

Inter-County Association of Western New York

Representing the Counties of Allegany, Cattaraugus, Cayuga, Chautauqua, Chemung, Erie, Genesee, Livingston, Monroe, Niagara, Ontario, Orleans, Schuyler, Seneca, Steuben, Tompkins, Wayne, Wyoming, and Yates.

RESOLUTION NO. 2022-18-IC

A RESOLUTION PROPOSING THE REPEAL OR AMENDMENT OF ELECTION LAWS IN SO FAR AS THEY ADVERSELY AFFECT SMALLER COUNTIES

Motioned by: Rochelle M. Stein (*Genesee*)

Seconded by: Mark Morris (*Yates*)

WHEREAS, Yates County, as one of 34 New York counties with populations less than 200,000, bears a tremendous staffing and cost burden under "one size fits all legislation" that becomes Election Law; and

WHEREAS, one such law, CHAPTER 6 OF 2019, adopted 1/24/2019, creates nine days of early voting prior to any special, primary, or general elections and requires 66 hours of staffing in at least one poll site in each county; and

WHEREAS, one such law, CHAPTER 441 OF 2019, adopted 10/30/2019, requires primary poll sites to be open an additional 12 hours; and

WHEREAS, several such laws beginning with CHAPTER 91 Of 2020, adopted 6/7/2020 modify the availability and allowable reasons for the use of Absentee Ballots and resemble "Vote by Mail" processes, create additional administrative burdens on staff, and divert voters from Election Day voting, thereby creating underutilization, increased costs and inefficiencies (expressed as cost pervote cast); and

WHEREAS, two such laws, CHAPTER 763 OF 2021, modified by CHAPTER 117 OF 2022, adopted 2/24/2022, create a lengthy and highly inefficient procedure for processing arriving absentee ballots twice weekly, in batches of as little as one ballot; and

WHEREAS, one such law, CHAPTER 781 OF 2021, adopted 12/22/2021, adds an additional 12 hours of Early Voting to an already ineffective, burdensome and costly 66 hours of Early Voting; and

WHEREAS, Early Voting typically has generated very low turnout, such as 1.5% of registered voters for the State Primary held on June 28, 2022; and

WHEREAS, the New York State Bar Association opposed Early Voting as a proposal that added nothing to turnout rates, instead diverted some voters from Election Day voting which is of no advantage for small to midsized counties and creates two systems with higher incremental cost; and

WHEREAS, Yates County, like many other small to midsized counties across the state, does not and never has had voters waiting in long lines on Election Day; and

WHEREAS, it is reported by the Albany Times Union that Democratic State Board of Elections Commissioner Kellner, stated: "It is a good idea to be analyzing the data and to determine whether the full staffing and hours for early voting for small turnout elections is appropriate; where the cost per voter is very high it's worth taking a second look to see whether modifications should be made"; and

WHEREAS, there have been 115 new laws adopted and signed by the governor that affect the operations of the County Boards of Elections and many of them show the legislators' ignorance of the efficient and effective

administration of elections and complete disregard of input from Election Commissioners and Legislators in small to mid-size counties; and

WHEREAS, the preponderance of data collected in the three years since Early Voting was started show that it is a financial, staffing and administrative burden on all counties where there are small, non-contentious elections and very small primaries; and

WHEREAS, the Senate Committee on Elections held hearings across the state on the conduct of Elections, during which there was a complete disregard of the many testimonies from Election Commissioners and spokespersons representing upstate Towns and Counties, such that there was no mention of the criticism of "One Size Fits All" pattern of legislation in the final report of the committee; and

WHEREAS, the primary election of June 28, 2022, where approximately 1.5% of registered voters voted early, is a clear example of the waste and burden imposed by legislation calling for long hours of early voting; and

WHEREAS, both the Democratic and Republican Commissioners of Election in Yates County are united in bipartisan support of this resolution;

NOW, THEREFORE, BE IT RESOLVED, that Inter-County Association of Western New York does hereby request the amendment or repeal of the above cited Chapters of Laws that adversely affect the administration and expenses of Elections in small to midsized counties like Yates County; and be it further

BE IT FUTHER RESOLVED, that the Secretary of the Inter-County Association of Western New York shall forward copies of this resolution Governor Hochul, Senator Zellnor Myrie, Chair, Senate Committee of Elections, Assembly member Latrice Walker, Chair, NYS Assembly Committee of Elections Law, Senator Thomas O'Mara, Assembly Member Philip Palmesano, Co-Executive Directors Valentine and Stavisky of NYS Board of Elections, NYS Elections Commissioners Association. Assemblyman Hawley, Senator Borrello, Senator Rath, New York State Association of Counties (NYSAC).

This is to Certify that I, the undersigned, Secretary of the Inter-County Association of Western New York, have compared the foregoing copy of resolution with the original resolution now on file in this office and which was duly adopted by the Association at a session held on the 19th day of August 2022 and that the same is a true copy of said original and of the whole thereof.

In Witness Whereof, I have hereunto subscribed my name and affixed the official seal of the Inter-County Association of Western New York dated August 19, 2022.



Lisa K. Casey, Secretary
Inter-County Association of Western New York

Sponsored by: Yates County, Moved by: Rochelle M. Stein (*Genesee*) and Seconded by: Mark Morris (Yates).



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