

**A RESOLUTION TO BE SUBMITTED BY  
LEGISLATORS MILLS and HARDWICK**

Re: Requesting No More than Two Primary Election Dates in New York State in 2012

WHEREAS, in 2012, the New York State Presidential Primary is scheduled for April 24; and

WHEREAS, current law calls for congressional and state legislative primaries to occur on September 11, 2012; and

WHEREAS, the United States Department of Justice has requested a federal judge to order the state to move its congressional and legislative primaries to no later than August 18, in order to comply with a federal law requiring absentee ballots be sent to members of the military no less than 45 days prior to the November 6, 2012 general election; and

WHEREAS, the law only applies to elections for federal offices; and

WHEREAS, as such, it is possible that there could be three primary elections in New York State in 2012; and

WHEREAS, the New York State Board of Elections estimates that the cost of a primary election statewide is nearly \$50 million; and

WHEREAS, these costs are borne by taxpayers across the state, including Erie County.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature goes on record as being opposed to more than two primary elections in New York State in 2012; and be it further

RESOLVED, that the Erie County Legislature goes on record as respectfully requesting that all primary elections occur on no more than two dates that meet the requirements of all state and federal laws; and be it further

RESOLVED, that copies of this resolution be forwarded to Governor Andrew Cuomo, the local delegation of the New York State Legislature, Board of Elections Commissioner Ralph Mohr and Board of Elections Commissioner Dennis Ward.

Fiscal Impact: Positive for New York State taxpayers