



Office of the County Executive

Adam J. Bello
County Executive

January 7, 2021

Mr. Jack Moffitt
Clerk of the Legislature
Monroe County Legislature
407 County Office Building
Rochester, New York 14614

Dear Mr. Moffitt:

This is in response to your letter of December 11, 2020, in which you presented, among other matters, a Local Law entitled “Amending Monroe County Charter Relating to Term of Office of Members of County Legislature” (Intro. No. 368 of 2020), which was certified by you to have been adopted by the Monroe County Legislature at its meeting on December 8, 2020. Pursuant to Municipal Home Rule Law § 21 and § C2-7(A)(3)(c) of the Monroe County Charter, with this letter I am providing notice to the Legislature that I have disapproved this Local Law and am returning it to you with my objections.

I am disapproving this Local Law because it unduly delays the legislative reapportionment process. In doing so, it fails to ensure equity in representation for Monroe County residents and exposes the County to the risk of costly litigation.

Historically, the Legislature has drawn new districts every ten years to apportion legislative representation following the decennial census. This reapportionment process was scheduled to take place this year. Because of delays in the Census Bureau reporting data due to the COVID-19 pandemic, as well as changes to the political calendar set by State law, it is not possible to complete reapportionment prior to designating candidates for this year's ~~this year's~~ general election.

Despite these challenges, it is imperative that Monroe County complete its legislative redistricting process as soon as possible. The timely completion of this process is important for two reasons. First, it is important to ensure equity in representation for all Monroe County residents. Unevenly weighted districts based on outdated census data do not achieve this goal. Second, it is essential for the County to comply with the constitutional one-person one-vote principle. In addition to being a matter of fundamental fairness, violations of this principle could expose the County to costly litigation.

By permitting the Legislators elected in 2021 to serve a two-year term, the Local Law ensures that Legislators will serve in outdated, unevenly weighted districts for a year longer

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than necessary. The redistricting process could certainly be completed in time for the 2022 general election. I have introduced legislation that would require prompt redistricting and create an independent redistricting commission. Creating an independent redistricting commission would give voters confidence that the redistricting process is fair and impartial. I urge the Legislature to take up my proposed legislation.

For the reasons stated above, I have disapproved the Local Law entitled "Amending Monroe County Charter Relating to Term of Office of Members of County Legislature" (Intro. No. 368 of 2020).

Sincerely,

Adam J. Bello
Monroe County Executive

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