



NEW YORK STATE SENATOR

Patrick M. Gallivan

## Senator Gallivan's Votes for Week of January 9, 2023

JIM RANNEY January 13, 2023

| ISSUE: **NYS SENATE**



The following bills were approved in the NYS Senate. Senator Gallivan's vote is noted.

S242 Establishes portable polling locations for early voting; provides that a county board of elections may establish one or more portable polling locations. NAY (Unfunded mandate. Could be security issue. "Portable polling location" not defined.)

S263 Prohibits deceptive practices and the suppression of voters, and increases penalties for violations of the elective franchise to a class E and Class D felony. AYE

S350 Provides that for any legal challenge to the constitutionality of a provision of the election law, venue shall be brought in the following designated court in the judicial department within which at least one plaintiff is located: (a) first judicial department: New York county; (b) second judicial department: Westchester county; (c) third judicial department: Albany county; and (d) fourth judicial department: Erie county. NAY (Judiciary is a check on the legislature and the legislature should not be limiting the judiciary's ability to provide that check by limiting which venues can hear challenges to the Election Law.)

S610 This bill would add a new section 8-414 to the election law to establish a program of absentee ballot drop-off locations. NAY (Undermines ballot integrity. Concerns re. drop box security.)

S616 This bill would allow people to give out snacks, water, soft drinks or other refreshments to people in a polling place or in line to vote at a polling place. NAY (Could lead to favoritism in voting for a certain candidate.)

S657 Establishes the New York voting and elections database and institute within SUNY and CUNY to maintain and administer a central repository of elections and voting data available to the public from all political subdivisions within NY to foster, pursue and sponsor research on existing laws and best practices in voting and elections. The institute would provide a center for research, training and information and the institute would be empowered to, among other things: conduct classes; organize groups of scholars to research voting and elections in the state; and conduct seminars involving voting and elections. NAY (More appropriately situated within the NYS BOE. Unfunded mandate.)

S136 Increases compensation of election inspectors to \$300 and coordinators to \$350 in New York city. NAY (Increased costs to local entities.)

S585 An election commissioner may be removed from office by an affirmative vote of a majority of duly confirmed commissioners of the state board of elections for incompetence, misconduct, or other good cause, provided that prior to removal, such election commissioner shall be given a written copy of the charges against them and have an opportunity to be heard in their defense. NAY

S587 Requires the State Board of Elections to establish a training institute to develop curriculum for certified poll worker training and train-the-trainer programs. AYE

S609 This bill would allow poll clerks to work split shifts. Under current law, a poll clerk must work an entire 16 hour election day, from 6AM to 9PM. AYE

S611 Makes commissioners full time employees of the board. NOTE - Some smaller counties have part-time commissioners as there is simply not enough work to justify having full time election commissioners. NAY (Cost to counties who have to move from part time to full time commissioners.)

S612 Prohibits BOE employees from engaging or participating in any trade or business which creates, or may tend to create, an actual or potential conflict of interest. Where there is no primary, that employee may stay on payroll up until 90 days before the general election. AYE

S613A This bill would exempt the income earned by election inspectors, poll clerks, or election coordinators from Federal adjusted gross income (AGI) for State income tax. AYE

S614 Prohibits election commissioners and deputy election commissioners from holding a publicly elected office or from being the respective chair of the county democratic or republican committees. NAY (Adversely impacts smaller counties.)

S617 This bill would require training for current and new board of elections employees. Requires the state board of elections to establish a curriculum to be completed by local election commissioners and other board employees, as the state board sees fit. The curriculum shall not exceed 30 hours. AYE

S619 Lowers the number of board of elections commissioners at the NYC BOE from ten to two - one republican and one democrat commissioner. Each commissioner would recommend at least three individuals for the position of executive director (one republican director / one democrat director). NAY (The current structure of ten commissioners, two from each borough (1 R / 1 D), ensures all of the city's interests are heard at the Board.)

S644 Requires every county board of elections employ at least four full time employees in addition to the commissioners. NAY (Unfunded mandate on some local counties. Too broad.)

S645 Requires a commissioner to meet certain qualifications before his or her appointment which shall include, but not be limited to, the qualifications prescribed by section three of the public officers law, and demonstrated experience in election administration or other management, operations, or administrative experience in the public, non-profit, or private sector as deemed sufficient by the board. The qualifications will apply to commissioners appointed thirty days after the promulgation of such qualifications. NAY