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## THE LEAGUE OF WOMEN VOTERS *of New York State*

### **Testimony before the New York State Assembly Standing Committee on Election Law**

**Thursday, November 15<sup>th</sup>, 2018  
250 Broadway, New York City**

Good Morning. My name is Jennifer Wilson. I am the Legislative Director for the League of Women Voters of New York State (LWVNY). With me this morning is Kate Doran, Elections Specialist of the League of Women Voters of the City of New York (LWVNYC). Thank you for having this hearing and inviting us to speak.

The League is a grassroots, membership based organization with over 4,000 members and 50 local chapters statewide. The League's mission is to educate voters and advocate for greater voter accessibility. **The League has long supported early in-person voting as well as no-excuse absentee voting in New York State.** These policies would effectively increase voter turnout and ease the burden on poll workers on Election Day.

In the last four years, a number of different early voting policies have been proposed by both the legislature and Governor. These policies vary in the number days for early voting, the type of early voting allowed (in person or by mail), and the flexibility for poll sites and polling hours.

This testimony will outline prior policy reforms and make recommendations of best practices based on the specific needs of New York State and New York City voters. In summary, our recommendations are:

- The League recommends a minimum of 12 days of early in person voting which would include two weekends;
- The League recommends a minimum of 1 poll site per 50,000 voters;
- The League believes early voting should be allowed for primary elections, special election, and Election Day;
- The League is supportive of early voting that gives County Boards of Elections flexibility when selecting poll site locations and operating hours within a reasonable time frame;
- And The League believes early voting in New York State must include funding for County Boards of Elections.

### ***2018 Early Voting Budget Proposal***

During the 2018 legislative budget process, the Governor proposed \$7 million for early voting to be implemented in New York State. This funding was intended to cover the costs associated with 12 days of early voting with up to 7 polling places per county, and at least one polling location for every 50,000 voters.

The League strongly supported this budget initiative because of the flexibility it allowed County Board of Election offices. County Boards would have the ability to open polling locations in areas that they felt would be most effective for their constituents. These local boards would have the ability to determine the ideal poll site hours within a reasonable time frame. The State Board would have the oversight to review each of the county's proposed plans to ensure that voters are being served equitably.

The budget office had estimated \$6.4 million in funding would be needed to assist local boards to make these changes. Acquiring polling locations, paying for additional poll workers, and modernizing poll books would be a significant cost on the county boards. The funding split between the counties would equate to around \$103,225 per county. This total is similar to what other states pay per county for early in-person voting.

Although the legislature removed this line item and accompanying Article VII legislative from the final, negotiated state budget, the League believed this budget proposal was the best opportunity for passage and implementation of early voting in New York State. Early voting must be passed with accompanying funding for the State and County Boards of Elections. Without appropriate funding, it will be difficult for counties to comply with the new law.

### ***2018 Early Voting Legislative Proposals***

Following the passage of the 2018-2019 budget, several early voting and no-excuse absentee voting policy reforms were proposed by the legislature. The League supported two legislative proposals that allowed for 7 days of early voting ahead of Election Day with up to 7 poll sites per county and one poll site per every 50,000 voters as a start to implementing early voting in New York State. The bills differed on one major point, funding for implementation.

S.7400A (Kavanagh) created a fund for early voting that would be authorized by the comptroller and the commissioner of taxation and finance. The fund would consist of revenue received from the abandoned property fund. A.9608-B (Lavine) did not include any funding stream. The League was supportive of both policies but preferred the policy which included a funding source.

Other legislative proposals introduced in 2018 included early in-person voting at county board of election offices A.9528 (Rozic)/S.7212 (Little). Although this policy allowed for an impressive 14 days of early voting, with only one poll location, it did not provide enough voter access.

### ***2018 Vote by Mail and No-Excuse Absentee Legislative Proposals***

Vote by mail, or no-excuse absentee voting, proposals were also popular during the 2018 legislative session with several legislators proposing to allow any voter to vote via absentee ballot. Unfortunately, these proposals must have an accompanying Constitutional Amendment in order to be implemented. Article II, Section 2 of the New York State Constitution states that voters must be unable to make it to their poll site due to being absent from the county, illness, or disability. Without amending this language, legislation to allow for no-excuse absentee cannot be implemented.

Vote by mail and no-excuse absentee voting would have costs related to the printing and mailing of ballots. Additional staff time as well as ballot on demand printing equipment would need to be funded in order to implement this method of voting.

Many voters have had issues with the state's current mail in absentee ballot system. During this election season, the League received dozens of phone calls from voters around the state who did not receive their ballot or were unable to find out if their ballot had been received. An in person early voting system has the potential to lower the amount of absentee ballots requested each election by giving voters a larger window of time to vote. Many states have had great success with vote by mail but the League strongly believes that New York would benefit from an in-person early voting process as well as vote by mail.

### ***Benefits of Early In Person Voting***

The Brennan Center identified the following ways that early voting improves voting for both voters and election officials:

- 1) **Reduced stress on the voting systems on Election Day.** States agreed that early voting led to fewer errors on Election Day because of the decreased number of voters at the polls on that single day.
- 2) **Shorter lines on Election Day.** This is a major issue in New York City and some larger Upstate cities. Having additional days to vote will make a major difference in those areas.
- 3) **Improved poll worker performance.** Now that New York State has allowed for split shifts for poll workers, there will be an even greater pool of potential poll workers for the days leading up to Election Day. Because lines are reduced in the days leading up to Election Day, poll workers are much less stressed and can ensure voting systems are running smoothly.
- 4) **Early identification and correction of registration errors and voting system glitches.** This is a big concern for many election officials and legislators. States with early voting reported that they were able to catch errors more easily, particularly when their voter rolls were updated each evening after the polling locations closed.
- 5) **Greater access to voting and increased voter satisfaction.** With increased voter satisfaction, New York State should see an increase in the number of individuals voting. These voters will not be afraid of long lines or an inability to vote because they cannot get time off work. Early voting is the first step to increasing New York State's voter turnout.

### ***Conclusion***

New York is one of only 13 states that does not allow for any early in-person voting. If 37 other states and the District of Columbia can successfully operate elections that allow for early voting, why can't New York do the same? An accessible voting process that makes it easier for all citizens to exercise their right to vote is crucial to a vibrant democracy. However, despite being widely recognized as one of the most progressive states in the nation, New York is lamentably behind most of the country when it comes to making it easier and more convenient for its residents to vote. This must change. The League looks forward to working with you and elections administrators to increase participation, reduce barriers to voting, and further improve the voting experience for all voters of New York.