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THE LEAGUE OF WOMEN VOTERS *of New York State*

JOINT LEGISLATIVE PUBLIC HEARING ON 2018-2019 EXECUTIVE BUDGET PROPOSAL PUBLIC PROTECTION

TESTIMONY TO THE JOINT FISCAL COMMITTEES OF THE NEW YORK STATE SENATE AND NEW YORK STATE ASSEMBLY *January 30th, 2018* *Hearing Room B, Legislative Office Building, Albany, New York*

Introduction

New York State has some of the most antiquated voting procedures in the nation. As a result, our state reports an abysmally low rate of voter turnout and participation. While 37 other states have implemented some form of early voting, New York voters continue to have a single day to cast their ballot. Although voter registration rates are higher than they have been in the past, New York's overall enrollment rates are lower than the national average. Governor Cuomo has proposed several reforms that we believe would modernize New York's voting systems and procedures. **Early voting, automatic voter registration, and same day voter registration** are three reforms that would greatly benefit all New York voters.

In addition to these reforms, we encourage the Joint Committees on Public Protection to encourage the use of **electronic poll books** in New York State. Electronic voter rolls will reduce lines on Election Day and ensure that early voting and same day voter registration run smoothly.

While the League of Women Voters of New York State supports the Governor's proposed voting reforms, we have concerns over the impact of the cost of implementing these new measures on counties. The budget office has estimated a total cost of \$6.4 million to prepare to implement early voting in New York State for 2019 elections. We believe this is the minimum of funding that should be included in the 2018-2019 budget. The Legislature should include sufficient funding in their final budget proposals for this year and future years to support a smooth transition to implementing these critical voting reforms.

Early Voting

The League strongly supports early in-person voting. Governor Cuomo's proposed early voting plan allows for up to 7 polling places per county, with at least one polling location for

every 50,000 registered voters. Polling sites will be open for 12 days ahead of each election day, this includes primary elections. This minimum requirement does allow for some flexibility, county boards will have the option to reduce the number of poll sites in their county if they feel that they can effectively operate with less polling locations. Counties also have the option to open more polling sites if they feel it necessary. The proposal gives County Board of Elections the freedom to decide the locations of the poll sites and what poll site hours will work best for their voters.

The Governor's early voting proposal has ample room for customization so that each county can cater to the needs of their voting population. The State Board of Elections will have the power to review each county's proposal to ensure that voters are being treated equitably regardless of their location.

Early in-person voting will present new challenges for county boards and poll workers. The voter rolls must be updated daily, poll workers must work extended hours, and the public must be made aware of the opportunity to vote early. For these reasons we believe funding for early voting must be allocated in the 2018-2019 budget.

Automatic Voter Registration

Not being registered to vote is one of the biggest barriers preventing people from voting on Election Day. A report by Demos showed that voter turnout among all eligible citizens in 2012 was only 62% but turnout among registered voters was 87%¹. Citizens who are registered to vote are more engaged in the voting process and have far fewer barriers to voting than those who are not registered at all. Considering that New York State voter turnout rates are 41st in the nation, we need to make it easier for New Yorkers to register to vote.

Governor Cuomo has proposed allowing all eligible voters who apply for or renew a driver's license or state ID be registered to vote when they apply unless they "opt out." The League strongly supports automatic voter registration, particularly an opt-out voter registration system. Opt-out systems are superior to opt-in programs because it requires less repetition of information from voters. The League believe that it is important that automatic voter registration be expanded to cover more citizens. A more complete system would register citizens to vote any time they interacted with any governmental agency, whether they are applying for a marriage license or applying for Medicaid. The League believes automatic voter registration should be expanded to include other agencies so no population is left out of the program and to ensure constructive coordination between agencies.

Same Day Voter Registration

States with both same day registration and early voting report the highest rates of voter participation². Same day registration eliminates registration deadlines so that voters have the ability to turn up and vote regardless of if they are registered. In New York State, this reform

¹Liz Kennedy, Lew Daly, & Brenda Wright "Automatic Voter Registration" Demos. http://www.demos.org/sites/default/files/publications/AVR_0.pdf

² Demos. "What is Same Day Registration? Where is It Available?" <http://www.demos.org/publication/what-same-day-registration-where-it-available>

requires amending our State Constitution to remove the 10 day voter registration deadline. The Governor's voting reform proposal includes this amendment. The League supports this proposed amendment.

Electronic Poll Books

The League applauds Governor Cuomo for proposing several progressive voting measures but would like to draw your attention to an additional voting measure that would greatly increase voting accuracy and ease. Electronic poll books are a new technology that would address the current expense and time issues of printing voter rolls. Currently, 34 states utilize electronic poll books, including all states that have early –in-person voting³. All states are required by the Help America Vote Act to keep a computerized statewide database of all registered voters in the state. Electronic poll books are tablets that contain the voter information for all voters in a given county. These machines can either operate on or off-line. In states with early voting, they can be updated at the end of each day to ensure voters do not attempt to vote at multiple poll locations. Electronic poll books are expensive pieces of equipment but they offer greater accuracy, security, and speed when voting.

The League strongly supports replacing printed poll books with electronic poll books to eliminate time and resources spent producing poll books and updating voter information. In 2011 an electronic poll book pilot was launched in Orange County. Their local Board of Elections office reported much faster check-in, reduction of calls by inspectors to the Board of Elections, greater access to the county electors lists, and faster electronic uploads and processing of voter history and voter registration updates. Demonstration projects using electronic poll books were also conducted in Chautauqua and Onondaga Counties with similar success.

Electronic poll books will reduce lines on Election Day and help with same day voter registration. Additional funding should be allocated to the New York State Board of Elections to help counties purchase these machines.

³ Brennan Center for Justice. VRM in the States: Electronic Poll-books.
<https://www.brennancenter.org/analysis/vrm-states-electronic-poll-books>