



# ELECTION COMMISSIONERS ASSOCIATION OF THE STATE OF NEW YORK 2018-19 DEMOCRATIC CAUCUS

**Testimony before The New York State Assembly & New York State Senate  
Joint Legislative Budget Hearing on Local Government Officials/ General Government  
Monday, February 11, 2019 11AM.  
Dustin M. Czarny, NYSECA Democratic Caucus Chair**

Thank you for letting me testify today. My name is Dustin Czarny and I am an Elections Commissioner in Onondaga County and the Democratic Caucus Chair of the New York State Elections Commissioner Association. NYSECA represents the diverse 62 counties throughout New York State. I firmly believe our system of bi-partisan Election Boards is a model that should be followed nationwide. The Democratic and Republican Commissioners must work together to ensure the integrity of our election system. The built in checks and balances helps NY avoid the partisan battles we see unfolding in other States. Commissioners must find ways to put partisan ideologies aside to meet the needs of the voters. This is also true at the State Board of Elections as well

The primary area where we need to collaborate is devising strategy on implementing the election reforms the New York State Legislature passed this last spring. It is important that these landmark reforms were passed and I thank the legislature for standing up for the rights of New York citizens in passing these important reforms. New Yorkers have yearned for these reforms and they were desperately needed to fight our sagging performance in voter turnout. New York has consistently ranked near the bottom nationwide in voter turnout. Modernizing our Election System with modern conveniences that other states have implemented for up to 20 years was the right decision for the nearly 13 million voters of New York State.

If we are to truly realize the potential that these reforms can have on our electorate then we must provide funding to enact these reforms fully. The most ardent example of a reform that counties desperately need funding for is Early Voting. When the legislature passed Early Voting in January of 2019, they targeted the November General Election of 2019 for implementation. It is easy to understand the reasoning behind this. With an important high profile reform it could have been extremely problematic to roll it out in the heat of a presidential campaign.

I conducted an informal survey of non-New York City counties and estimated operating costs for Early Voting at approximately \$3 million per election. This cost includes the added costs of inspectors, poll site rental, transportation, security, and printing. This created an immediate budgetary concern that threatens to keep Early Voting from being fully enacted. Boards of Elections are hosted by their individual counties. Their budgets for 2019 were set

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without the added costs of Early Voting in mind. While Election Law allows Boards of Elections to spend beyond their budgeted amounts, the host counties must pay these expenses. Without New York State funding we could see a wide variety of budget shortfalls at local Boards of Elections. This could drive some boards to reduce the number of Early Voting sites to the bare minimum. Staffing reductions inside polling sites could also be a solution cash strapped counties may choose to enact. It is especially dangerous in the first year of this vital reform we don't provide adequate funding to all counties. It is a matter of fairness that voters in rich and poor counties alike deserve the same level of convenience and opportunity to cast their votes.

In addition to the per election costs there is an initial capital cost to convert many of our large and medium sized counties to Electronic Poll Books. The Early Voting Law rightly offered 9 days of Early Voting starting on the 10<sup>th</sup> day before Election. This would mean Early Voting sites could be processing voters less than 40 hours before polls open on General Election Day. For many counties, and specially NYC, it is impossible under the current paper poll book system to be able to track voter history over multiple sites and recreate that in paper poll book form for Election Day at our expanded polling sites. In addition, the use of Electronic Poll Books paired with on-demand ballot printers will allow for multiple site counties to have their Early Voting sites act as voting centers, allowing citizens from anywhere in their county to vote. This would be a more cost efficient system in terms of staffing and better experience for the voters.

Upgrades to Electronic Poll Books will not only be the most efficient way to enact Early Voting, it is a necessity for many of our largest counties. The initial capital costs for full state conversion in non-New York City counties could exceed \$22 million with an additional \$21 million for New York City alone. Providing Electronic Poll Books on Election Day will allow for instant downloads of voter history, signature capture, and a more efficient processing of affidavit ballots. In the long run this initial investment will create a savings in man hours. Funding up front is something many counties will need state assistance for. While we may have some HAVA grant money available to offset some costs, that money may have been spent on our aging Election Day optical scanners that have entered into their extended warranty phase. While it is always hopeful in the future more HAVA grant money may come from the federal government, we can't count on it and we depend on New York State to lead the way.

Some of the reforms that have been passed will, eventually, save counties money. The unified primary can save individual counties \$50 million dollars every two years, for example. This is a significant savings. However that savings won't be realized until 2020 at the earliest. Many counties already saw this as an added burden to their county budgets as it was a result of legislative inaction starting in 2012. The savings can help but it won't make these counties whole.

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Finally as we look to solve the immediate problem of the 2019 budget crisis it would be irresponsible if I did not address the systemic issues in how we fund elections in New York State. While Boards of Elections rightly are organized by counties to address the voters and candidates in those geographic areas, they also service state office holders and propositions as well. We should look to find a permanent funding stream for Elections in New York that can offset the county burden. While that funding stream can help with the reforms just passed, we should look to states like Colorado that reimburse their local counties for Federal and State candidacy and Ballot Propositions on a per ballot ratio. We should also look at creative funding mechanisms such as filing fees that can be used instead of petitioning that will generate revenue at the local level as well as save costs on petition challenges. Other permanent funding mechanisms such as taping the unclaimed money funds can help provide this funding with minimal impact on the State budget and taxpayers.

Thank you very much for your time and we as Elections Commissioners look forward to these unique challenges in 2019. We ask for your help in solving them together.

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