

RENSSELAER COUNTY LEGISLATURE

Introduced by Legislator(s) Patire, Wysocki, Hoffman, Loveridge, Bayly, Herrington, Casale, Choquette, Fiacco, Gendron, Grant, Maloney, Stall

Sent To: Rules & Legislative Operations

Committee

Date July 11, 2023

Resolution No. P/285/23

RESOLUTION URGING THE GOVERNOR TO VETO THE EVEN YEAR ELECTION LAW

WHEREAS, The Rensselaer County Legislature has reviewed the proposed legislation mandating that local elections held outside of New York City be held on even-numbered years; and

WHEREAS, This Legislative Body opposes the enactment of this legislation due to its potential negative impact on voter turnout and violation of constitutionally protected home rule powers; and

WHEREAS, The legislation aims to increase voter turnout in local elections by aligning them with federal and statewide elections that traditionally experience higher participation in even-numbered years; and

WHEREAS, The selective application of this requirement to some local elections while leaving others in odd-numbered years, including city, village, county constitutional officers, judges, and school board members, would result in decreased awareness and potentially lower voter turnout for the remaining elections; and

WHEREAS, The legislation infringes upon the constitutional home rule powers of counties, preempting county charters, local laws, and local referendum powers, thereby forcing an unwarranted change to the term of an elected official; and

WHEREAS, The legislation contradicts the spirit of home rule that allows county legislatures to adopt provisions relating to their affairs or government, irrespective of the existence of county charters, hindering local government's ability to tailor their governance structure to suit specific community needs; and

WHEREAS, The legislation solely impacts county executives, county legislators, county boards of supervisors, and town officials, disregarding the home rule authority of local governments to establish a governance structure that best serves their communities; now, therefore, be it

RESOLVED, That the Rensselaer County Legislature formally requests that Governor Kathy Hochul veto the even year election law; and, be it further

RESOLVED, That we emphasize the potential negative consequences of this legislation on voter turnout and its infringement upon constitutionally protected home rule powers; and, be it further

RESOLVED, That the Clerk of the Legislature sends a copy of this resolution to Governor Kathy Hochul, urging careful consideration of the concerns raised by the Rensselaer County Legislature regarding the even year election law.

Resolution ADOPTED by the following vote:

Ayes: 13

Nays: 4(Doran, Grimm, Weaver, Zalewski)

Abstain: 0

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