



NOTICE OF JOINT SENATE AND ASSEMBLY PUBLIC HEARINGS

SENATE STANDING COMMITTEE ON ELECTIONS SENATE STANDING COMMITTEE ON LOCAL GOVERNMENT ASSEMBLY STANDING COMMITTEE ON ELECTION LAW ASSEMBLY STANDING COMMITTEE ON LOCAL GOVERNMENTS

SUBJECT: Elections in a Pandemic: A Review of the 2020 Primaries

PURPOSE: This hearing will review voter turnout and systemic issues related to voting in the 2020 primary elections to evaluate how well New York handled voting during a pandemic and explore potential solutions to issues that arose during the election.

Virtual
August 11, 2020
Time 10:00AM

Web Link: <https://www.nysenate.gov/events>
<https://www.nyassembly.gov/av/live/>

ORAL TESTIMONY BY INVITATION ONLY

On March 7, 2020, a state of emergency was declared in New York State due to the novel coronavirus, COVID-19. This state of emergency impacted the local governments tasked with administering the federal Presidential Primary, which originally had been slated for April 28, 2020, and numerous special elections. Through Executive Order, all federal and state primaries were eventually rescheduled for June 23, 2020. Still the concern remained on how to ensure that elections were held safely and dependably. In April, executive orders signed by Governor Cuomo clarified that any voter could request an absentee ballot due to risk of temporary illness caused by COVID-19 and provided that every New Yorker eligible to vote in the election would receive a postage paid absentee ballot.

More than 1.7 million absentee ballots were requested for the 2020 June primary in New York State and as of July 1, nearly 1 million of those ballots had been returned. As a comparison, in the 2016 presidential primary, only 115,000 absentee ballots were returned. Since the primary, there have been multiple lawsuits filed and many complaints of voters never receiving an absentee ballot despite properly applying for one, and having absentee ballots challenged for technical reasons, including having ballots disregarded because they arrived at the local county board of elections without a postmark, through no fault of the voter.

The Committees seek to receive input from stakeholders across the State related to the handling of voting, including absentee voting, during the June 23, 2020 federal presidential and state legislative primary, and the role and burden on local governments. This hearing will seek to identify what steps can be taken to help voters exercise their rights without disenfranchisement but also without risking a further spread of the virus, especially ahead of the November general election.

Persons invited to testify should complete and return the enclosed reply form as soon as possible. It is important that the reply form be fully completed and returned so that persons may be notified of means by which to testify and/or in the event of emergency postponement or cancellation.

Oral testimony will be limited to 5 minutes' duration. In preparing the order of witnesses, the Committees will attempt to accommodate individual requests to speak at particular times in view of special circumstances. These requests should be made on the attached reply form or communicated to Committee staff as early as possible.

Attendees and participants at any legislative public hearing should be aware that these proceedings are video recorded. Their likenesses may be included in any video coverage shown on television or the internet.

In order to further publicize these hearings, please inform interested parties and organizations of the Committee's interest in hearing testimony from all sources.

In order to meet the needs of those who may have a disability, the Assembly and Senate, in accordance with their policies of non-discrimination on the basis of disability, as well as the 1990 Americans with Disabilities Act (ADA), have made their facilities and services available to all individuals with disabilities. For individuals with disabilities, accommodations will be provided, upon reasonable request, to afford such individuals access and admission to Assembly or Senate facilities and activities.

Charles D. Lavine
Chair, Assembly
Committee on Election Law

Zellnor Y. Myrie
Chair, Senate
Committee on Elections

Fred W. Thiele, Jr.
Chair, Assembly
Committee on Local Governments

James F. Gaughran
Chair, Senate Committee on Local
Government

PUBLIC HEARING REPLY FORM

Persons invited to testify at the public hearing on Elections in a Pandemic: A Review of the 2020 Primaries are requested to complete this reply form as soon as possible and email it to:

Elizabeth Robins
Associate Counsel
Senate Majority Counsel & Program
250 Broadway, 19th Floor
New York, NY 10007
Email: robins@nysenate.gov
Phone: (212) 298-5633

Emily Sischo
Legislative Analyst
Assembly Program & Counsel
520 Capitol
Albany, New York 12248
Email: sischoe@nyassembly.gov
Phone: (518) 455-4363

- I have been invited and plan to make a public statement at the hearing. My statement will be limited to 5 minutes, and I will answer any questions which may arise.
- I will address my remarks to the following subjects:

- I do not plan to attend the above hearing.
- I would like to be added to the Committee mailing list for notices and reports.
- I would like to be removed from the Committee mailing list.
- I will require assistance and/or handicapped accessibility information. **Please specify the type of assistance required:** _____

ALL INFORMATION BELOW MUST BE COMPLETED:

NAME: _____

TITLE: _____

ORGANIZATION: _____

ADDRESS: _____

E-MAIL: _____

TELEPHONE: _____