



MEMORANDUM OF SUPPORT

Legislative Package Concerning Board of Elections Reform

S263 (Myrie), S823A (Kreuger), S4542A (Mayer), S5800B (Comrie), S6684A (Mannion), S7442 (Myrie), S8289 (Gaughran), S8292 (Mannion), S8311 (Mayer), S8337 (May)

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Citizens Union supports the bills mentioned above because they would improve accountability and professional standards on boards of elections (BOEs) across the state. Passing this legislation would provide New Yorkers with better-trained election officials who meet appropriate qualifications and can be adequately scrutinized by local authorities before they are appointed. These reforms, which are relatively easy to implement, would also increase the capacity of boards to undertake their important tasks. They are beneficial for both voters and BOE employees.

New York's current election administration system is out of step with the needs of voters. The structural flaws of the BOE system have resulted in the continued use of patronage instead of merit in hiring, and a severe lack of accountability or transparency. Most importantly, it has damaged New Yorkers' trust in their election system.

These bills are an important step forward in mitigating some of those problems and improving the administration of elections in New York.

In particular, S8292 (Mannion), S8289 (Gaughran), and S263 (Myrie) could lead to having more experienced, trained commissioners who are vetted by local lawmakers and able to professionally administer elections. Such changes would ensure a greater degree of transparency to the public. Currently, election commissioners are often appointed solely based on party affiliation, with no way to inspect whether they are suitable for the position. Also essential are S4542A (Mayer), S7442 (Myrie), and S8311 (Mayer), which would reduce political and financial conflicts of interest among election officials, allowing them to focus on doing their important job.

The complete list of supported bills is found below.

Citizens Union believes that removing the state constitutional requirement that empowers the two major political parties to effectively control election boards is the best way to make meaningful progress in reforming New York's election administration system. Until such change is made, this group of bills would bring significant statutory improvements to the system.

Summary of bills

Setting standards and qualifications

- S8292 (Mannion): *An act to amend the election law, in relation to requiring a commissioner to meet certain qualifications before his or her appointment.*

This bill would require new election commissioners to meet certain requirements, including demonstrated experience in election administration or other management, operations, or administrative experience in the public, non-profit, or private sector. Qualifications will be published and updated regularly by the SBOE.

- S4542A (Mayer): *An act to amend the election law, in relation to prohibiting conflicts of interest among board of elections employees.*

This bill would forbid BOE employees from engaging in any financial activity that creates an actual or potential conflict of interest, including having interest in a company that provides services for candidates or for election administration. It would also forbid BOE employees from remaining on the payroll while they are running in an election overseen by that board.

- S7442 (Myrie): *An act to amend the election law, in relation to prohibiting election commissioners and deputy elections commissioners from holding a publicly elected office.*

This bill prohibits commissioners and deputy commissioners from serving as chair-people of the Democratic or Republican parties in their county. This bill also prohibits them from serving as a village officer, town judge or city judge. This bill would not apply to current commissioners or deputy commissioners.

Improving accountability

- S8289 (Gaughran): *An act to amend the election law, in relation to requiring a public hearing prior to the appointment of election commissioners.*

This bill would require county legislative bodies, or the City Council in New York City, to hold a public hearing prior to the appointment of any BOE commissioner.

- S8337 (May): *An act to amend the election law, in relation to the removal of an election commissioner.*

This bill would allow the SBOE (by a majority vote) to remove a local election commissioner for incompetence, misconduct, or other good cause, provided they receive an opportunity for a hearing.

Requiring training

- S263 (Myrie): *An act to amend the election law, in relation to mandatory training curriculum for election commissioners and key staff of boards of elections.*

This bill would require election commissioners and other BOE employees (as set by the SBOE) to complete a training course of up to 30 hours within six months of their appointment, and an annual web-based continuing instruction course of up to three hours. Curriculum and instruction will be the responsibility of the SBOE. If a commissioner or employee fails to meet training requirements, the SBOE will notify the local legislature and relevant county party chair.

- S5800B (Comrie): *An act to amend the election law, in relation to mandatory training curriculum for poll workers.*

This bill would require the SBOE to create a training institute tasked with developing and implementing poll worker instructor certification programs and train-the-trainer programs. County boards would be required to enroll at least two employees in the program, on a bipartisan basis, who must maintain certification by attending training every two years. The curriculum would include topics such as assisting disabled and limited English voters, interacting with voters of diverse backgrounds, and administering election services professionally. This bill also adds new topics for poll worker trainings: affidavit voting, electronic poll books, and language assistance. In addition, it requires local boards to offer poll worker trainings every quarter at minimum.

Increasing boards' capacities

- S8311 (Mayer): *An act to amend the election law, in relation to making commissioners full time employees of the board.*

This bill would require election commissioners across the state to be full-time employees of the relevant BOE.

- S6684A (Mannion): *An act to amend the election law, in relation to establishing minimum staffing levels for local board of elections*

The bill would require every board of elections to have at least four full time employees (in addition to commissioners). Counties with more than 40,000 active registered voters would be required to have two additional employees for every 20,000 active registered voters. Implementation will not change the size of the NYC BOE, which meets those staffing levels.

- S823A (Kreuger): *An act to amend the election law, in relation to the compensation of election inspectors and coordinators.*

This bill would increase the pay for all poll workers to a minimum of \$300 statewide and the pay for election coordinators in New York City to a minimum of \$350. Compensation for training would be paid at a rate of \$50 per meeting.