RYAN A. BIZZARRO, CHAIRMAN

414 MAIN CAPITOL BUILDING
P.O. BOX 202003
HARRISBURG, PENNSYLVANIA 17120-2003
(717) 772-2297
FAX: (717) 780-4767

HOUSE DEMOCRATIC POLICY COMMITTEE

WEBSITE: WWW.PAHOUSE.COM/POLICYCOMMITTEE
EMAIL: POLICY@PAHOUSE.NET
🐦📘📷 @PADEMPOLICY

HOUSE OF REPRESENTATIVES
COMMONWEALTH *of* PENNSYLVANIA

House Democratic Policy Committee Hearing
Election Reform

Thursday, February 2, 2023 | 11:00 a.m.
Representative Sara Innamorato

OPENING REMARKS

11:00a.m.   Rep. Ryan Bizzarro (D–Erie)
               Rep. Sara Innamorato (D–Allegheny)

PANEL ONE

11:10a.m.   Jen Liptak, Chief of Staff
               Allegheny County Executive

               David Voye, Manager
               Elections Division, Allegheny County

               Q & A with Legislators

PANEL TWO

11:40a.m.   Sara Rose, Deputy Legal Director
               ACLU of Pennsylvania

               Q & A with Legislators

PANEL THREE

12:10p.m.   J.P. Leskovich, Student
               University of Pittsburgh School of Law, Poll Worker

               Q & A with Legislators

Remarks and Testimony can be found by scanning the QR Code below:

Testimony of Allegheny County Chief of Staff Jennifer Liptak
and Elections Division Manager David Voye
Before the House Democratic Policy Committee
February 2, 2023 Public Hearing

Representative Bizzaro, Representative Innamorato, and members. We thank you and Rep. Pisciottano for the invitation to join you today. It is our pleasure to provide you with insight on the administration of elections in Allegheny County, and to make recommendations about what changes to the Election Code would be most helpful to us in that work.

It's appropriate that you're holding this hearing on Groundhog Day. We don't believe that anything we have to say or present to you will be unexpected and you've likely heard it before. Allegheny County is certainly not unique in its challenges to administering an election. Because of the substantial support from County Executive Fitzgerald, we have been fortunate to have unmatched resources to be able to meet our needs and that of the voter. This past year, the funds from the state through the Election Integrity Grant to assist in elections were greatly appreciated and helpful. We're hopeful that financial support will continue and increase moving forward.

The preparation for an election begins immediately after the work of the prior one is complete. In Allegheny County, we have embraced an all-hands-on-deck approach, for planning as well as execution on Election Day. An internal team consisting of Elections, Purchasing, Computer Services, Budget and Finance, Law, Administrative Services, CountyStat, Communications, Marketing and the County Manager's office meets on a continual basis to discuss preparations and execute everything that is needed for a successful Election Day.

This team began meeting in 2019 when we moved to a new election system (paper ballots and use of scanners to tabulate). It established chains of custody, revised and updated poll worker training, ensured accessibility, determined needs and challenges, and prepared all supplies and resources that were necessary for the election. Because of their familiarity with the needs of elections, the group continues to meet to consistently review the county's election process. This team was key in incorporating changes made at the state level into our processes, including the authorization of no excuse mail-in voting, extension of the deadlines to register to vote and to apply for a mail-in or absentee ballot, requiring that absentee and mail-in ballots be counted centrally, and limiting the start of pre-canvassing and canvassing work until the polls open on Election Day. While there were other changes, these provisions impacted the administration of our election the most.

OFFICE OF THE COUNTY EXECUTIVE

101 COURTHOUSE • 436 GRANT STREET • PITTSBURGH, PA 15219 • PHONE (412) 350-6500 • FAX (412) 350-6512
WWW.ALLEGHENYCOUNTY.US • EXECUTIVE@ALLEGHENYCOUNTY.US

To give you an idea of the impact of those most recent provisions, our Elections Division has processed, approved and issued 1,213,689 mail-in and absentee ballots since June 2020. Over 969,371 of those ballots were received, processed, opened and counted on the seven election days (including the April 2022 special election) in that time. This, of course, is in addition to running day-of operations with 1,323 precincts. As mentioned previously, it's an all-hands-on-deck approach with county employees from across departments and offices pitching in to help pre-canvass and canvass mail-in and absentee ballots, or to fill-in or serve on a bench as poll workers on the actual date.

It's all of the pre-work, and ongoing work, that allows our elections to run as smoothly as they do. Of course, there are always challenges and issues, but the all-hands-on-deck approach means that we can quickly address and resolve anything that may arise. We have been fortunate to have such a strong team, and that our employees recognize the importance of the election and value the county's role in administering it.

In essence, we run two separate elections – one for voters who are in-person and another canvassing the mail-in and absentee ballots. For the most recent election, a few points of interest:

Canvassing

There were 188,384 applications for a mail-in or absentee ballot which were approved and sent out. Of those, 161,497 were returned and counted. That reflects an 86% return rate.

County employees reported to the Elections Warehouse on the North Side by 6:30 AM. They were sworn in, given instructions for the portion of the process that they would be participating in by team leaders, and were seated and ready to begin pre-canvassing at 7 AM. Approximately 115 individuals were scheduled for the first 7 AM to 3 PM shift.

As ballots came into the Elections Warehouse, the declaration envelopes were reviewed to ensure that there were signatures and that they were dated appropriately (as set forth by the Court decision). A second check was done prior to pre-canvassing. By 8 AM, the declaration envelopes on the first sets of ballots had been opened and staff were extracting the secrecy envelopes.

By 10 AM, all declaration envelopes had been opened and the first set of ballots had been extracted and were being flattened. At 10:30 AM, a test deck had been run through the scanners and at 10:50 AM, the scanning of mail-in and absentee ballots had begun.

At the end of the first shift, all extraction of ballots was complete and approximately 130,000 ballots had been scanned. The full complement of approximately 155,000 ballots that were returned prior to Election Day were scanned and complete by 7 PM. The memory sticks were pulled for tabulation and the results uploaded at 8 PM when polls closed and were reporting out a few minutes later on the Elections Division webpage.

At midnight, operations were suspended at the warehouse. There were a handful of precinct results that were not reported out as the memory sticks were not turned in. There are several fail-safes in place including duplicate memory sticks, tapes from the polls signed by the poll workers, and the actual ballots themselves. These were resolved during the Return Board process.

In-Person

There are 1,323 precincts in the county. With a complement of five poll workers, that means that we need over 6,600 people to work on election day. At the November election, we had 6,081 people assigned with any gaps filled by another 276 county employees.

As occurs each election, we have polling places open late. This can be for a variety of reasons – the site is not open on time, a judge doesn't show up or is late arriving, poll workers do not report, poll workers have challenges in setting up the polling place. We have a bench of poll workers who can be deployed if there are issues, and typically use a handful of staff to appropriately run the election.

Once polls close, the judge of elections is required to bring materials back to one of eight reporting centers where unofficial results are also uploaded and transmitted to the tabulation room for reporting out on the election results webpage. In the November election, those first results began reporting out at 8:45 PM.

Post-Election Day Process

The Return Board was sworn in on the morning of November 10 and worked daily, including a partial day on Veterans Day which is a county holiday, through November 23 to complete their work.

Like many other counties experienced, county residents filed petitions to require a recount in 12 precincts. The petitions were not filed appropriately and so, ultimately, the Court threw them out, but this delayed the final certification of those 12 precincts until December 9, 2023.

None of this effort comes without a cost.

Our Budget and Finance office estimated that the 2020 election cost the county nearly $14 million to run. We were fortunate to receive grant funding and CARES Act funding that allowed us to offset some of that cost, but over $7.5 million of that was still borne by county residents. In comparison, the 2019 election cost a little under $6 million. That's a 130% increase in just one year. While we would expect that presidential elections would be more costly due to turnout and other considerations, the increase was substantially more than we had expected.

For the 2023 budget year, we have set a budget of nearly $10 million for the administration of the upcoming elections. This figure includes the $4.6 million in funding from the state Election Integrity Grant.

We know that not every election will be alike, but we also recognize that there are public expectations like never before related to what the Elections Division must do and provide prior to and during an election. That is only going to continue to grow. In order to meet those needs, we need legislative action on several fronts, and we also need additional funding and resources from the state, rather than unfunded mandates borne by our county taxpayers.

Legislative Action

We urge action by this body on several items:

1. Make the deadline to register to vote earlier than 15 days before the election.
2. In the alternative, allow for Election Day Registration so that the burden of vetting all of these prospective voters and adding them to the voter rolls, issuing voter identification cards, and adding them to the poll books does not fall on the Elections Division.
3. Make the deadline to apply for an absentee or mail-in ballot earlier than 7 days before the election.
4. Allow pre-canvassing to occur at any time following the deadline to file any challenge to absentee or mail-in ballots.
5. Set a deadline by which the Courts must rule on all challenges that impact ballots.
6. Allow flexibility and autonomy in how elections are run, including:
   a. Allowing the county to make administrative changes to the number of required workers at a polling place based on average voting history;
   b. Allowing the county to make administrative changes to election districts, without a Court process; and
   c. Allowing the county to offer split shifts or other arrangements to voters who work the polls on election day to encourage increased participation.
7. Invest in an electronic voting system that recognizes all of the changes that the state has made to the Election Code in the past few years. It must be flexible enough to adjust for future changes and to allow counties to be able to utilize tools in ways that make sense for them – one size does not fit all.

We are extraordinarily proud of the work that the Elections Division and all of our staff did for the 28 elections that have been held under this administration, including six special elections. As you're aware, our team is currently in the midst of preparing for the May Municipal Primary while also conducting three special elections next Tuesday. We are tried and true with all eyes on us and our operation for several months each year. We will continue to focus on improving our processes and efforts as there is always room for improvement and we welcome the committee's questions about our administration of these elections.

TESTIMONY SUBMITTED BY
SARA J. ROSE, DEPUTY LEGAL DIRECTOR
MARIAN K. SCHNEIDER, SENIOR POLICY COUNSEL FOR VOTING RIGHTS
THE AMERICAN CIVIL LIBERTIES UNION OF PENNSYLVANIA
TO THE PENNSYLVANIA HOUSE DEMOCRATIC POLICY COMMITTEE
POLICY HEARING ON ELECTION REFORM

February 2, 2023

Thank you, Chairman Bizzarro, for the opportunity to speak to the Committee about necessary reforms to Pennsylvania's Election Code. The topic of Election Reform in Pennsylvania could consume reams of paper, but our testimony here will focus on remedying implementation issues around mail-in voting to reduce voter confusion and disenfranchisement and to provide clear and uniform rules for counties.

I.   Introduction

The General Assembly enacted "no-excuse" absentee voting as an additional method of voting as part of Act 77 of 2019.[1] Mail-in voting was part of the most comprehensive update to Pennsylvania's Election Code in decades. Primarily as a result of the global coronavirus pandemic, Pennsylvania voters embraced mail-in voting during the 2020 presidential election cycle. More than 2.6 million Pennsylvanians voted mail ballots in 2020 and more than 1.5 million voters requested mail ballots in the 2022 general election.

The rapid expansion of mail ballot[2] use has revealed certain areas that need clarification to eliminate confusion among voters and ensure uniform implementation among counties. We will discuss the following legislative needs that would materially improve the voter experience in Pennsylvania: First, extending the time period for counties to "pre-canvass" mail ballots sufficiently in advance of election day so that counties can identify fatal defects in mail ballots and notify voters to prevent voter disenfranchisement; and second, requiring counties to notify voters of problems with their mail ballots discovered either before or during pre-canvassing and adopt uniform standards for the process of curing defects. We will address each of these issues in more detail below.

---

[1] 2019, Oct. 31, P.L. 552, No. 77, § 8, adopting 25 P.S. 3150.11, et seq.

[2] Because the legal standards for applying for, marking and submitting absentee and mail ballots are virtually identical, we refer to both collectively as "mail voting" throughout this testimony.

II.   Discussion

     A.   Pre-Canvass of Mail Ballots

Under current law, counties are forbidden from beginning to canvass mail ballots until 7:00 a.m. on Election Day.[3] "Pre-canvassing" refers to the process whereby counties determine that the ballot was timely received and should be counted and prepare the ballots for counting by removing the secrecy envelope from the outer envelope, randomizing the secrecy envelopes, removing the mail ballots from the secrecy envelopes and organizing the ballots for counting. Pre-canvassing serves two important purposes. First, it gives counties enough time to prepare the ballots for counting so that mail ballot vote tallies can be included in unofficial result totals as soon as possible after the polls close on Election Day. Second, it enables counties to identify ballots where voters have made mistakes on the envelope or omitted the secrecy envelope so voters can correct those errors. "Pre-canvassing" does not include counting the ballots.[4]

Currently, because the Election Code forbids pre-canvassing until 7:00 a.m. on Election Day, counties may not have enough time to complete the canvass of mail ballots on Election night. Counties support extending the time for pre-canvassing to ensure accurate unofficial results as soon as possible.[5] Many states permit pre-canvassing to begin before election day, with time limits varying widely from 1 day to 29 days before Election Day. Notably, 19 states allow verification of mail ballots to occur upon receipt, or very shortly thereafter, by the county or local election office.[6] Extending Pennsylvania's timeline for pre-canvassing will better serve counties and voters alike.

     B.   Notice and Cure

An essential improvement to prevent voter disenfranchisement is the adoption of uniform rules for counties to notify voters of problems with their mail ballots so that voters can correct them, or "cure" the defect, before the deadline for returning mail ballots. As discussed in the previous section, current law does not allow enough time for counties to evaluate mail ballots, let alone enough time to notify voters about defective mail ballots before the close of polls on Election Day. Accordingly, counties have adopted their own processes for determining whether mail ballots are defective. Some counties notify voters of obvious defects on the exterior of mail ballot envelopes when they receive them. Others weigh the ballots on a scale to determine if the inner secrecy envelope is missing and then notify voters. And some counties refuse to take

---

[3] 25 P.S. § 3146.8(g)(1.1)

[4] For a discussion of mail ballot processing steps among states, *see* Bipartisan Policy Center, "Ballot Pre-processing Policies Explained," Sept. 7, 2022, https://bipartisanpolicy.org/explainer/ballot-pre-processing-explained/

[5] County Commissioners Association of Pennsylvania, 2023 County Government Priorities, https://pacounties.org/advocacy/priorities

[6] *See* National Conference of State Legislatures, "Voting Outside the Polling Place: Absentee, All-Mail and Other Voting at Home Options," https://www.ncsl.org/elections-and-campaigns/voting-outside-the-polling-place, Table 16, "When Absentee/Mail Ballot Processing and Counting Can Begin," https://www.ncsl.org/elections-and-campaigns/table-16-when-absentee-mail-ballot-processing-and-counting-can-begin#toggleContent-12088

any action regarding mail ballots before 7:00 a.m. on Election Day based on an erroneous belief that the Election Code forbids the practice.

Because the legislature has failed to enact notice and cure provisions, whether a voter receives notice of a problem with their mail ballot varies widely across the Commonwealth. As a result, whether a voter is disenfranchised because of a mistake on their mail ballot depends on where the voter lives. The Commonwealth Court has held that the Election Code neither forbids nor requires counties to notify voters,[7] thus leaving the decision to individual counties.

The Pennsylvania General Assembly should enact both extended pre-canvassing periods and procedures for notifying voters of a defect in their mail ballots. The Pennsylvania Department of State has already provided some operational guidance to counties, urging them to, at a minimum, enter data regarding defective ballots into the SURE system. This will generate an email to voters that their ballot has been canceled and allow the Department to create and publicize a list of voters whose ballots were canceled. Yet even these steps are not universally followed.

In addition to these operational requirements, the General Assembly should require that counties notify voters of defects in mail ballots and provide instructions to voters regarding their options for curing these defects. These options include requesting that the county mail a new replacement ballot to the voter, voting a replacement ballot in person at the board of elections office, or casting a provisional ballot at their polling place on Election Day. Because the Election Code is silent regarding the rules around curing defects on mail ballots, clarification is needed to avoid confusion and disenfranchisement.

The November 2022 general election provides an example of this confusion. The Pennsylvania Supreme Court ruled on November 1, 2022—a week before the election—that mail ballots missing the date or bearing an incorrect date on the outer envelope could not be counted.[8] Some counties notified voters if their ballots were undated or incorrectly dated and advised them that they could correct the date on their ballot at the elections office on or before Election Day or vote a provisional ballot at their polling place. Other counties, however, refused to notify voters that their ballots were defective and even advised poll workers and voters that voters would be unable to cure their defective mail ballots by voting a provisional ballot at the polls.

This disparity in treatment of mail ballots occurred despite guidance issued by the Department of State on November 3, 2022, directing county elections directors to examine all mail ballots to determine if the return envelopes were signed and dated and to code ballots that were undated or incorrectly dated as CANC – NO SIGNATURE within the SURE system so that voters would be notified if their mail ballots had been canceled.[9] The Department also issued

---

[7] *Republican National Committee et al. v. Chapman, et al.,* No. 447 M.D. 2022 (Commwlth Ct. Sept. 29, 2022), *aff'd* 284 A.3d 207 (Pa. 2022); *accord Pennsylvania Democratic Party v. Boockvar,* 662 Pa. 39, 238 A.3d 345, 374 (2020) (holding Pennsylvania Election Code does not require notice and cure but the parameters of that process are best left to the legislature).

[8] *Ball v. Chapman*, 284 A.3d 1189, 1192 (Pa. 2022), reconsideration and reargument denied (Nov. 7, 2022).

[9] Guidance on Undated and Incorrectly Dated Mailin and Absentee Ballot Envelopes Based on the Pennsylvania Supreme Court's Order in Ball v. Chapman, issued November 1, 2022, PA Dep't of State,

guidance in 2020 stating that a voter may vote a provisional ballot if the voter was issued but did not successfully vote an absentee or mail ballot and did not surrender the ballot at the polling place to be spoiled or if the voter's mail ballot was rejected by the county board of elections.[10]

The ACLU-PA sent letters to 27 counties that were not following the Department's guidance to urge them to notify voters of mail ballot defects and allow voters to cure defective ballots either at the elections office or by voting a provisional ballot at their polling place. While we do not believe any voters were denied the ability to vote a provisional ballot, we do not know whether those curative provisional ballots were counted. We also do not know how many voters were unable to cure their defective mail ballots because they were never notified.

A recent decision by the Luzerne County Board of Elections further illustrates the confusion around the appropriate use of provisional ballots to cure defective mail ballots. The Board initially voted to deny provisional ballots to voters who submitted defective mail ballots in a January 31 special election based on the mistaken belief that the Election Code prohibited voters from casting a provisional ballot if they had already submitted a mail ballot—even if that ballot would not be counted due to defects.[11] After the ACLU-PA contacted the county solicitor to explain that constitutional and statutory law required provisional ballots to be available to those voters, the Board reversed course, voting 4-1 to allow provisional voting in such circumstances.[12]

<div align="center">***</div>

The issues we highlight above are some of the most pressing issues that need clarity from the General Assembly to improve the voting experience in Pennsylvania. In addition to these improvements to the mail-voting process, the General Assembly should enact minimum requirements for deployment and security of mail ballot drop boxes; eliminate the requirement that voters handwrite the date on mail ballot envelopes and instead specifically require counties to stamp the date and time of receipt on mail ballot envelopes when they arrive at the elections office; ease restrictions on dropping off mail ballots by allowing voters to drop off the ballots of voters who live in the same household; and permit voters to submit completed and sealed mail ballots to the judge of elections at their local polling place on Election Day.

The ACLU-PA supports additional pro-voter reforms such as in-person early voting, same day registration and automatic voter registration. We would welcome the opportunity to assist with drafting measures to ensure that all eligible voters in Pennsylvania can participate fully in Pennsylvania elections.

Nov. 3, 2022, https://www.dos.pa.gov/VotingElections/OtherServicesEvents/Documents/2022-11-03-Guidance-UndatedBallot.pdf

[10] Pennsylvania Provisional Voting Guidance, PA Dep't of State, Oct. 21, 2020, https://www.dos.pa.gov/VotingElections/OtherServicesEvents/Documents/PADOS_ProvisionalBallots_guidance_1.0.pdf

[11] Luzerne County Election Board schedules meeting to reconsider ballot curing change, Times Leader, Jennifer Learn-Andes, Jan. 23, 2023, https://www.timesleader.com/news/1597730/luzerne-county-election-board-schedules-to-reconsider-ballot-curing-change

[12] *Id.*

My name is JP Leskovich and I live in the City of Pittsburgh. I am currently a law student at the University of Pittsburgh, where I work as a staff writer for JURIST, a law-student run legal news site. I am also the Judge of Election for my precinct, and I have worked on the front lines of democracy since November 2020, setting up polling places and returning results to reporting areas. Thank you to the members of the House Democratic Policy Committee for both pursuing effective election reform and inviting me to contribute. The main goal of this testimony is to strongly encourage you to adopt pre-canvassing legislation in Pennsylvania, which would empower counties to begin processing mail votes sooner and bolster the public's trust in final results. I will also propose other reforms that states have implemented to strengthen their democracies, expand the franchise, and ensure safe and secure elections.

In 2019, Act 77 became the law of the land in Pennsylvania. This allowed no-excuse mail voting for every voter in the Commonwealth, made it easier for people to vote by mail and gave voters more ways to ensure their voice is heard. Act 77 changed the nature of elections in Pennsylvania, with mail and absentee voting playing a central role, instead of one that was previously supplementary. This came to a tee in 2020. The onset of the COVID-19 pandemic, and the ensuing movement of life online, raised many questions about what voting would look like. Although counties were still able to offer in-person voting, a large number of people opted to vote by mail instead. As a result, county election administrators were inundated with an unprecedented amount of mail ballots. In total, over 2.6 million people cast their ballot by mail in the 2020 general election, more than a third of the total votes cast. In a state like Pennsylvania, where close elections are the norm, that many votes can make all the difference, tipping the scales one way or the other.

That's exactly what happened in the 2020 Presidential election. Donald Trump led the Election Day vote by 1.3 million votes, but Joe Biden overcame that margin with a wider 1.4 million vote lead in mail ballots. It took until the Saturday after the election, four days later, for enough mail ballots to be counted to finally call the state, and the election, for Joe Biden. Although this partisan disparity in mail-voting had been expected, as President Trump encouraged his voters to dismiss mail voting, the gap in time between Election Day and the final results allowed unfounded claims and conspiracy theories about mail voting to abound. This did a great deal of damage to our democracy, inspiring the perpetrators of the January 6 attack and encouraging legislators across the country to attempt to restrict voting rights, including here in Pennsylvania.

With such a massive impact, the question must be asked: why did it take Pennsylvania so long to count its votes? And how can that problem be solved without compromising election security? The answer is simple: it takes time to count votes, and those votes are counted at the county level. In-person votes are tallied by voting machines at the polling place and then collected in regional reporting centers; counting mail ballots takes more time because election officials must process and verify each individual ballot before they can put them through tallying machines.

Many states face a similar issue and allow counties to begin processing those votes before Election Day, called "pre-canvassing." In fact, pre-canvassing is the norm and standard among states: 40 states have [some sort](#) of pre-canvassing authorization for counties, allowing officials to process mail votes anywhere from 29 days before Election Day (as in California) to three business days before (as in North Dakota). A further 10 of those states also allow counties to begin tallying these votes before Election Day, with strict restrictions on releasing results before

polls close. These pre-canvassing policies give officials the time they need to count all the votes they receive by mail, allowing them to release final results more promptly. This prevents confusion and protects against conspiracy theories and unfounded claims of fraud.

But Pennsylvania doesn't allow pre-canvassing, placing it among the only 10 states that prohibit officials from processing mail ballots before Election Day. As a result, almost half of Pennsylvania's counties were still counting mail ballots a week after the 2020 election, according to the Pennsylvania Department of State's post-2020 report. Many of those counties were less populated, rural, and under-resourced. Allegheny County was able to process its votes quite quickly in the 2022 general election, but only because they had people and resources they could dedicate to the task. Other counties may not be in the same boat. In the 2022 primary, according to an analysis by Pitt professor Lara Putnam, only 1/3 of mail votes came from Pennsylvania's three largest counties. Half of them came from outside the Pittsburgh and Philadelphia areas. There are only so many hands to call on deck in these under-resourced counties: although more resources from the Commonwealth would certainly help them, something structural needs to change to make tallying votes easier and faster for Pennsylvania's overburdened counties.

Pennsylvania must adopt pre-canvassing legislation. There's a lot of votes to count in the Commonwealth, in all kinds of counties, and it takes a lot of time. Pre-canvassing would give election officials across the state the time and breathing room they need to process votes in a timely manner. The timely release of final results would reaffirm the public's faith in our democratic process and strengthen our democracy.

I am not the first to call for the adoption of pre-canvassing in Pennsylvania. A number of voter advocacy groups and the Department of State themselves have all issued similar calls. Some members have attempted to heed these calls, with state legislative Democrats proposing 21

days of pre-canvassing. Republicans included pre-canvassing in their proposed election overhaul last session as well, but they also included several measures that would restrict voting rights in Pennsylvania. Members were right to reject that proposed overhaul, but pre-canvassing should no longer be used as a political football. I strongly urge members of the legislature to pass a standalone pre-canvassing bill, such as HB 2250 last session, to make sure this common sense, consensus policy gets on the books.

Pre-canvassing is not the only reform that would improve Pennsylvania's democracy. Codifying the use of ballot drop boxes, as 23 states have done, would make it easier for people to return their mail ballots and decrease the rate of unreturned ballots. Same-day registration would expand the franchise and remove artificial barriers to eligible voters exercising their right to vote. Current voter registration rules work against people who may not be deeply informed or politically involved, but still care. Students are an excellent example of this: I starkly remember a friend on Pitt's campus asking me if they needed to register on the day of the 2018 general election. He was excited to vote, but he missed an arbitrary deadline and was disenfranchised because of it. Seventeen states allow Election Day registration for voters, including peer states like Michigan, very Democratic states like California, and very Republican states like Wyoming. Additionally, early in-person voting gives voters another avenue for democratic participation. Many people feel more comfortable voting in person. Giving them the option to vote early removes even more barriers to voting and alleviates the mail-ballot burden on counties. Nineteen states have adopted some sort of early in-person voting, including all of Pennsylvania's neighbors except Ohio.

Ultimately, Pennsylvania is the birthplace of American democracy and we should be a beacon of what that democracy can look like. I urge members of this committee and the General

Assembly to modernize our election rules so Pennsylvania can be a national leader and once

again serve as a model of participatory government.

**Testimony presented by
One PA
before the
House Democratic Policy Committee
at
11 a.m. Thursday, Feb. 2, 2022, in Pittsburgh
regarding
Early Voting & Same-Day Registration**

Chairman Bizarro, members of the Committee: Thank you for providing an opportunity to One PA to participate in this hearing and testify about the ongoing bipartisan efforts to modernize Pennsylvania's electoral process.

One PA is a multiracial, intergenerational, and multi-issue membership organization. Our members are workers, students, parents, seniors, people with disabilities, and retirees excited to learn, collaborate, and build power together. One PA works within a broad coalition of labor, faith, and students' organizations fighting to make powerful changes that transform our communities. **Nowhere is that engagement more important than in making sure voting is more convenient and easier to access for all eligible voters in our communities.**

We appreciate all the work this committee and other lawmakers and the administration in Harrisburg are doing to modernize our election process and protect the integrity of a system that already works well and ensures all voices are heard and every vote counts.

Even after sweeping reforms put in place with Act 77 of 2019 and Act 12 of 2020, election reform issues remain top of mind and Pennsylvania still lags the vast majority of states when it comes to making sure that all voters --- rural, suburban, and urban, as well as Republican, Democrat, and Independent --- can count on 21st century convenience and security at the ballot box.

We are encouraged by ongoing discussions related to election reform and want to focus our remarks on two specific policies that need attention: **early in-person voting and**

same-day voter registration. We believe these bipartisan reforms truly would modernize our elections and make the commonwealth's election process more convenient and easier to access for all eligible Pennsylvania voters, especially for communities of color.

At One PA, we work with Pennsylvania voters before, during, and after every election, and our members continue to hear and see firsthand what voters need. Despite deep divisions on some policies, there remains the potential for broad agreement on several issues that will help to ensure every voter can freely, easily, and conveniently access the polls to have their voices heard and their votes count.

There is no reason every voter should have to vote on one specific day. Allowing **early in-person voting** would relieve congestion at polling locations and give our community members with challenging work schedules or family situations the chance to choose the time that works best for them. This is also a great option for seniors, especially those who use wheelchairs or walkers, allowing more time to accommodate their needs.

The states that have adopted some form of early voting --- roughly two-thirds of all states, Red and Blue alike --- have shown us that it works best when it runs over at least two weeks, allows people to vote at night and on weekends to accommodate voters' varied schedules, and is offered at locations throughout each county to make it convenient for all voters.

When it comes to locations for early voting, locations need to be accessible by public transit to ensure fuller access, close to nursing homes and long-term care facilities, as well as state hospitals, accessible to rural areas, and on or close to college campuses. And when we talk about early voting, we mean voting on machines and not voting in person via mail-in ballot. We believe this would reduce errors and enhance security.

With reforms in Act 77, Pennsylvania changed the deadline for voters to register to vote or update their registration from 30 days to 15 days before an election in order to participate in that election. That bipartisan reform was a big step forward --- but it's not enough. Pennsylvania should allow **same-day voter registration**. Currently, the District of Columbia and some two dozen states currently permit any qualified resident to register to vote and cast a ballot on Election Day.

Most citizens become interested and engaged in elections in the final weeks before Election Day, when campaigns reach their peak. Campaigns know this, which is why during those final weeks before an election, voters are flooded with ads, phone calls and door-knocking.

Same-day voter registration eliminates the state's arbitrary deadline and makes it possible for residents to register when they're most engaged. Same-day voter registration also ensures that all residents have their voices heard by enabling real-time corrections to inaccurate voter rolls. Many voters lose their eligibility merely because they moved. This is particularly problematic for seniors moving into retirement communities or veterans and working people who move often.

With same-day registration, voters can update registration records or register at their polling place before casting their votes. Again, with e-poll books, the technology is already widely available to ensure this process, as with all other reforms, is convenient, seamless and secure.

<div align="center">+++</div>

Every Pennsylvanian has an important stake in the outcome of our elections. None of them should be penalized by a system that creates barriers to voting. None of them should be excluded because of work schedules or family commitments or other personal challenges. At One PA, we firmly believe that our democracy works best when all citizens participate and when election rules are nonpartisan. Authorizing early in-person voting and same-day voter registration is one way to do that and ensure that voting is more convenient and easier to access for all eligible voters in Pennsylvania.

Thank you for your time and attention.

<div align="center">###</div>