



Letter from the President – March 2025

By the time this March bulletin comes out, we'll have completed our review of the State League's positions- thank you for your time and attention!

Next on our list of important jobs is to reach consensus on two studies for the State League. The first study is on Ranked Choice Voting and Nonpartisan Primaries (see pp. 5-7 for highlights). The second study is on Voting Systems Approval (see pp. 8-9 for highlights). We'll have a zoom meeting on March 6th at 7 PM, led by Ann Hatke and myself. If we run out of time on March 6th, we'll have a second zoom meeting on March 10th at 7 PM to discuss the Voting Systems Approval study.

That's a lot of meetings to discuss positions, studies and objectives! As Connie Young once pointed out, we're all basically a bunch of nerds- we like to use our brains to discuss meaty topics. The good news is that once we've completed the Federal Judiciary Study on April 1st, we're done for the year!!

Cheryl Nechamen

New Schenectady LWV Presence on Bluesky

Three weeks ago, our League's Facebook page was suspended for "violating community standards of impersonation". Our Facebook editor, Anita Sanchez, appealed the decision (Facebook could never specify what we were "impersonating"). Recently, we were reinstated. A number of other Leagues in NYS have had the same problem. We're afraid this harassment will continue so Anita has started a League page on Bluesky, not associated with Meta. Please follow us on [Bluesky LWV Schenectady](#).

Voter Services Committee Report

The so-called SAVE Act (Safeguard American Voter Eligibility), now being debated in Congress, would make it more difficult to register to vote,

make it harder for voters to access nonpartisan, fact-based information, and create roadblocks to the act of voting.

To register, the act requires “documentary proof of United States citizenship.” A birth certificate (unless the last name has changed) or a current valid passport qualifies. A driver’s license or a Real ID does not.

The act’s proposed voter ID requirements make it difficult for married women who took their spouse’s name to register to vote because their last name would not match the one on their birth certificates.

Voters who move may be culled from the voting rolls and thus required to re-register to vote. When they register again, they would need to go in person and present their qualifying documents.

The requirement for in-person voter registration could overwhelm boards of elections and other public offices and disenfranchise members of the community who rely on public transportation. For example, the Schenectady County Capital District Transportation Authority does not have a bus stop near the Board of Elections – the closest stop is on Altamont Avenue, a 22-minute walk away.

The SAVE Act is a draconian solution searching for a problem. Voter fraud is extremely rare and is usually caught. (A home-grown example: Jacob Schofield, the former Rensselaer County Elections Commissioner Republican, pled guilty in 2023 to falsifying ballots.)

Here’s an interesting point: I am part of a listserv that quoted a Senate staffer as saying that elected officials now rely on phone calls from constituents rather than email or ‘snail-mail.’ The staffer’s recommendation is call your senators’ and representative’s offices (local and DC) to voice your concerns. Call each official at each office every day, if possible. Leave a voicemail, if necessary, and be sure to leave your address and zip code. That’s how they track constituents’ concerns.

Joan Fucillo

Mission Statement: The League of Women Voters is a non-partisan organization. We encourage the informed and active participation of citizens in government. We work to increase the understanding of major public policy issues and influence public policy through education and advocacy.

“Empowering Voters, Defending Democracy”

<i>President</i>	<i>Cheryl Nechamen</i>
<i>Vice President</i>	<i>Joan Fucillo</i>
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Citizenship Mentoring Group Report

The pathways to US Citizenship are being severely challenged with the inauguration of the 47th president. As promised, this administration jumped into action the first day in office with orders concerning immigrants, refugees, migrants, and the undocumented. These are some of the areas that are already in place:

- Cancelled all previously scheduled travel of refugees to the US, and no new bookings will be made. This includes travel for those refugees who have already been cleared to enter the US. (Refugees go through an intense vetting process which usually lasts about 2 years before they are allowed to enter the US.)
- Suspended the existing refugee resettlement program
- Released as many as 200 ICE agents to travel to cities targeting undocumented migrants
- Declared that churches and schools are no longer off-limits for rounding up migrants; officials at these location can be arrested if they refuse entry to ICE agents
- Declared a state of emergency allowing 1500 US troops to go to the border to prevent any migrant entrance into the US and eventually to complete the “Wall”.
- Perhaps the ugliest demand is the end of US citizenship birthright, which has been in effect since 1866 and is included in the 14th Amendment to the Constitution. A change would require a Constitutional Convention and a vote by the people before this could be made official, but already eighteen state Attorneys General have signed on for a legal fight; New York is one of the signers.

I’m afraid we will be seeing more demands in the coming months. Meanwhile, our Citizenship Mentoring Group is continuing its work preparing immigrants for citizenship. I’m keeping a close watch on the interview outcomes of our students to determine if anyone is being failed for frivolous reasons (for example, not knowing the definition of the word “owe” which happened recently).

I am planning to hold another citizenship tutor training soon - if you expressed an interest in the Citizenship Mentoring Group, are already tutoring but would like an update, or would just like to help, watch for more information soon!

Ann Hatke - Coordinator, Citizenship Mentoring Group

Welcome New Members

E. Fraser Benzal

Jennifer Comini

Lisa Currin

NYS Clean Energy Goals: Stick to the Plan

In the last five years, progress has been made across the country and in New York State (NYS) in the deployment of renewable energy, such as solar, including rooftop installation and large-scale solar farms, as well as onshore wind and the beginnings of offshore wind. While these results are impressive, NYS has a long way to go to meet the first sub-goal of 70% renewable energy as projected in the Climate Leadership and Community Protection Act (CLCPA) by 2030.

There have been legitimate technical and logistical concerns, conservation issues, land use concerns, and conflicts which need to be addressed. NYSERDA (NYS Energy Research and Development Authority) is attempting to address these concerns. "Further confounding progress are fossil fuel-based organizations using inflammatory and, in many cases, erroneous information to scare residents into opposing large scale solar and offshore wind."

With the first concrete goal approaching, naysayers are suggesting the State's goals are unrealistic. They are saying things such as, "We cannot afford these goals," "We need to go slower," and "We can spend lots of money and not make a difference." Others point out that we are in the midst of climate change with impacts and their costs climbing exponentially in the billions of dollars now. We need to move faster, not slower!

Climate scientists indicate that our efforts to slow down global warming will now appear to have little impact for the next 25 years because the forces are already in motion. However, climate scientists still believe we have a short window of time to ameliorate the effects. If we do not act fast to dramatically reduce greenhouse gas emissions, the planet will be pretty much unlivable by the end of this century.

NYSERDA has a State Energy Plan that was published in 2015 with updates in 2020 to align with the objectives of the CLCPA. Since then, the Scoping Plan Report has been released, examining energy issues that contribute to climate change and offering recommendations that are currently being implemented by the State. NYSERDA is now beginning the process of working on a new plan and the public will have the opportunity to provide comments on the draft plan throughout the process. The final Plan will provide a 15-year outlook and will focus on strategies to meet future energy needs and advance decarbonization, while balancing reliability, affordability, environmental and public health impacts, and economic growth. We need to monitor this process, encourage speedy solutions, and support green energy bills which will speed up the process.

Governor Hochul has signed the Climate Change Superfund Act passed by both houses of the legislature. Bills for 3 billion dollars a year for 25 years will be going out to Fossil Fuel Companies who bear much of the responsibility for accelerating climate change through disinformation and lies to the public. This year, the League is advocating for the NY HEAT Act to be in the budget. The NY HEAT Act reforms Public Service Law, allowing energy utilities to provide clean energy options while protecting families from high energy costs. Here is an easy way that you can help: Email your legislators about NY Heat: Text NYHEAT to 52886.

Submitted by Joanna Lasher, LWV Saratoga County, on behalf of Capitol District Four-League Environmental Committee

Ranked Choice Voting & Nonpartisan Primaries Study Materials ([link to full study](#))

1. Proposed Position Statement on Ranked Choice Voting (RCV)

- The League of Women Voters of New York State supports the use of ranked-choice voting (a.k.a., instant runoff voting), in primary, general and/or special elections to elect federal, state, and/or local officials.
- With the adoption of any electoral system, the League believes that education of the voting public is important and funding for startup and voter education should be allocated.

2. Proposed Position Statement on Primary Systems that allow all registered voters to participate in the primary process, including the use of nonpartisan primaries

- The League of Women Voters of New York State supports changing from a closed partisan primary system to a primary system, including a nonpartisan primary system, that allows all registered voters to participate, regardless of party affiliation or lack thereof.
- We support the use of nonpartisan primaries to elect federal, state and local officials.

Desirability of Majority Requirement to Win

Under plurality voting (our current system), a candidate can win an election with less than a majority of votes cast whenever there are more than two candidates. In elections with three or more candidates, the candidate with the most votes might have lost to one or more of their opponents in a two-way race (known as the third-party disrupter effect). This is undesirable, and preventing it is the reason some jurisdictions use run-off elections. RCV is a less costly alternative that allows all voters to cast a vote that reflects the full complexity of their preferences without having to show up at the polls on multiple occasions.

Using plurality voting, any election with more than two candidates is subject to the third-party disruptor effect, so voters may be afraid to vote their true preferences, which can cause voters to feel cynical and disaffected. Fear of a spoiler can also cause parties to lean hard on challengers not to run. The result may be barriers to relatively unknown candidates entering electoral politics, and that contributes to the power of incumbency, which is not generally fair nor desirable.

Nonpartisan primaries enfranchise every registered voter

LWVUS supports electoral methods that encourage voter participation and voter engagement. The League encourages electoral methods that provide the broadest voter representation possible and are expressive of voter choices. Increasing numbers of voters decline to choose a party when they register to vote, meaning that they lose the power to vote in a primary election in New York. This trend is particularly pronounced among younger voters. Among voters aged 18-25, 44% do not choose a party.

Furthermore, in many jurisdictions, one party has a substantial registration advantage and excluding members of other parties or those not registered with a party may significantly limit the choice of candidate in the general election as the election may effectively occur at the primary. Additionally, primaries currently attract a small minority of voters registered with a party, often party activists, and these voters may hold the most doctrinaire positions in their parties. Closed partisan primaries give

disproportionate power to the small number of voters turn out to vote in primaries which may be contributing to polarization.

While any change to the voting system carries a risk of misunderstanding by voters accustomed to the previous electoral methods, the risks in this transition are low. Many voters do not currently understand the role of parties or the party primary system. Many school districts in New York already use nonpartisan primaries in school board elections, so the system is known to voters.

Potential Benefits of the Combination of RCV and Nonpartisan Primaries

Improve Voter Choice and Participation While Shifting Important Elections to November Many jurisdictions in New York are dominated by one party, so that offices such as mayor, congressperson, state senator, or assemblymember are effectively decided in primaries where only one party's members are eligible to vote and only the most party-savvy and engaged voters do so. If general elections accommodate four or more candidates by using RCV, many primaries will become unnecessary. In the absence of primaries, the November election will be where the contest will be decided, with everyone eligible to vote. Voters are far more used to the idea of elections in November, so the system would not result in serious misunderstanding among voters who are not savvy to all the details of our electoral system. Reducing the number of primaries should save money, and if done in this way would not result in less choice for voters.

Combining RCV and Nonpartisan Primaries May Lead to More Collaborative Governance

A candidate can only win a party primary by appealing to voters of their own party. Hence New York's existing closed system may tend to support the selection of candidates from the more extreme wings of the parties.

With plurality voting, negative campaigning is often effective. However, when a candidate needs to work to attract voters' second or third choice, they are less likely to engage in shrill negative campaigning. If candidates can attract voters from any party, they will have less incentive to villainize other candidates and parties. The result may be that campaigns will contain less character assassination and more policy discussion, and legislative bodies will engage in more problem-solving and less ideologically driven brinkmanship.

Opposing Arguments

Ranked Choice Voting

RCV's effects on voter turnout are limited.

Research is inconclusive as to whether RCV has a strong impact on voter turnout as compared to plurality voting in elections other than runoff elections. There is little, if any, empirical data to support increased voter participation in RCV versus a traditional plurality system for general elections.

Implementing RCV would increase initial costs and could be confusing for voters.

Converting to RCV would require initial funding for new equipment and/or software and voter education. There would be a learning curve, both for voters and for election workers.

Understanding the tabulation of votes using RCV is less intuitive than plurality voting and could support claims of “stolen” elections.

People accustomed to plurality voting, in which the person with the most votes wins, could perceive ranked choice as unfair because the initial top vote-getter may not win after candidates with lower voter tallies votes are reallocated in successive rounds.

Nonpartisan Primaries

With nonpartisan primaries, the power of party committees to control who runs and the advantage the party-anointed candidates have would diminish. Those used to wielding such power are likely to find that disturbing. Nonpartisan primaries may diminish the power of the smaller parties in New York depending on whether candidates are allowed to claim multiple party affiliations.

Glossary of Terms

Crossover Voting: When voters cast ballots for candidates of a party they are not affiliated with. Nonpartisan primaries allow this naturally since all candidates compete together. Independent Voters: Voters who do not register with a political party. Nonpartisan primaries often aim to include these voters fully in the electoral process.

Majority Requirement: Some systems require that the winning candidate in the general election secures a majority (more than 50% of the vote), which is not always necessary in a nonpartisan primary.

Multi-Winner System: An election with multiple winners, commonly used for legislative bodies with at large districts.

Nonpartisan Primary: An electoral system where all candidates appear on the same primary ballot, regardless of political party. All voters can participate, and the top candidates advance to the general election.

Open Primary: A primary election that allows voters from any party, or no party, to participate. Nonpartisan primaries are a specific type of open primary.

Closed Partisan Primaries: Voters are limited to voting in the primary of the party in which they are registered. New York employs a closed primary system.

Plurality Voting: A system in which the candidate with the most votes wins, even if they receive less than a majority. Runoffs eliminate this, either instantly via RCV or in a later election.

Runoff Election: A secondary election held when no candidate achieves the required threshold in the first election. Ranked choice voting eliminates this by using voters’ second and later choices to reallocate votes for the least popular candidates to achieve an instant runoff.

Single-Winner System: A race to select one candidate, commonly used for executive offices such as mayor or governor.

Spoiler Effect: The influence of a minor-party or independent candidate in a plurality election who splits the vote and changes the outcome.

Top-Two Primary: A system in which the two candidates receiving the most votes in a nonpartisan primary proceed to the general election, regardless of their party affiliation.

Top-Four or Top-Five Primary: Variations of the nonpartisan primary where the top four or five candidates move forward to the general election, often paired with Ranked Choice Voting (RCV).

Voting Systems Approval Process ([link to full study](#))

1. *Do you concur with Position Statement 1 on improving transparency and public input during the approval process?*
2. *Do you concur with Position Statement 2 supporting the state BOE or county BOEs being able to solicit a new customized voting system from a vendor, or multiple vendors, and making supplemental state funds available for counties that chose to buy the new system once it is certified by the state?*

This Committee was charged with studying the State Board of Elections (BOE) Voting System approval process system with the purpose of seeing if the process can be improved to be more effective in ensuring that approved voting systems meet a balance of the SARAT (secure, accurate, recountable, accessible and transparent) criteria.

Summary of Current Voting Systems Approval Advocacy

Under a system put into place in 2010, most New Yorkers vote by hand-marked paper ballots which are scanned and tabulated by machines. Most Americans also vote using a similar system.

Each voting place is required to have fully accessible ballot marking devices (BMD) that can be used by individuals with disabilities. In New York usually these are older BMDs that mark paper ballots that are then tabulated by the same machines that scan and tabulate hand-marked ballots. In 2023, the New York state BOE approved the ES&S Express Vote XL a BMD, with optional components for individuals with disabilities, that offers ballot on demand, ballot marking, and a ballot scanner/tabulator with a verifiable paper record. Certification was opposed by some groups.

The national and state Leagues have not taken positions for or against any class of voting system. Working with New York disability rights groups, we have on occasion made comments during the state BOE certification process focusing on usability and accessibility.

Proposed Position Statements

1. The League of Women Voters of New York State believes that a more transparent and open voting systems approval process would improve voter understanding of, and confidence in, our elections.
 - Support for greater transparency and public input in the approval process, including increased demonstrations open to the public, followed by comment periods.
 - Public demonstrations should be scheduled to provide public input earlier in the certification process.
2. The League of Women Voters of New York State believes that supporting the development of a publicly designed and developed new customized voting system for New York State could improve accessibility and confidence in our elections.
 - Support for a change in Election Law and Code to allow for development of a publicly designed new customized voting system for use for by all voters, including those with disabilities.
 - State funding should be made available to help fund the design and development process, and to assist counties to purchase the new voting system once it is certified.

Rationale for the Proposed Statements of Position

Proposed Position Statements 1

During discussions with New York disability rights advocates, a consistent theme was that greater and more timely public input was needed before systems were certified. This is also consistent with our work with these advocates over the years during the approval process.

Another thing that became apparent during our research was that other state websites had better organized and more transparent explanations of the testing procedures for voting system approval. Testing reports are made publicly available on the state BOE website but could be made much easier to understand using separate flow charts or matrices.

Proposed Position Statements 2

Voting advocates in New York have long been concerned about vendor supplied voting systems being limited and not tailored to voters in our state. This concern, and the recent example of the development of a publicly owned and voter-driven system in a different jurisdiction, lead the Committee to propose that New York state should explore how to move from “vendor-driven” systems to allowing the state BOE or a county BOE to develop its own system.

We are also proposing that the state consider making state funds available for counties that purchase the new system. This may be necessary because of the substantial upfront costs of designing the system and having a vendor, or multiple vendors, build the system. The League has advocated consistently for making more state funds available for county BOEs.

An example of a publicly owned voting system is Los Angeles County. Rather than purchasing a voting system outright from a vendor, LA County, home to over 4 million registered voters, created their own voting system. This required getting a bill passed that allowed for public development and ownership of a voting system, using public funds for research and design. The system uses a ballot marking device that is accessible to all voters including those with disabilities, and accommodates the multiple languages in LA County.

Opposing Arguments

Proposed Position Statement 1

Given the League’s broad support for public input and transparency in government, the Committee did not identify any arguments in opposition to Position 1.

Proposed Position Statement 2

The process of designing and developing a new customized voting system would be expensive and lengthy, and the introduction of any new voting system can cause confusion and disruption at polling places. The process in LA County took 10 years and cost over \$300 million. Under the current system in New York the county BOEs not the state chose and buy equipment. Seeking vendors and purchasing a new customized system could require additional state funds, and run the risk of political interference in the process.

