

Livingston County Board of Supervisors
Geneseo, New York



Resolution No. 2023-132

RESOLUTION IN OPPOSITION TO NEW YORK STATE'S LEGISLATIVE PROPOSAL TO MANDATE ALL LOCAL BOARDS OF ELECTIONS TO HIRE ADDITIONAL FULL-TIME ELECTION STAFF

WHEREAS, pursuant to existing New York State Election Law Section 3-300, every board of elections has the power to appoint clerks, voting machine technicians, and other employees and, in doing so, must ensure equal representation of the major political parties in the locality. Every commissioner in each county, with the exception of commissioners in New York City, must also hire a deputy; and

WHEREAS, the New York State Senate recently passed a bill (S.644) amending Election Law Section 3-300 to mandate all local boards of elections to employ, at a minimum, four (4) full time employees in addition to the appointed commissioners. The bill goes on to require an additional two (2) employees for every full allotment of 20,000 active registered voters beyond 40,000 active registered voters; and

WHEREAS, the bill is now pending in the New York State Assembly (A.1258); and

WHEREAS, county boards of elections are responsible for managing all election operations. In 2022, the Livingston County Board of Elections administered more elections than ever before and did so utilizing its existing full-time staff of two (2) commissioners and two (2) deputies. The office did also use election inspectors and machine technicians on an as needed basis to assist when the work demand increased throughout the year, most typically during actual elections. Despite the heavy lift and all of the changes in the law that came with it, using only its existing full-time staff supplemented with inspectors and technicians as needed, the office was able to execute its responsibilities with efficiency and a high level of integrity; and

WHEREAS, not all local boards of elections hold the same level of responsibility or operate in the same manner. Some boards of elections choose to assist local libraries and schools with their budget vote/board elections and some boards opt to administer village elections. Others may limit their responsibilities to just primaries, special elections, and general elections. Yet other boards elect to absorb all of these responsibilities plus additional duties like printing ballots. The number of full-time employees needed for a board of elections to fulfill its obligations is clearly dependent upon the nature and scope of responsibilities said board chooses to take on; and

WHEREAS, another factor significantly impacting the number of needed full-time staff is the number of active registered voters within a county. The larger the number of registered voters, the greater the work demand is on the local board of elections. Due to the number of registered voters varying among the counties, the various local boards of elections have divergent staffing needs; and

WHEREAS, the intent of the legislation is to ensure uniformity among all county boards of elections safeguarding their ability to adequately handle the ever-changing Election Law and any resulting increases in voter volume. However, the legislation completely dismisses the uniqueness of each local board of elections. A one-size-fits-all approach to staffing will only result in an inefficient mandate that, in many instances, wastes tax payer dollars. Each county with the assistance of its commissioners should be able to independently decide the needs and corresponding employee structure of its board of elections; now, therefore, be it

RESOLVED, that the Livingston County Board of Supervisors does hereby strongly oppose Senate Bill S.644 and Assembly Bill A.1258. The legislation improperly assumes all local boards of elections have the same full-time staffing needs. It fails to adequately take into account the variation in each board of election's assumed and required responsibilities and the clear variation in the number of registered voters in each county; and be it further

RESOLVED, that the Clerk of this Board of Supervisors shall forward this resolution to Governor Kathy Hochul, Senator Pam Helming, Assemblywoman Marjorie Byrnes, the Inter County Association of Western New York, the New York State Association of Counties and all others deemed necessary and appropriate.

Dated at Geneseo, New York

April 12, 2023

Public Services Committee