



NEW YORK STATE SENATOR

James Tedisco

Tedisco, Rath & Salka Call for “NYS Gerrymander Failure Assistance Act” to Help Local Governments with Unfunded Mandate of Running Two Primary Elections

SENATOR JIM TEDISCO May 9, 2022



With two state primaries a near certainty, Senator Jim Tedisco (R,C-Glenville), Senator Edward Rath (R,C-Amherst) and Assemblyman John Salka R,C,I,REF-Brookfield) today joined with several county election commissioners to announce new legislation, the “NYS *Gerrymander Failure Assistance Act*”, to ensure the state fully covers an estimated \$25 million unfunded mandate on local governments and local taxpayers to oversee two primaries.

The New York State Court of Appeals recently ruled unconstitutional and threw out the maps placing Senator Tedisco and Senator Rath in primaries, and the rest of the Senate and Congressional maps drawn by the Majority and rubber-stamped by Governor Hochul.

A state Supreme Court Justice has appointed a special master to redraw the district lines for state Senate and Congress and set an August 23rd primary date. That primary will be in addition to the already scheduled June 28th primary for Governor, Lt. Governor, state Assembly and county and local offices.

The New York State Board of Elections estimates the cost of a second statewide primary is \$25 million.

Tedisco, Rath and Salka support a consolidated primary on August 23rd as the best solution to save tax dollars and guard against voter fatigue and lack of turnout at the polls.

However, the Governor and Legislative Leaders are showing no interest in a consolidated primary. That's why Tedisco, Rath and Salka are calling for the "*NYS Gerrymander Failure Assistance Act*" (S.9050) to ensure local governments are made financially whole by the state.

"The Senate Majority and the Governor must be running out of new ways to tax New Yorkers so now they're working on new ways to waste our tax dollars! Their hyper-partisan gerrymandered redistricting maps were ruled unconstitutional by the New York State Court of Appeals. Instead of holding one consolidated primary for all elected offices in August, they're saddling a new \$25 million unfunded state mandate onto the backs of our local governments. As the saying goes, 'if you break it, you buy it.' Our '*NYS Gerrymander Failure Assistance Act*' will ensure local taxpayers are not forced to pay the tab for the colossal failure of the Majority and Governor to do the right thing in the first place when they created this diabolical gerrymandering scheme," said Senator Jim Tedisco.

“I join my colleagues in calling for the state to provide the necessary funding for our local board of elections to conduct primaries this year. Currently, the massive financial burden will be on the local board of elections. We are asking them to do an extremely large amount of work with the same amount of state funding, which is unacceptable. This is nothing more than an unfunded mandate. The state must do its part in aiding our local BOEs,” said Senator Edward Rath.

“By meddling in the redistricting process, the legislature has, once again, subverted the will of New Yorkers. As a result, the State has moved the primaries to August. Now this body plans to leave the added expense in the hands of each county’s board of elections. Clearly the state should pay,” said Assemblyman John Salka.

“With the recent Court of Appeals decision on the procedural failure to properly draw Congressional and state Senate lines, the Boards of Election have been asked to conduct two primary elections this year. This unforeseen circumstance will place a financial hardship on counties across New York. The state legislature should take immediate action to enact and provide financial relief to the Board of Elections, and ultimately the taxpayer, from having to bear these unprecedented costs,” said Darlene Harris, Schenectady County Election Commissioner.