

INTRO 3-4

FCILEG FEB02'12 #1037

A RESOLUTION TO BE SUBMITTED BY LEGISLATOR MCCRACKEN

RE: Opposition to Any State Legislative Action that Would Result in Three Primaries in New York State in 2012

WHEREAS, the United States District Court for the Northern District of New York has recently ordered New York State to hold its primary for federal offices on June 26, 2012; and

WHEREAS, this primary would be scheduled in addition to the Presidential Primary to be held on April 24, 2012 in New York State; and

WHEREAS, at present, New York State's regularly scheduled primary for state and local offices is to be held on September 11, 2012; and,

WHEREAS, taxpayers in the 62 counties of New York State shoulder a significant financial burden each time an election is held that, for many counties, runs in the hundreds of thousands of dollars; and

WHEREAS, it is in the best interest of New York State taxpayers to combine the state/local primary election with the federal primary election as ordered by the federal judge; and

WHEREAS, failure to do so would likely result in a multi-million dollar boondoggle - an activity that is unnecessary and wasteful of both time and money, especially since the third primary under consideration would be undertaken for the political gain of incumbents; and

WHEREAS, the taxpayers in every county in New York State deserve better than this, especially at a time when state and local governments are facing inordinate financial pressures; and

WHEREAS, on-line media reports in the Albany Times Union indicate that the New York State Senate is indeed contemplating maintaining a third primary election later this summer; and

WHEREAS, the New York State Association of Counties (NYSAC) has recently approved a resolution that opposes the administration of three separate primary elections and called for a combined primary for federal, state and local offices on June 26, 2012; and

WHEREAS, there is no public benefit to holding three separate primaries in New York State this year, due to the voter confusion and lower turnout that may result; and

WHEREAS, if New York State proceeds with setting a third primary election which has not been budgeted by counties in their 2012 Budgets, the state will cause a gaping hole in county budgets across the state due to this unfunded, and unnecessary, state mandate; and

WHEREAS, at a time when taxpayers are pleading with government to run more efficiently, the prospect of a third primary should be summarily dismissed by policymakers in Albany, with an eye toward consolidating federal, state and local offices onto one consolidated primary election on June 26, 2012.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature urge the New York State Legislature to combine the federal and state/local primaries onto June 26, 2012, for a substantial savings of the tax dollars of New York residents; and

RESOLVED, that the Erie County Legislature invite both the Democratic and Republican Commissioners of the Erie County Board of Elections to address this matter of great taxpayer and county legislative concern; and be it further

RESOLVED, that both Elections Commissioners are asked to attend the next meeting of the Erie County Legislature's Government Affairs Committee; and be it further

RESOLVED, that the Clerk of the Legislature is hereby authorized to forward certified copies of this resolution to Commissioner Dennis E. Ward, Commissioner Ralph M. Mohr, Governor Andrew Cuomo, State Senate Majority Leader Dean Skelos, Speaker of the Assembly Sheldon Silver and County Executive Mark Poloncarz.

FISCAL IMPACT: None for resolution. Positive for the taxpayers of Erie County and New York State if no more than two primary elections are held this year.