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**THE LEAGUE
OF WOMEN VOTERS**
of New York State

**Testimony before the New York State Assembly Standing Committee on
Election Law
Monday, December 9, 2013
Assembly Hearing Room 1923, 19th floor
250 Broadway, New York City**

Good Morning. My name is Kate Doran. I am the Elections Specialist of the League of Women Voters of the City of New York (LWVNYC). With me this morning is Sally Robinson, President of the League of Women Voters of New York State (LWVNYS). Thank you for having this hearing and inviting us to speak.

The League of Women Voters of New York State is a non-partisan political organization working to promote civic responsibility through informed and active participation of citizens in government. For over 90 years, voter education, voter service, and improving election administration have been priorities for the League. We have 50 local leagues throughout the state registering New Yorkers to vote and educating voters on local and state issues. These local leagues enable us to observe and monitor the activities of the local boards of elections and the implementation of election procedures at the local level.

Underlying all League policy positions and advocacy is a philosophy that emphasizes equitable participation and transparency in the electoral process. As such, election reform is always on the minds of League members and our legislative agenda has consistently included the following items:

- Improving election processes to extend, encourage and protect voting, including paperless and Election Day registration, and early voting
- A single June primary
- Better ballot design
- Improving polling place management and poll worker training

Increasing Voter Participation Opportunities in New York State

For several years, New York has had one of the lowest voter participation rates of the 50 states and Washington, D.C., ranking 44th in turnout in the 2012 federal election. This low ranking can partially

be explained by New York's paper-based registration system, early registration deadline and other outdated voter registration policies, including the state's long waiting period for changing party affiliation. We are also one of only fourteen states that do not allow either early in-person voting or no-excuse absentee voting.

There are many possible opportunities to increase rates of voter participation in New York through commonsense solutions that have been implemented, to varying degrees of success, in other states beginning in the 1980s. These fall into the following general categories:

- **Voter registration modernization**

Paperless forms of voter registration have decreased costs and increased accuracy of the voter rolls in a number of other states. This summer, New York moved a major step toward this goal by allowing secure online voter registration through the Department of Motor Vehicles. Ultimately secure online voter registration should be expanded to serve all eligible citizens. Election Day registration, registering and voting on the same day, is a proven method of increasing voter participation. In addition, voter registration amongst young people is much lower than for any other age groups. Preregistration of 16 and 17 year olds will help make their voting participation routine before they attend college or enter the workforce.

- **Early in-person voting and no-excuse absentee voting**

Many voters across the country now cast their votes before the traditional "Election Day" in November. While 32 other states have some form of early voting, New York only allows voters to cast their ballots on one day, except in the limited circumstances in which voters are allowed to vote via absentee ballot. Consequently, in the 2012 presidential elections, New Yorkers faced long lines lasting up to several hours at many poll sites across the state on Election Day, deterring voters from exercising their right to vote. The League supports legislative action to implement early voting in the state in a manner that will allow equal access to the polls for all voters. We also support a constitutional amendment to the state constitution to allow for no-excuse absentee voting.

- **Better ballot design**

New York State voters now use a paper ballot and optical scan voting machine system but the ballot requirements in New York State Election Law are based on obsolete lever voting machine standards. In both our November 2010 and November 2012 Election Surveys, a significant number of voters participating in both surveys indicated they had problems using the paper ballot and wanted an improved ballot design, which would enable them to mark their ballots with greater ease and accuracy. A ballot that is clear and simple to read makes voting easier and more accurate for voters to register their choices. The League supports the Voter Friendly Ballot Act, which would improve the ballot layout so voters will be able to mark their ballots more accurately and easily. Specifically, improvements to ballot design would include: (1) a clear delineation between offices with a bold vertical bar between offices and a fine line between the candidates (2) a larger font with an absolute minimum size and (3) fill-in circles in black instead of gray.

- **Poll worker training**

Although the League's Election Surveys have indicated a high degree of satisfaction with the performance of poll workers there have been enough exceptions to warrant examining how the process can be improved. Poor voter service translates into lower voter turnout. Workers should be recruited with appropriate commonsense skills, and trained in procedures that emphasize customer service.

- **Ballot marking device training and education:** Use of the ballot marking devices could be greatly increased if poll workers received adequate training on this equipment and voters were made aware of its availability. To further this process, counties should be required to report to the NYSBOE their outreach efforts to the public about accessible voting equipment. In addition, remaining HAVA funds for voter education should be utilized for accessibility training
- **Split shifts:** In 2010 the Election Law was amended to allow split shifts for poll workers, but counties have not utilized the change to recruit potential poll workers. The State Board of Elections should work with the counties to develop ways that counties can utilize this positive change to expand the pool of election workers.

- **Voter education**

Increasingly the public expects to find information on any topic through the web. All boards of elections should have a voter-friendly website which provides basic information on registration, voting, voting machines, and is current with the election schedule throughout the year. Requiring a sample ballot online is another important means of providing timely information to voters.

The time has come to act on these reforms, which have worked so well elsewhere.

Single June Primary

In addition to the above listed reforms, it is imperative that the Legislature act to establish a single June primary. This move would both eliminate the unnecessary costs of multiple primary elections and maximize voter participation. The cost to New York State counties is approximately \$50 million to hold a separate primary for congressional races in order to comply with the MOVE Act. The League believes that a single primary is the best way to ensure voter turnout does not suffer and that our military men and women are not disenfranchised. A September primary makes it almost impossible for boards of elections to provide military and overseas voters their right to vote on a timelier basis. This is unacceptable. Overseas personnel should not be disenfranchised and New Yorkers do not need the added costs and confusion of an unnecessary third primary date.

Conclusion

An accessible voting process that makes it easier for all citizens to exercise their right to vote is crucial to a vibrant democracy. However, despite being widely recognized as one of the most progressive states in the nation, New York is lamentably behind most of the country when it comes to making it easier and more convenient for its residents to vote. This must change. Reforms such as early voting and a single June primary will help make that change. The League looks forward to working with you and elections administrators to increase participation, reduce barriers to voting, and further improve the voting experience for all voters of New York.