File #:	Res 2221-2009	**Version:** *	**Name:**	Extend from 3 to 7 business days a candidate's time to cure any violations on submitted petitions, and to allow voters to sign multiple petitions without consequence of disqualification.
Type:	Resolution		**Status:**	Filed
			In control:	Committee on Governmental Operations
On agenda:	10/14/2009			
Enactment date:			**Enactment #:**	
Title:	Resolution calling upon the New York State Legislature to amend section 6-134 of the New York State Election Law in order to extend from three to seven business days a candidate's time to cure any violations on submitted petitions, and to allow voters to sign multiple petitions without consequence of disqualification.			
Sponsors:	Peter F. Vallone, Jr., Charles Barron, Simcha Felder			
Indexes:				
Attachments:				

Date	Ver.	Action By	Action	Result
10/14/2009	*	City Council	Introduced by Council	
10/14/2009	*	City Council	Referred to Comm by Council	
12/31/2009	*	City Council	Filed (End of Session)	

Res. No. 2221

Resolution calling upon the New York State Legislature to amend section 6-134 of the New York State Election Law in order to extend from three to seven business days a candidate's time to cure any violations on submitted petitions, and to allow voters to sign multiple petitions without consequence of disqualification.

By Council Members Vallone Jr., Barron and Felder

Whereas, In order to appear on a primary ballot in New York State, State Election Law requires major party candidates - challengers as well as incumbents - to file nominating petitions with the Board of Elections; and

Whereas, The petitioning period is restricted to a five week window throughout parts of June and July when candidates must collect a specific number of signatures from voters of the candidate's party who live within the area that would be represented by the candidate; and

Whereas, State Law requires candidates to obtain the signatures of 5 percent of the enrolled voters of

the political party in the political unit covered by the office, specifically 900 signatures for a council district race, 7,000 for a borough-wide race, and 9,000 signatures for a city-wide race; and

Whereas, Although the petitioning process encourages candidates to interact with their constituents and to maintain a visible presence throughout their community, the intricacies of New York State Election Law makes petitioning a complex process; and

Whereas, Reform is necessary as State Election Law does not allow for flexibility in terms of non-material errors on a candidate's petition; for example, whole pages of petitioning sheets can be disqualified if a voter did not print his or her full name, or if a street name is misspelled, or even if an abbreviation is used in place of the words "street" or "avenue;" and

Whereas, Because of such errors on nominating petitions, highly viable candidates, who have assembled a broad coalition of support throughout their communities, may be denied access to the ballot; and

Whereas, In order to prevent candidates from being unfairly kept off the ballot, the State Election Law must extend the time it allows candidates to correct errors on petitioning forms from three to seven business days from when the local Board of Elections returns the flawed petitioning forms to the candidate; and

Whereas, Both candidates and voters will benefit from such a change, as candidates will have more time to conduct a thorough review of their petitions and voters will have as many choices as possible on Election Day; and

Whereas, In addition to extending the period for candidates to correct petitioning errors, the New York State Legislature should also amend the State Election Law to allow voters to sign multiple petitions for the same race; and

Whereas, Currently, State Law only permits voters to sign a single nominating petition for any given race; and

Whereas, A voter's signature, however, is not a vote for a candidate nor an indication of how one will vote on Election Day; and

Whereas, Allowing voters to sign one or more nominating petitions for the same race will therefore not violate the principle of "one person, one vote;" and

Whereas, Voters should have the opportunity to sign as many petitions as they desire since such an expression helps to ensure that on Election Day voters will have a diverse field of candidates from which to choose; and

Whereas, Because both aforementioned modifications to the State Election Law will help preserve the integrity of the democratic process and ensure that voters have as many choices as possible on Election Day; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to amend section 6-134 of the New York State Election Law in order to extend from three to seven business days a candidate's time to cure any violations on submitted petitions, and to allow voters to sign multiple petitions without consequence of disqualification.

JCG
08/20/09
LS# 7708