

JOINT LEGISLATIVE PUBLIC HEARING  
ON 2025-2026 EXECUTIVE BUDGET PROPOSAL LOCAL GOVERNMENT  
OFFICIALS/GENERAL GOVERNMENT TESTIMONY TO THE JOINT FISCAL  
COMMITTEES OF THE NEW YORK STATE SENATE AND  
NEW YORK STATE ASSEMBLY

February 4, 2025

Dear Chairpersons Krueger and Pretlow, members of the Senate Finance and Assembly Ways and Means committees, and members of the New York State Legislature:

Thank you for the opportunity to testify today. My name is Erica Smitka and I'm Executive 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 measures, and funding for public campaign finance reform. The League believes that it is critical that the Senate and Assembly maintain the level of funding proposed in the Executive Budget for the State Board of Elections, the public campaign finance system, and increase direct funding to local boards of elections in their one house budgets.

Elections are at the core of our democracy. It's critical that the state fiscally and operationally support the entities that make our elections run efficiently and effectively. In a time when two thirds of Americans do not have faith in our election systems it's crucial that we build confidence and support behind the entities that run our elections. The League was dismayed to see that the Governor's budget did not set aside funding for local boards of election other than to cover pre-paid postage stamps for mail in ballots and absentee ballots.

Voting should be as easy as possible for all New Yorkers. The League was pleased to see that the State Board of Elections is adequately funded in the Executive Budget, especially the establishment of a poll worker and commissioner training program, funds to support the Doctor John L. Flateau Voting and Elections Database of New York Act, as well as funds to continue to implement Online Voter Registration and Automatic Voter Registration systems. However, many of these reforms remain insufficiently funded at the local level, especially considering the growing challenges local boards of elections face in carrying out their duties.

**Funding to County Boards of Election Needed to Safeguard the Electoral Process**

Misinformation and disinformation are eroding trust in New York State's elections, while local election boards are increasingly overworked, understaffed, and underfunded, struggling to address these challenges. In conversations with local boards of election commissioners about the 2024 election, most reported being overworked, understaffed, and lacking the resources to promote accurate voter education. Election workers face mounting pressure as they combat

misleading information, secure voting processes, and manage voter turnout, all with limited resources. As attempts to disrupt the electoral process continue to grow, additional support is needed to combat misinformation through effective voter education, as well as through better training and recruitment of poll workers.

Our election system is the cornerstone of our democracy. A successful election ensures that voters choose a government that is both representative and accountable to its citizens. In 2025, ensuring that elections run smoothly and efficiently should be a top priority for all New Yorkers, with adequate fiscal support to safeguard the integrity of our electoral process. 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 implementing election reforms at the local level.

The League was glad to see that funds were specifically allocated for local boards of elections to cover the cost of absentee and early vote by mail ballot postage (\$5M) along with reappropriated funds to be used to improve accessibility for disabled voters. However, there are still limited funds available for educating voters, poll worker training, staffing, and the establishment of new sites to comply with current mandates. It is not possible for boards to continue to expand voting access without funds devoted to these measures. We ask that a minimum of an additional \$10M in funding be allocated to county boards of elections so that they may make the necessary upgrades and hire the staff necessary to effectively run our elections in 2025.

### **Election Reform**

#### *Election Registration Information Center- Funding a centralized database for voter rolls*

A critical method for combatting mis and disinformation across the state and to take some of the stress off local boards of elections would be to have a centralized database. The League supports the implementation of a bill (S1356/A3649) to allow New York to adopt a database such as the Electronic Registration Information Center (ERIC). A database such as this would improve the accuracy of New York's voter rolls, increase access to voter registration, reduce election costs, and would increase efficiency. There is an initial buy-in cost of \$51,000 that we propose the Senate and Assembly include in their budgets.

#### *Democracy During Detention Act*

Fifty years ago, the United States Supreme Court recognized the right to vote for those citizens detained in New York State county jails awaiting trial, serving misdemeanor sentences, or waiting to testify before a Grand Jury.<sup>1</sup> As a consequence of this ruling, the New York State legislature rewrote the requirements to qualify for an absentee ballot to include: In jail or prison for any reason other than a felony conviction. This includes anyone who is awaiting grand jury action, awaiting trial, or serving a sentence for a misdemeanor.<sup>2</sup>

However, access to the ballot while in county jail remains elusive throughout New York State. In 2023, the League of Women Voters of New York State conducted a survey of county jails in New York State to determine the status of voting. Access to the ballot is especially important

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<sup>1</sup> O'Brien v. Skinner, 414 U.S. 524 (1974).

<sup>2</sup> <https://www.elections.ny.gov/RequestBallot.html>

because the majority of people held in county jails are African American and Latino;<sup>3</sup> failure to provide access to voting is yet another form of systemic racial discrimination.

Statewide only twelve out of 62 counties surveyed had even a limited program; this includes Rikers Island. However, these programs remain inconsistent, may not cover all elections, and are often ineffective because of high ballot rejection rates from the boards of election. Ultimately, the availability of voting depends on the authority of the sheriff, not on the current law.

The Democracy During Detention Act (S440/A2121) would address this issue that disenfranchises thousands of voters every year. The law would require that boards of election and jail administration develop a facility voter access plan for each county jail to ensure access to at least one form of secure voting—absentee, early vote by mail, or poll site. Local boards of election should be leading this effort, but to do so they need financial support. The League strongly urges the Legislature to provide direct funding to local boards of election to support this legislation.

### **Campaign Finance Reform**

#### *Public Campaign Finance Board*

The League strongly supports the \$114.5M allocated to the Public Campaign Finance Board. The funding for this program included in the Executive Budget will ensure that the program will be able to continue to level the playing field, amplify the voices of small donors, and reduce the impact of wealthy special interest groups in New York. The 2024 PCFP performance was a resounding success, with over 70% of all candidate committees for State legislative offices opting into the program. This widespread candidate participation, which reflects over three-quarters of the state's legislative districts, demonstrates the program's effectiveness and acceptance across all geographic regions and political affiliations. With the next run of the program scheduled to include candidates running for statewide offices, such as governor, attorney general, and comptroller, it becomes even more critical that the program builds on this powerful momentum and gives voters the ability to engage in these vital elections meaningfully.

The combination of New York State's incredibly lax campaign finance limits on candidates and parties, and the Supreme Court's 2010 Citizen United decision unleashing outside political spending, means that big money has increasingly dominated political campaigns in our state, overshadowing the voices of everyday New Yorkers. This situation makes the small-donor matching funds program not just important, but essential, especially when it comes to issues like protecting our democracy. We strongly urge you to allocate \$114.5 million to the Public Campaign Finance Program in the FY2025-2026 budget.

### **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 long-needed reforms are not unfunded mandates.

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<sup>3</sup> Vera, *Incarceration Trends: New York*, (Feb. 2023) <https://trends.vera.org/state/NY>.