modify it, followed by an analysis of why a direct popular vote is preferable.

This topic is important for us as voters and as League members. NYS League members are advocating that LWVUS undertake study of one Electoral College alternative: the National Popular Vote Compact (NPV), an interstate agreement in which the electors of participating states vote for the President/Vice-president candidates who win the majority of votes nation-wide. While NPV could be done without a constitutional amendment, it raises its own set of questions and challenges. Come and bring friends.

You can find more information in the National Popular Vote section of [www.lwvny.org](http://www.lwvny.org).

## April Program Preview

You won't want to miss our **April 22** program meeting. Our speaker will be Bo Lipari, executive director of New Yorkers for Verified Voting and the LWVNY representative on the Citizens' Election Modernization Advisory Committee.

Bo has been at the forefront of the efforts to promote optical scan systems. From his insider's perspective, he will recap what has happened so far and share his thoughts on the issues still ahead.

~ Jane Park

## Gloria Steinem Day For Fair Pay.

A recent report from the State League reads as follows Gloria Steinem Day For Fair Pay will be held on Wednesday, April 2, 2008. A rally will be held in the well of the Legislative Office Building from 9:30 to 11:30 a.m. in support of pay equity. Attendance is free. You may also dine with Gloria Steinem at the 74 State Street from 12:30-2:30 p.m.. There is a cost of \$150 for the luncheon of which \$100 is tax deductible. Additionally, you may hear Ms. Steinem at a Town Hall Meeting from 5:30-7:30 p.m. at the First Unitarian Society, 405 Washington Avenue, Albany NY.

Weather permitting I plan on attending the rally and the luncheon. If anyone is interested in attending, one or both of, these events, please give me a call. I have room for 3 or 4 and if more show interest, we can work out the details at that time, I find this to be a cause worth our time and effort as well an opportunity to hear and support a distinguished speaker.

~Clare Simeone ( 775-0035)

**NEXT month is the combined(?)  
April Voter and "Call".**

**Deadline for Call/April Voter is  
March 4.**

~ **Sue, Editor**

### Identification Statement

The Broome-Tioga Voter *is published 9 times a year (January, February, March, April, May, July/August, September, October, and November/December) by the League of Women Voters of Broome & Tioga Counties, 38 Oakridge Drive, Binghamton, NY 13903.*

# The Broome-Tioga Voter

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## Calendar

Tuesday	March 11	Board Meeting
Friday	March 21	Letters of Recommendation for SIA are due.
Tuesday	March 25	Program Meeting, Electoral College.
Tuesday	April 8	Board Meeting
Tuesday	April 22	Program Meeting, Voting Machine Issues
Sun.-Wed.	April 27-30	SIA Conference
Tuesday	May 13	Annual Meeting
	June 13-17	LWVUS Convention,

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