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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**

**Friday, December 14, 2012**

**Assembly Hearing Room, 250 Broadway,  
Room 1923, 19<sup>th</sup> floor, New York City**

**Subject:** Examining policies to improve in-person voting in New York.

**Purpose:** To examine possible statutory and regulatory changes to make the in-person voting process in New York more user friendly and the impact of implementing such changes in the state budget.

Good Morning. My name is Kate Doran. I am the Elections Specialist of the League of Women Voters of the City of New York (LWVNYC). With me this morning is Sally Robinson, President of the League of Women Voters of New York State (LWVNYS). Aimee Allaud, Elections Specialist of the LWVNYS co-authored this testimony. Thank you for having this hearing and inviting us to speak.

For over 90 years, voter education, voter service, and improving election administration have been priorities for the League. Our 50 local Leagues throughout the state allow us to observe and monitor the activities of the local boards of elections and the implementation of election procedures at the local level.

A Presidential election year always presents challenges to boards of elections; however, this year presented unique challenges: administering four separate elections within five months in a redistricting cycle year, fully implementing the MOVE Act and then responding to a hurricane occurring one week before Election Day. Boards of elections in the affected counties are particularly to be commended for their dedicated response to almost impossible tasks. The League also recognizes voters who persisted in exercising their civic responsibility in the face of personal disaster and displacement with patience and good humor.

## **LWVNYS 2013 Election Reform Legislative Agenda**

Based on the recommendations of local league members, the League recently adopted our “Steps to a Better New York” 2013 Legislative Agenda. Election reform is always on the minds of League members and they identified the following items, among others, for legislative action:

- Improving election processes to extend, encourage and protect voting, including paperless and Election Day registration, and early voting,
- A single June primary,
- Better ballot design, and
- Improving polling place management and poll worker training.

It is urgent that the Legislature act to change the Primary date as soon as possible. In 2012, the League collaborated with the Election Commissioners Association in advocating for a single June Primary. The Assembly passed a bill that would have changed the primary to June, but the Senate did not act on the bill. The cost to New York State counties was approximately \$50 million to hold a separate primary for congressional races. A September primary makes it almost impossible for boards of elections to satisfy the requirements of the MOVE Act, thereby depriving military and overseas voters of their right to vote on a timelier basis. This is unacceptable. An additional concern is that in 2013 there will be a New York City runoff election scheduled for September 24, further shortening the time for meeting the MOVE requirements as well as to serve all voters.

## **League Election Survey**

In the November 2012 General Election, the League asked our members and the public to participate in an Election Survey of their experiences in using the new voting equipment. This was the third time (2009, 2010) that the League used the survey model to allow voters to describe their experiences in the total voting process. In 2010 as well as in 2012, slightly over 1,000 responses were received. In 2012, 1079 responses from voters in 42 counties were received. (Attached is a summary and a list of the survey results by county). Each question allowed a voter to amplify on his or her response with written comments. Question 18 allowed the voter to express general or specific comments not covered by the specific questions. We are summarizing those responses by category and will include the results in a final report.

Administrative problems such as poll worker competency, poll site layout, lack of information as the voter enters the polling place and inadequate directions about finding the correct election district continue to be the major issues influencing voter satisfaction throughout the state. Many of these are local county board of elections issues that can best be solved at that level. Advice and oversight from the New York State Board of Elections and the exchange of pragmatic solutions at New York State Election Commissioners Association meetings should be able to facilitate a number of solutions that can be put in place within existing statutory requirements .

The results from New York City voters are summarized in a separate attached report prepared by LWVNYC board member, Adrienne Kivelson. This report from 115 survey respondents identifies some issues unique to New York City poll sites, for example, long lines in excess of 10 or more voters waiting to use the scanner.

Testimony provided by Kate Doran, LWVNYC board member and Elections Specialist, to the New York City Council Committee on Governmental Operations Oversight Committee on Evaluating the Board of Elections' performance in the 2012 General Election, on December 5, 2012 is attached. This testimony identifies problems unique to New York City but also suggests solutions to problems common to elections operations in all counties such as:

- Create a poll inspector training procedure modeled along the lines for applying for a driver's license in New York State,
- Collect and use e-mail addresses for poll workers to facilitate communications.

### **Increasing Voter Participation Opportunities in New York State**

Over the last three federal elections (excluding 2012), New York had one of the lowest voter participation rates of the 50 states and Washington, D.C. This low ranking can partially be explained by New York's paper-based registration system, early registration deadline and other outdated voter registration policies, including the state's long waiting period for changing party affiliation. We are also one of only fourteen states that do not allow either early in-person voting or no-excuse absentee voting.

There are many possible opportunities to increase rates of voter participation in New York through commonsense solutions that have been implemented, to varying degrees of success, in other states beginning in the 1980s. These fall into three general categories:

- ***Voter registration modernization.***

Paperless forms of voter registration have decreased costs and increased accuracy of the voter rolls in a number of other states. This summer, New York moved a major step toward this goal by allowing secure online voter registration through the Department of Motor Vehicles. Ultimately secure online voter registration should be expanded to serve all eligible citizens. Election Day registration, registering and voting on the same day, is a proven method of increasing voter participation. The League supports A1686 Kavanagh/S1978 Gianaris – concurrent Resolution of the Senate and Assembly.

- ***Early in-person voting and no-excuse absentee voting.***

Many voters across the country now cast their votes before the traditional "Election Day" in November. While the impact of early in-person voting on turnout has been extensively debated in the academic literature in the past, it has become popular for its convenience as voters choose when to vote to suit their own schedule. The League supports legislative investigation of the feasibility of implementing early voting in the state in a manner that will allow equal access to the polls for all voters. We also support a constitutional amendment to the state constitution to allow for no-excuse absentee voting.

- ***Better ballot design, poll worker training and voter education.***

Improving the confusing design of New York's ballots, improving and standardizing the training of poll workers, as well as providing such basic voter education as online sample ballots, could improve the voting experience of New Yorkers. The League supports Assemblyman Kavanagh's Voter Friendly Ballot Act. The League's 2012 survey corroborates that these areas need improvement. Although the League's survey indicated a high degree of satisfaction with the performance of poll workers there were enough exceptions to warrant examining how the process can be improved.

Workers must be recruited with appropriate commonsense skills, and trained in procedures that emphasize customer service. Poorly trained poll workers and confusion at poll sites discourage voting. Poor voter service translates into lower voter turnout. In 2010 the Election Law was amended to allow split shifts for poll workers, but counties have not utilized the change to recruit potential poll workers. The State Board of Elections should work with the counties to develop ways that counties can utilize this positive change to expand the pool of election workers. Increasingly the public expects to find information on any topic through the web. All boards of elections should have a voter-friendly website which provides basic information on registration, voting, voting machines, and is current with the election schedule throughout the year. A sample ballot online is another important requirement of providing timely information to voters.

## **Conclusion**

We appreciate the opportunity to share with you our observations of the state of elections in New York in 2012. The paper ballot optical scan system has been thoroughly vetted now as voters gain familiarity with the new system. Our survey indicates satisfaction in general with the system. 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.