



NEW YORK STATE SENATOR

Craig M. Johnson

Statement by Senator Craig M. Johnson on His Vote Against the Local Government Consolidation Bill S.5661

CRAIG M. JOHNSON June 2, 2009

"Today, I broke from my conference and voted against S.5661, the so-called consolidation legislation, because I believe it was not in the best interests of the residents of the 7th Senate District.

While I am in favor of empowering residents to determine their own future, I believe that many parts of this measure are fundamentally flawed and contain too many pitfalls. Taken as a sum of its parts, it is my belief that this legislation will inflict harm on our communities.

This is especially true in regards to the danger that this legislation poses to our fire departments. These brave men and women volunteer their time and put their lives on the line to protect their neighbors and their neighborhoods.

Specifically:

* The threshold covering local government consolidation, or dissolution is simply too low. There are 33 villages in the district I represent, each of them unique in its character and its services. I do not believe that the establishment of a referendum based on the signatures from 1 out of every 10 people living within a local government reflects democracy. A low petition threshold leaves many of smaller government entities open to the whims of either a disgruntled few or the agenda of an outside organization.

* This legislation includes no requirements to directly notify residents of an upcoming referendum. I think that is fundamentally unfair in a situation where a vote can take place any time of year.

* The bill also would allow outside people or groups to organize petitions to abolish or consolidate local governments. It would be more prudent to require all petitions be carried by residents of the municipality under consideration.

* The measure's language also allows an open ended petition process – meaning that a petition drive could start now and last 10 years in order to get the required number of signatures.

* It also gives counties the authority to force a referendum on abolishing local governments: Fire and other public safety districts in particular. There is no provision to include towns in the process, and if a local government is abolished, it is unclear which entity would assume zoning authority and other powers -- as counties do not provide many local

functions.

The Senate Republicans introduced amendments to the legislation that I believe just didn't go far enough. For instance, they proposed exempting fire districts, but did not include fire protection districts and village fire departments. These amendments did not address the structural problems of the bill and would not have earned my vote on this legislation. So, as I did on the bill, I voted against them.

There is no vote that I take lightly. This one was no different. I am proud to share my opposition to this bill with a bi-partisan group of my colleagues in the Assembly, which includes Assemblywoman Michelle Schimel, Assemblyman Tom Alfano, Assemblyman Rob Walker, and Assemblyman Tom McKeivitt. We each made our decision based on what we thought was in the best interests of our constituents, and how we could best fulfill our promise to represent you in Albany."