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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
Wednesday, November 18, 2015
Hearing Room C, Legislative Office Building, Albany, New York**

Good Morning. My name is Aimee Allaud and I am the Elections Specialist of the League of Women Voters of New York State. With me this morning is our state President Dare Thompson and our Legislative Director Barbara Bartoletti. Thank you for having this hearing and inviting us to speak.

The League of Women Voters of New York State is a non-partisan political organization working to promote civic responsibility through informed and active participation of citizens in government. For almost a century, voter education, voter service, and improving election administration have been priorities for the League. We have 50 local leagues throughout the state registering New Yorkers to vote and educating voters on local and state issues. We are regular observers at the meetings of the State Board of Elections commissioners in Albany, and at the New York City Board of Elections. Our other local leagues throughout the State work collaboratively with local boards of elections in implementing our similar missions as well.

Underlying all League policy positions and advocacy is a philosophy that emphasizes equitable participation and transparency in the electoral process. As such, election reform is always on the minds of League members and our legislative agendas have consistently included the following items:

- Improving election processes to extend, encourage and protect voting, including paperless and Election Day registration, and early voting
- Better ballot design
- A single June primary

We also work with election administrators to improve polling place management and poll worker training. We have included some aspects of our recommendations in that area in this testimony.

Improving the Voting Process in New York State

The League believes that the voting process should be as easy and accessible as possible, so that all eligible citizens are able to register and cast their ballots. Obviously this is not the status quo in New

York. We have one of the lowest voter participation rates of the 50 states and Washington, D.C., ranking 49th in turnout in the 2014 federal election. 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.

There are many possible legislative opportunities to make voting easier and more accessible. These fall into the following 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. New York's ranking at almost the bottom of the country in terms of registration rate needs to be addressed immediately. Several years ago New York moved a major step toward this goal by allowing secure online voter registration through the Department of Motor Vehicles. Secure online voter registration should be expanded to serve all eligible citizens, including those who do not have driver's license or non-driver photo ID and signature on file with the state. Online voter registration systems should not be contingent upon an individual's possession of a driver's license or state-issued ID, or easy access to the internet. One way to do this would be to have government public assistance agencies, which are already required by the National Voter Registration Act to offer clients who are eligible voters the opportunity to register to vote, provide online registration. All eligible voters should have equal access to the ballot, including minorities, the elderly, women, low-income individuals, young people and people with disabilities
- While it is clear that there are significant upfront costs with implementing **electronic poll books**, they would eliminate the substantial time and resources necessary to produce printed poll books and update voter information. Electronic poll books should also help speed up the processing of voters on election days and facilitate shortening the deadline for registration to 10 days before an election. They could also play an important role in implementing early voting in pilot programs or throughout the state. We believe that the implementation of electronic poll books should be guided by findings of the 2014 electronic poll book pilot projects in Chautauqua, Orange and Onondaga counties.
- **Election Day registration**, registering and voting on the same day, is a proven method of increasing voter participation. In addition, voter registration amongst young people is much lower than for any other age groups. Preregistration of 16 and 17 year olds will help make their voting participation routine before they attend college or enter the workforce.

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

In person early voting helps ensure that every citizen has the opportunity to cast a ballot and participate in our democracy. **In 2012 approximately 31% of all votes were cast prior to Election Day.** While 33 other states have some form of in-person early voting, New York only allows voters to cast their ballots on one day, except in the limited circumstances in which voters are allowed to vote via absentee ballot. Consequently, in

the 2012 presidential elections, New Yorkers faced long lines lasting up to several hours at many poll sites across the state on Election Day, deterring voters from exercising their right to vote. The League supports legislative action to implement early voting in the state in a manner that will allow equal access to the polls for all voters, including expanding early voting to weekends and hours that are outside of a normal workday. We also support a constitutional amendment to the state constitution to allow for no-excuse absentee voting.

- **Better ballot design**

New York State voters now use a paper ballot and optical scan voting machine system but the ballot requirements in New York State Election Law are based on obsolete lever voting machine standards. Our election year surveys have shown that a significant number of voters had problems using the paper ballot and wanted an improved ballot design, which would enable them to mark their ballots with greater ease and accuracy. A ballot that is clear and simple to read makes voting easier and more accurate for voters to register their choices. The League supports the Voter Friendly Ballot Act, which would improve the ballot layout so voters will be able to mark their ballots more accurately and easily. Specifically, improvements to ballot design would include: (1) a clear delineation between offices with a bold vertical bar between offices and a fine line between the candidates (2) a larger font with an absolute minimum size and (3) fill-in circles in black instead of gray.

- **Single June Primary**

In addition to the above listed reforms, it is imperative that the Legislature act to establish a single June primary. This move would both eliminate the unnecessary costs of multiple primary elections and maximize voter participation. The cost to New York State counties is approximately \$50 million to hold a separate primary for congressional races in order to comply with the MOVE Act. The League believes that a single primary is the best way to ensure voter turnout does not suffer and that our military men and women are not disenfranchised. A September primary makes it almost impossible for boards of elections to provide military and overseas voters their right to vote on a timelier basis. This is unacceptable. Overseas personnel should not be disenfranchised and New Yorkers do not need the added costs and confusion of an unnecessary third primary date.

In addition to these legislative recommendations, we would like to touch upon some of our election administration recommendations.

- **Poll worker training**

Although the League's Election Surveys have indicated a high degree of satisfaction with the performance of poll workers there have been enough exceptions to warrant examining how the process can be improved. Poor voter service translates into lower voter turnout. Workers should be recruited with appropriate commonsense skills, and trained in procedures that emphasize customer service.

- **Ballot marking device training and education:** Use of the ballot marking devices could be greatly increased if poll workers received adequate training on this equipment and voters were made aware of its availability. To further this process, counties should be required to report to the NYSBOE their outreach

efforts to the public about accessible voting equipment. In addition, remaining HAVA funds for voter education should be utilized for accessibility training

- **Split shifts:** 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. Split shifts require the recruitment of more inspectors than traditional shifts which may be why counties are hesitant to implement the new policy. 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.

- **Recruiting Poll Workers**

Lack of poll workers on Election Day continues to be an issue for many districts throughout the state. Having a single time and date for voting makes it difficult to recruit poll workers. Most workers are not given Election Day off and cannot afford to take a work the polls. The Election Assistance Commission recommends two changes that could increase the number of poll workers on Election Day.

- **Recruiting High School Students:** Several cities and states have created their own programs aimed at getting high school students to participate on Election Day. San Francisco, Chicago, Alaska, Arkansas, Colorado, North Carolina, Michigan, Kentucky, Louisiana, Pennsylvania, and Ohio all have program for 16 and 17 year old students. Not only do these programs engage young people in voting, they help to reduce the shortage of poll workers on Election Day.
- **Recruiting Public and Private Sector Employees:** Typically jurisdictions rely on retired workers to staff the polls on Election Day. The Commission recommends providing incentives for employers by recognizing them for allowing their employees to participate on Election Day. Two states have mandated by law that employers allow their employees the opportunity to participate without penalties.

- **Voter education**

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. Requiring a sample ballot online is another important means of providing timely information to voters.

Conclusion

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.

Reforms such as voter registration modernization, early voting and a single June primary will help make that change. The time has come to act on these reforms, which have worked so well elsewhere. 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.