

JOINT LEGISLATIVE PUBLIC HEARING
ON 2023-2024 EXECUTIVE BUDGET PROPOSAL PUBLIC PROTECTION
TESTIMONY TO THE JOINT FISCAL COMMITTEES OF THE
NEW YORK STATE SENATE AND NEW YORK STATE ASSEMBLY
February 7, 2023

Introduction

Thank you for the opportunity to testify today. I am Erica Smitka, Legislative and Deputy Director of the League of Women Voters of New York State. The League is a nonpartisan, grassroots organization with a mission to educate the public to become engaged members of their communities and informed voters. We have long advocated for a more representative, ethical, and transparent state government. I will highlight three areas today in my testimony: funding for county boards of election, election reform, and ethics reforms.

Voting should be made as easy as possible for all New Yorkers, and we greatly appreciate the tremendous gains that have been made in the last couple of years in making voting more accessible and applaud the legislature for enacting these reforms. The League was pleased to see that the State Board of Elections was adequately funded, especially regarding the Online Voter Registration and Automatic Voter Registration systems. However, many of these reforms still have not been sufficiently funded at the local level.

Funding to County Boards of Election

Elections are often the last item on the list when it comes to county budgets and many county Boards operate with limited resources. The League urges the Legislature to seriously consider the cost of new election improvements when introducing their proposed budgets and to consider setting up a yearly fund specifically for enhanced election reforms like early voting and absentee voting.

The League was glad to see that reappropriated funds will continue to be used to upgrade the technology for electronic pollbooks, on-demand ballot printers, and cyber security software upgrades. However, there are still limited funds available for the expansion of early voting poll sites, poll worker training, staffing, upgrading of old systems, and the establishment of new sites. It is not possible for boards to continue to expand voting access without funds devoted to these measures. We ask that a minimum of 20M in funding be allocated to county boards of elections so that they may make the upgrades necessary to effectively run our elections.

College Campus Poll Sites and Continued Support for Early Voting Expansion

In 2022, the legislature passed a law that mandates polling places on college campuses with 300 or more registered students or at a nearby site proposed by the college. Unfortunately, this law was not fully implemented in the last election and there were not polling places on all eligible campus poll sites. In order to accommodate the establishment of new sites, additional staff will need to be hired, sites secured, and new equipment may need to be purchased. In many counties,

they are already stretched quite thin and additional resources are needed to ensure accessible, well-staffed on-campus poll sites are established.

Additionally, it remains difficult for many counties to meet the needs of the 2021 early voting expansion that extended voting polling site hours of operation during early voting. Again, county Boards of Elections need to hire additional staff, secure additional sites, and purchase new equipment. These early voting reforms will continue to strengthen the early voting process for many voters, but only if counties have the resources to be able to implement these reforms.

Information Accessibility

The State Board of Elections was recently forced to update all public-facing website, applications and documents to be WCAG 2.0 AA compliant. While these upgrades are costly, they ensure that essential voting information is accessible to all New Yorkers. The League encourages the Legislature to include funds for county boards of elections to improve their web platforms and ensure that the information that is most critical to voters in their county is fully accessible. In an age when the majority of voters access information online, it is critical that the primary source of information for voters be fully accessible.

Election Reform

Implementation of the John R. Lewis Voting Rights Act of New York and Passage of the Companion Database Bill

The passage of the John R. Lewis Voting Rights Act of New York was an historic moment in New York. It established rights of action for denying or abridging the rights of any member as a protected class to vote, assisted language-minority groups, required certain subdivisions to receive preclearance for potential violations of the law, and created civil liability for voter intimidation. This year, we expect to see the passage of a database bill that will support this bill. The League urges the legislature to include this bill ([S657/A885A](#)) as a part of their budget proposal and to include the \$5M that will be required to establish the database. Additional funds should also be provided to counties to ensure compliance with all aspects of the law.

10-day Voter Registration Implementation

In 2022, the Governor signed legislation to reduce the 25-day statutory voter registration deadline to 10 days prior to the election. As many voters become engaged in the election close to election day, this legislation will allow for easier and more accessible voter engagement and participation in New York. This legislation allows for one “Golden Day” in which a voter can register to vote and vote on the same day. Since the law went into effect on January 1, 2023, it is essential that funds be appropriated to account for the increase in staff and training that will be essential for county boards to successfully implement this new procedure.

Ethics and Campaign Finance Reform

Commission on Ethics and Lobbying in Government

We were glad to see the continued funding of New York's new ethics body, the Commission on Ethics and Lobbying in Government. We urge the Legislature to include this funding in their budget as continued support for a commission that holds public officials accountable.

Public Campaign Finance Board

The executive budget has woefully underfunded the matching portion of the new public campaign financing program. This year is the first opportunity for New York to demonstrate a commitment to campaign finance reform and reducing the influence of big money in politics. During last year's election, the 200 biggest donors outspent over 200,000 small donors in state races.

The League applauds the Governor for including 14.5M in funding to support the administrative needs of the Public Campaign Finance Board, including the funding to add the needed additional 54 FTEs needed to staff and establish the board. However, underfunding the matching portion of the program by \$75M will not build the trust needed for candidates to opt into the program. Multiple studies done by the State Board of Elections indicate that by 2024 the program would need between \$119M and \$213M in matching funds to operate the program successfully.

Fully funding the matching portion of this program would indicate a strong commitment to reform for New York voters and give candidates the confidence to buy into the program. The program will only see success if candidates participate. We urge Majority Leader Stewart-Cousins, Speaker Heastie and members of the legislature to fully fund the requested \$114.5 M for this program.

Conclusion

The League is greatly appreciative of the improvements the Legislature and Governor have made to New York's elections. New York State has finally entered the 21st century in voting, but we are still funding our elections as if they were being conducted in the last century. In order to realize the voter friendly goals of the Legislative Leaders and Governor, the State Board of Elections and county Boards of Elections need a serious funding commitment to ensure that these progressive reforms are not unfunded mandates.