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COUNTY OF ERIE

CHRIS COLLINS
COUNTY EXECUTIVE

OPEN

June 27, 2011

Hon. Barbara Miller-Williams
Chairwoman, Erie County Legislature
92 Franklin Street, 4th Floor
Buffalo, NY 14202

Dear Chairwoman Miller-Williams:

Two years ago, the Legislature began an effort to review the downsizing of your Honorable Body. Since this issue first began, I have unequivocally supported a reduction in the size of the County Legislature. In 2010, I was proud to sign into law the 11-member downsizing plan.

Because of this Administration's principled and steadfast support of downsizing to 11 members, in accordance with the recommendation of the 21st Century Redistricting Commission, we fought back efforts to weaken prior downsizing laws in order to ensure that voters would act on the best downsizing plan possible. As a result, voters overwhelmingly approved the 11-member downsizing proposal in November 2010, which I was proud to endorse.

On Thursday, June 16, your Honorable Body passed Local Law 5-1 by a vote of 8-7, which seeks to amend the Erie County Charter, Section 105, to reflect both a reduction in the size of the Legislature from 15 to 11 members, and a reapportionment based on the 2010 Census as required by law.

Local Law 5-1 unfortunately suffers from the same types of gerrymandering, political backroom deals and electoral self-interests that have guided our government for far too long. In addition, at the public hearing held on June 27, not one person voiced support for this plan. As a result, I believe this plan is significantly flawed and therefore objected to and vetoed for the following reasons:

1. Rural Communities

This plan raises serious concerns about the representation of rural communities within the County Legislature. Specifically, the creation of a district which encompasses the towns of: Alden, Aurora, Boston, Brant, Colden, Collins, Concord, Holland, Marilla, North Collins, Newstead, Sardinia and Wales, as well as the villages of; Alden, Akron East Aurora, Gowanda,

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North Collins, Springville and Farnham, is simply implausible and reeks of political machinations.

This “Reverse-L” shaped district encompasses nearly 580 square miles, which is 47% of the county’s total land mass. It would encompass more than 607 of the County’s 1177 centerline miles of roads. It would include more than 1/3 of all the county’s parks. Perhaps most troubling is that it runs nearly the entire length of the County’s eastern border, at a length of nearly 110 miles. The sheer vastness and size of the district would eliminate any Legislator’s ability to properly represent the residents of such a far-flung district.

This dilution of rural interests and representation is equally objectionable to the dilution of minority interests and representation. The residents in these districts deserve the same voice and representation as residents in other districts. Unfortunately, Local Law 5-1 fails to deliver on that promise.

2. Dilution of the Minority Vote

Currently, there are two minority–majority based districts out of the current 15 legislative districts, or approximately 13% of the County Legislature. Under the plan adopted by the Legislature, only 1 of 11 districts will likely have a African-American representative, thereby diluting the minority representation in the legislature to just 9%. This also adversely impacts the Hispanic American community, by depriving them of an opportunity to have minority representation.

In addition, while remaining neutral, the local head of the NAACP has said that Local Law 5-1 (2011) is “is unfair not only to the urban minority communities of Buffalo, but also to the rural populations of Erie County”. (*Frank Mesiah, Letter to Erie County Legislators, June 14, 2011*).

This is unacceptable and a significant reason why Legislators must return to session and work together to ensure that a new plan is passed which fairly and appropriately represents the interests of the minority community.

3. Communities of Interest

Third, this plan fails to protect communities of interest in any plausible or realistic way. As part of any redistricting effort, planners must take great efforts to keep communities of interest together, to ensure that like-minded residents and voters are able to effectively assemble to lobby their representatives in favor of policies they support. Moreover, the public policy preference in favor of maintaining communities of interest is to ensure that such communities are not unfairly diluted within the legislative process.

Ethnicity, density, geography, urban, rural and other issues are factors that must be considered when determining how to keep communities of interest together. For example, voters must look no farther than one district within this plan to see how it fails to keep communities of interest together.

Local Law 5-1 places the suburb of Orchard Park, the City of Lackawanna and the historic neighborhood of Allentown into one legislative district. These communities have wildly divergent needs and issues, which will not be properly advanced under this plan. While our region has common goals and objectives, it also has a diversity of interests, especially at the local and neighborhood level, which must be considered. Districts that fail to keep communities of interest together, will not properly serve those residents in the Legislature.

4. One Man, One Vote

Finally, this plan does not adequately address the issue of equal representation within each district. The largest district in Local Law 5-1 contains 85,165 people, and the smallest district contains 80,980 residents. In order to accommodate this plan, districts have significantly wider deviations from the mean of approximately 83,000 voters per district. Under this plan, districts vary in population by more than 4,000 residents.

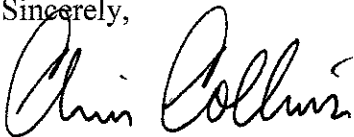
This disparity is unnecessary. Other plans considered by this Legislature proposed districts far more equal in population and thus, far more equal in representation. For example, one plan maintains 11 districts where the single largest deviation is 28 residents, or .03%. This type of reapportionment is more equal, more fair and exactly what the residents of Erie County deserve in their legislative institution.

Conclusion

Local Law 5-1 does not adequately serve the residents of Erie County. It unfairly dilutes the representation of both the rural and urban minority communities, while failing to keep communities of interest together.

I unequivocally support downsizing the Erie County Legislature, but this plan does it in the wrong way, through blatant gerrymandering and self-serving political machinations. I urge the Erie County Legislature to send me a new plan that addresses these issues. For the reasons contained herein, I hereby veto and object to this plan.

Sincerely,



CHRIS COLLINS
Erie County Executive

A Public Hearing was held on the foregoing Local Law Intro. No. 5-2011 on Monday, June 27, 2011, due notice thereof having been published in the official newspapers of the County of Erie designated for this purpose, and after due deliberation thereon, I, CHRIS COLLINS, County Executive of Erie County, do hereby **APPROVE and SIGN** said Local Law this ____ day of _____, 2011.

Chris Collins

A Public Hearing was held on the foregoing Local Law Intro. No. 5-2011 on Monday, June 27, 2011, due notice thereof having been published in the official newspapers of the County of Erie designated for this purpose, and after due deliberation thereon, I, CHRIS COLLINS, County Executive of Erie County, do hereby **DISAPPROVE and VETO** said Local Law this 27th day of June, 2011.



Chris Collins