

Calling On The Ulster County Senate And Assembly Delegation To Introduce And Ensure The Passage Of State Legislation To Require The State To Take Over The Total Expenses Associated With Conducting Elections

Referred to: The Laws and Rules, Governmental Services Committee (Chairman Richard Parete and Legislators Archer, Donaldson, Roberts, and Ronk), and The Ways and Means Committee (Chairman Gerentine and Legislators Bartels, Belfiglio, Briggs, Maio and Maloney, Provenzano, and Rodriguez)

Legislator Jeanette Provenzano and Legislators Allen, Gregorius, Loughran, Rodriguez, and Wishnick offer the following:

WHEREAS, pursuant to a 2005 change to New York Election Law § 4-136 (2), all expenses incurred under this chapter by the board of elections of a county outside of the city of New York shall be a charge against the county. The expenses incurred by the board of elections of a county outside the city of New York may, pursuant to section 3-226 of this chapter, be apportioned among the cities and towns therein, or in the case of a village election held other than at the time of the fall primary or general election, apportioned to such villages therein; and

WHEREAS, the 2002 Federal Help America Vote Act (HAVA) created the Election Assistance Commission (EAC) which has established a set of election administration requirements but left the methods of implementation to the states; and

WHEREAS, the 2005 change to New York Election Law mandated there would be no fiscal implication to the State but the administrative decisions are not the responsibility of the local elections board but rather determined by the State; and

WHEREAS, similar to the Safety Net program, the State has established requirements for the providing of polling places, voting booths, supplies therefor, ballot boxes and other furniture for the polling place for any election, including the storage, transportation and maintenance of voting machines, appliances and equipment or ballot counting devices, the compensation of poll inspectors as well as the specific dates for all elections held in New York State; and

WHEREAS, based on a review of Federal Bills H.R. 12 and S. 123, which are identical, many more election administration requirements are possibly forthcoming; and

WHEREAS, also similar to the Safety Net program, the County, City and Towns within Ulster County must pay for the expense of administering elections, of which the annual increases to this expense they have no ability to control; and

Resolution No. 157 June 17, 2014

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WHEREAS, with no control on these expense, the County, City and Towns are forced to remain below the 2% property tax otherwise the property owners will be denied the rebate that has been included as part of the recently passed State budget; now, therefore be it

RESOLVED, that the Ulster County Legislature calls for our Senate and Assembly delegation to introduce and ensure the passage of State legislation which requires the State to take over the total cost associated with conducting elections, relieving Ulster County property taxpayers from this substantial unfunded State and Federal mandate; and, be it further

RESOLVED, that the Clerk of the Ulster County Legislature shall send certified copies of this Resolution to New York State Senators John Bonacic, William Larkin, James Seward, and Cecilia Tkaczyk, and New York State Assembly Members Kevin Cahill, Peter Lopez, Frank Skartados and Claudia Tenney; and be it further

RESOLVED, that the Clerk of the Ulster County Legislature shall send a certified copy of this resolution to each Town Clerk in Ulster County and to the Mayor of the City of Kingston for their memorialization,

and move its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

Passed Committee: Laws and Rules, Governmental Services on May 19, 2014

Passed Committee: Ways and Means on May 20, 2014

Referred back to Laws and Rules, Governmental Services Committee on May 20, 2014

Defeated in Committee: Laws and Rules, Governmental Services on June 16, 2014

FINANCIAL IMPACT:

\$720,424.00 – 2014 HAVA DIVISION SAVINGS TO COUNTY, TOWNS AND CITY OF KINGSTON