



NEW YORK STATE SENATOR

Jack M. Martins

From the Desk of Senator Jack M. Martins

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As we head into the summer, we are still hard at work in Albany. We must continue to build on the momentum we've established since March when the Senate, Governor and Assembly worked together to pass an historic budget that closed a \$10 billion budget gap without raising any taxes or fees. It represented a major change from how Albany has conducted business in recent years when the state routinely outspent its revenues and then relied on taxpayers to close the deficits with tax increases. This represents a new era in state government – one of fiscal responsibility.

As many of you know, I came to the Senate this January after serving eight years as a village mayor. As it happens, nothing could have better prepared me for my current role as chairman of the Senate Standing Committee on Local Government. I have an invaluable firsthand understanding of the issues facing our towns, villages, school districts and special districts. They are on the frontlines, having to do more with less in the face of ever escalating pension and healthcare costs and they need options. This is why I am continuing to push for real and meaningful mandate relief.

Local governments are our most efficient level of government and one need only look so far as our villages right here in the Seventh Senate District and the services they provide our residents.

Not everyone realizes this, however. In March 2010, the Citizen Empowerment Act went into effect, as lobbied for by then-Attorney General Andrew Cuomo. The law enables citizens to dissolve or consolidate their local governments, including villages and special districts. While I fully support the concept of putting such crucial decisions in the hands of the people, there are several problems with this law as it currently exists. For example, the people charged with making the decision to embark on the path toward eventual dissolution or consolidation have no way of knowing what the fiscal impact might be or how services would be provided in such scenarios. How can anyone be expected to weigh a decision as crucial as this without having the most basic of information?

As a result, I have introduced a bill directed at correcting the deficiencies of the current law.

- For starters, the current law allows residents who wish to dissolve a local government to collect the signatures of 10 percent of registered voters or 5,000 people (whichever is less) in the government to be dissolved. However, the lack of a time limitation for this process means that it could potentially go on for years without resolution! My bill calls for the required signatures to be collected within a period of 60 days – a reasonable amount of time if there is genuine community support for the action.

- If by referendum, the people decide to dissolve the local government, the board of that government has to formulate a dissolution plan. But it does not require approval from residents! Under my bill, residents will have the opportunity to vote on it by referendum.

· Most notably, under the existing law, residents have no way of knowing the estimated financial impact of the proposed dissolution or consolidation. If the ultimate goal is to save money through increased efficiencies, it is essential that the necessary information be made available to the residents before they are asked to vote. My bill makes sure you'll have it.

The dissolution and consolidation of government should not be taken lightly and decisions must be made with careful and due consideration. We must not allow an effort to empower ourselves morph into a tool by which a minority can hijack our local government. These common sense fixes make sure that won't happen. My bill recently passed the Senate and my colleague, Assemblywoman Michelle Schimel, is sponsoring its counterpart in the Assembly. It's another example of working together "across the aisle" to do what is right for our communities. I look forward to working with Assemblywoman Schimel to ensure that the bill passes in her house as well.

I will continue to update you in the weeks ahead as we address a myriad of issues we face this session. As always, thank you for the opportunity to serve.