

RESOLUTION NO. 23-445

RESOLUTION URGING THE GOVERNOR TO VETO A.04282B/S.3505B TO MOVE
CERTAIN LOCAL ELECTIONS TO EVEN-NUMBERED YEARS

By: Margeson

Seconded by: Strange

WHEREAS, the Chemung County Legislature believes that increasing participation in the election process and reducing costs of government operations is good for our republic; and

WHEREAS, during the 2023 Legislative Session, Assembly Member Amy Paulin and State Senator James Skoufis reintroduced legislation that would move local elections to even-number years; and

WHEREAS, versions of this legislation were introduced in previous years and failed to reach the floor for a vote due to lack of support; and

WHEREAS, after the 2022 session concluded, the bill sponsor indicated that hearings would be held on the proposal through the Election Committee process; however, no such hearings were held; and

WHEREAS, the legislation passed in the middle of the night on the last days of the 2023 legislative session which is counter to the idea of an open and transparent government; and

WHEREAS, the Chemung County Legislature has several concerns with this bill; and

WHEREAS, this legislation usurps the Home Rule powers reserved by local governments and protected by the Constitution of the State of New York, raising questions of legality and constitutional authority; and

WHEREAS, local municipalities have had the ability to change their elections to even-number years for decades, and chose not to do so; and

WHEREAS, we believe that establishing the schedule of local elections is the right of the local government, and has been for more than 100 years; and

WHEREAS, The Assembly Bill sponsor indicated that she had not received any messages of support for this proposal from any of the 57 Counties and 933 Towns across New York State impacted by this legislation; and

WHEREAS, this legislation excludes more than half of all New Yorkers who vote in cities and villages from the changes to election law, creating an inequity among New York voters; and

WHEREAS, this legislation unfairly excludes the elections to offices in New York City and all other cities and villages in New York State, as well as certain offices within all counties and towns; and

WHEREAS, the proposed legislation circumvented the legislative committee process during this session, limiting public input and understanding of the impacts; and

WHEREAS, there has been no financial analysis or operational analysis of the impacts on local Boards of Elections; and

WHEREAS, there are concerns that the current election and ballot counting technology would not be able to adequately meet the demands of the significantly increased ballot size; and

WHEREAS, this will create confusion amongst voters in towns and counties across New York State; and

WHEREAS, separating the elections affords voters more time and focus to better understand important local issues and provides candidates the appropriate platforms to explain their stance on issues without having to compete against national and state level campaigns; and

WHEREAS, moving local elections to even-numbered years would increase the cost of campaigns for local office, reducing the number of candidates willing to invest funds into their own campaign, because the cost of media will increase to compete with national and state level campaign advertisements, and

WHEREAS, there are significant legal and constitutional questions regarding the legality of this measure that have not been adequately addressed; now, therefore, be it

RESOLVED, that the Chemung County Legislature urges the Governor to oppose this legislation and utilize her veto authority to reject this proposal; and

RESOLVED, that copies of this resolution be distributed by the Clerk of the Chemung County Legislature to Governor Kathy Hochul, Senate Majority Leader Andrea Stewart Cousins, Assembly Speaker Carl Heastie, Senate Minority Leader Robert Ort, Assembly Minority Leader William Barclay, Assembly Bill Sponsor Amy Paulin, Senate Bill Sponsor James Skoufis, Senator Thomas O'Mara, Assemblymember Philip Palmesano, Assemblymember Christopher Friend, Inter-county Association of WNY, and NYSAC.

Ayes: Morse, Saglibene, Sweet, Brennan, Donovan, Palmer, Pickering, Burin, Chalk, Stermer, McCarthy, Drake, Smith, Strange, Margeson (Chairman) (15); Opposed: None

STATE OF NEW YORK)
COUNTY OF CHEMUNG) SS:

THIS IS TO CERTIFY, that I, the undersigned Clerk of the Chemung County Legislature, have compared the foregoing copy of resolution with the original resolution now on file in my office, and which was passed by the Chemung County Legislature on the 10th day of July 2023, a majority of all the members elected to the Legislature voting in favor thereof, and that the same is a correct and true transcript of such resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and the official seal of the Chemung County Legislature this 11th day of July 2023.

_____ *Cynthia G. Kalweit* _____
Cynthia G. Kalweit, Clerk
Chemung County Legislature