

**Testimony to The Joint Budget Hearing on
Local Governments and Government Operations
Feb. 11, 2026**

Thank you for the opportunity to submit this testimony.

Local election officials are essential to democracy. Without them, elections would not be possible. We strongly support funding for all essential elections infrastructure such as e-poll books, paper ballots that comply with the Voter-Friendly Ballot Act (Ch. 411 of 2019), scanners to tabulate such ballots, and accessible voting machines to provide voters with disabilities an equal opportunity to cast such ballots. The Governor's Budget contains such funding, in addition to the lion's share related to elections of \$100 million for public campaign financing.

However, we want to alert you to the potential for wasteful spending that dwarfs the entire current election-related budget, and therefore needs to be reined in. For this purpose, the Assembly Ways and Means Committee and Senate Finance Committee are also essential.

The Problem:

Local election officials are often given a blank check to purchase certain voting machines that are neither essential nor desirable to most voters. These machines were originally permitted due to a false assumption that they would somehow magically save money. In fact, local boards of elections, if left unchecked and unregulated, are in a position to waste up to \$250 million statewide, or \$100 million in the City of New York alone by purchasing \$12,000 touchscreen voting machines essentially to replace \$1.00 ballpoint pens.

The Solution:

Many Ways and Means Committee members have cosponsored a bill to prohibit such wasteful spending on voting machines that do not utilize human-readable voter-friendly paper ballots. That bill is the Voting Integrity and Verification Act of NY (VIVA NY) A6287 / S7116 (Cunningham / Cleare). It passed the Senate by a vote of 46 to 16 in 2023 (S6169A—2023). This bill is also cosponsored by Election Law Committee members, and formerly by now-NYC Mayor Zorhan Mamdani.

Another bill, recently introduced by Ways and Means Chair Pretlow, is A9314. It does not have a pithy name like "VIVA NY," but it achieves the same control of wasteful spending as VIVA NY does by simply amending the purchasing section of the election law. EL § 7-202 (4).

What both of these Assembly bills have in common are the Fiscal Implications sections of their Sponsors' Memos. Please take a few minutes to read the Justification and Fiscal Implications sections of the A9314 Sponsor's Memo (see Appendix), and you will see that this wasteful spending arose based on a false assumption of cost savings that dates back to the 2005 Pataki Administration. You can also read the entire bill here:

https://nyassembly.gov/leg/?default_fld=%0D%0A&leg_video=&bn=A09314&term=2025&Summary=Y&Actions=Y&Memo=Y&Text=Y

It took 18 years for this fiscal time bomb to explode when, in 2023, the State Board of Elections certified the first of these ridiculously expensive voting computers with no regard for

their fiscal implications. In 2023 the Senate acted to close this loophole in the election law that allowed this certification and spending to happen, but the Assembly failed to do so in 2023, 2024, 2025 and even earlier years.

As the *Albany Times Union* reported on May 25, 2025, for a period of six years, a voting machine company paid lobbyists \$1.5 million to kill two bills that would have corrected this problem: A6287 (Cunningham), and what is now A2606 (R. Carroll). See: <https://tinyurl.com/TUVoting1>

But it doesn't have to be this way. By incorporating two simple bills (A9314 and A6287 / S7116) in the Budget, the potential for wasteful spending will be ended and, to the limited extent that funds have already been spent, most can be refunded.

If this legislation is not passed, then the Budget is significantly under-funded because no current allocation is sufficient to pay for the machines that would otherwise be properly prohibited – not even the \$100 million allocated for public campaign financing.

It is also obvious that every other local government priority could be undermined by having to raise funds to buy voting machines that should never have been allowed in the first place.

Thank you again for the opportunity to inform you about this issue.

Appendix

From the A9314 Sponsor's Memo:

JUSTIFICATION:

This legislation resolves a 20-year dispute related to New York's voting system by requiring the most reliable and most cost effective voting machines and systems.

On July 12, 2005, the Election Reform and Modernization Act was signed by Governor Pataki (Chapter 181). The Bill Jacket Memo (available on request) included a false assumption about potential cost savings from touchscreen voting machines known as direct recording electronic (DRE) machines or tabulating ballot marking devices (TBMDs). We now know this 2005 assumption was false based on actual pricing of a touchscreen voting machine approved by the State Board of Elections (SBOE) on Aug. 2, 2023.

Meanwhile, in 2019, 139 Assembly Members and 40 Senators voted for the Voter Friendly Ballot Act which was signed into law by Governor Cuomo (Chapter 411). The purpose of this law was to create "a ballot format that is easy for voters to read and use." Such voter friendly paper ballots are codified in Section 7-104 of the election law. Most voters can mark such ballots by hand using a ballpoint pen. Voters with disabilities, and others, can mark identical paper ballots through the use of accessible BMDs that do not tabulate votes. The BMD provides the same functionality as a ballpoint pen in addition to other accessibility features required by subdivision 2 of section 7-202 of the election law.

The combination of voter friendly paper ballots marked by hand or by accessible BMDs that do not tabulate votes, and optical scan machines

that tabulate such ballots, has proven to be the most reliable, and by far the most cost effective, voting system available. This legislation requires boards of elections to purchase such systems from now on, and allows previously purchased machines or systems that utilize the same voter friendly paper ballots to continue to be used and maintained.

FISCAL IMPLICATIONS FOR STATE AND LOCAL GOVERNMENTS:

Compared to the voting machines this bill would prohibit, the voting machines cost far less (\$6,800 vs. \$11,500 each). This bill would accommodate many more voters per machine (4,000 vs. 450 to 550 voters per machine pursuant to SBOE regulations). Therefore, by passing this bill, the potential cost savings to localities and the state on the purchase of new voting machines is estimated to be at least \$250 million state-wide or \$100 million for the City of New York alone. Each county would enjoy its pro rata share of this savings.

Example: Monroe County, with four percent of the state's active registered voters, allocated \$12 million to purchase DRE-style tabulating-BMD voting machines which this bill would prohibit. The cost of a replacement system this bill would require is estimated to be only \$2.5 million. Savings on paper ballot printing costs in a published estimate by the machine vendor were just \$250,000 per year. It would therefore take this county 38 YEARS to make up the \$9.5-million difference between the high-cost DRE-style voting system and the low-cost paper ballot voting system. The NYS Board of Elections contributed \$572,486 to this purchase, most of which could probably have been saved if the lower cost system were purchased instead.

If this legislation becomes law, and therefore, the SBOE decertifies all noncompliant voting systems such as Monroe County's, this county can recover most of its \$12 million cost by executing a warranty agreement previously made with the vendor. Similar savings based on each county's and the City of New York's pro rata share of the avoided excess costs can be realized as a result of passing this legislation.

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