



ELECTION COMMISSIONERS ASSOCIATION OF THE STATE OF NEW YORK 2023-2024 DEMOCRATIC CAUCUS

Testimony before The New York State Assembly & New York State Senate

Joint Legislative Budget Hearing on Local Government

Tuesday, February 6, 2024. 9:30 AM

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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 sixty-two counties throughout New York State. I am proud of our bi-partisan Election Board system, and this 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 help 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.

The Board of Elections has faced many hurdles over the last few years and has risen to the challenge. Since 2019 we have implemented election reforms such as Early Voting, Electronic Pollbooks, Universal transfer of registrations. We have administered one of the highest turnout Presidential elections in modern history. We have revamped a robust system of delivering absentee ballots to voters at the highest volume in NYS history. Implementing a cure system to prevent accidental disenfranchisement of absentee voters over technical deficiencies. We have done all that in the middle of a multi-year pandemic that challenged the very nature of our mostly in-person voting system and put the health of our election workers at risk. While no system that is made up of human workers is without its flaws, our Boards have risen to the challenge, and kept our electoral system afloat in New York.

The Executive budget has many positive aspects which I will detail later in this testimony. However, there are two glaring needs for 2024 that it is silent on: Temporary workers and public information campaigns to service the Presidential Election. At the close of 2023 many counties refused the budget requests of their bi-partisan election commissioners to increase staff. In some cases, they refused to provide adequate money even for the bare minimum to

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field election inspectors. This has set up a dangerous situation as we head into what may be the highest turnout election in our generation. In 2024 we will be implementing Early Vote by mail for the first time. Other reforms such as online voter registration, pre-canvass of absentees, and expanded Early Voting will experience their first Presidential Election. Increase turnout and registration along with new reforms will tax the resources of many Boards of Elections. We need an additional \$10 million Aid to Localities grant to be distributed by the NYS Board of Elections to host counties with the express purpose and permission to hire temporary workers and fund informational campaigns so we can administer an orderly Presidential Election in the fall.

The Executive budget comes a long way for providing the necessary funding for the New York State Board of Elections. This is righting many years of misery when it comes to funding the State Board of Elections. It is a welcome and crucial step as the State Board of Elections will be a vital partner for County Boards. The State Board of Elections will shoulder the burden of Online and Automatic voter registration as well as tracking of our absentee ballots and the Campaign and Public Finance systems. The budget also properly funds the new Public Campaign finance Board and its mission to level the playing field for small donors in New York politics.

In 2024 we face implementing the expansive New York Early Voting by Mail reform in the middle of the Presidential year. This important reform will expand opportunities for voters in this crucial Presidential election. We applaud the Executive budget once again including reimbursements for postage and mailing costs. It is imperative the legislature includes this funding in the final budget. It is unclear how many voters will take advantage of this new reform the Democratic caucus of commissioners looks forward to implementing it.

We have aging electronic poll books that need to be upgraded. The Executive Budget specifically addresses this, and I applaud those efforts. Almost all poll books bought in 2019 at the adoption of Early Voting were sixth generation iPad. While these are still serviceable under the current version of IOS (17), there is a strong likelihood when IOS 18 is released later this year it will no longer support sixth generation iPad. This will not affect the 2024 election but going into 2025 many counties will need wholesale replacements of their fleet of iPad to stay up to date on security enhancements. Having that money allocated in the 2024 budget will allow counties to purchase that equipment for implementation in early 2025.

These annual funding requests will serve the needs of 2024 however we still need to address structural issues to maintain adequate minimum funding for Boards of Elections throughout the state. We must protect our Board of Elections from interference from local elected officials. We need to establish minimum staffing levels tied to voter registration rolls for each county Board

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of Elections. We need mandates for full-time commissioners as our political calendars demand input and guidance year-round. These guidelines can be established and monitored by our State Board of Elections to maintain the independence we need of our Boards of Elections while assuring that counties and New York State give the vital resources for us to accomplish our mission.

If we can establish these minimums, New York should also establish an annual funding stream to offset some costs of host counties. Make no mistake, the primary responsibility for funding elections rests at the county level. We are not a mandate but a responsibility. However, that responsibility also falls on the shoulder of New York State which sets election regulations and reforms that county Board of Elections must follow. A dialogue about how New York can assist counties properly staff and run the Board of Elections is necessary as we embark on the changes to elections mandated by the State legislature over the next few years. New York is one of a handful of states that does not have annual funding streams for the local Boards of Elections. Doing so would eliminate the need for annual funding requests and allow for long term planning for Boards of Elections as well as bring parity of service to all citizens of New York no matter where they live.

Thank you very much for this opportunity to testify today. I hope that we can count on the legislature's support in defending our democracy here in New York.

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