

Memorializing Resolution Calling Upon The NYS Legislature To End Cost Shifting As A Method Of Closing The State's Budget Gap

The Ways and Means Committee (Chairman Lomita and Legislators Cahill, Dart, Gregorius, Provenzano, Zimet, Cummings, Gerentine and Noonan) and Legislators Aiello, Bischoff, Briggs, Decker, Donaldson, Fabiano, Felicello, Hansut, Harris, Hochberg, Loughran, Maloney, Richard Parete, Robert Parete, Petit, Roberti, Roberts, Rodriguez, Ronk, Shapiro, Sheeley, Stoeckeler, Terpening, and Terrizzi offer the following:

WHEREAS, New York State government and its local governments are together suffering serious effects from the global recession, and

WHEREAS, the New York State Legislature will be returning to Albany later this year to address the 2009 current year State budget deficit, which is now projected at \$2.1 billion, and

WHEREAS, the New York State Association of Counties (NYSAC) estimates that approximately 70% of county budgets relate to State mandates, many of which are unfunded or underfunded, and

WHEREAS, additional unfunded or underfunded mandates will unfairly place additional burdens on the homeowners of Ulster County, and

WHEREAS, local governments have already experienced extensive cost shifts from New York State, including fee increases and revenue reductions, which only serve to mask the State's underlying financial issues, and

WHEREAS, year after year of unfunded mandates have increased expenses for county governments, resulting in real property tax increases that cannot and must not continue, and

WHEREAS, the State government can no longer put off critical long-term reforms that are necessary to resolve its fiscal imbalance by attempting to close its budget gap through an unsustainable practice of shifting costs to local governments, and

WHEREAS, pursuant to Governor Paterson's Executive Order No. 17, dated April 27, 2009, "the fiscal impact of any legislative or regulatory proposal that imposes a mandate should be evaluated to the fullest extent possible to consider the cost to local governments, in recognition of the goal of providing property tax relief", and

WHEREAS, this same Executive Order set forth, in pertinent part, the following:

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“No State agency shall recommend, propose, publish or submit any legislation or regulation containing a mandate without an accounting of the impact of such mandate on local governments . . .”

“Any proposed bill containing a mandate which is offered by a state agency to the Legislature shall be accompanied by a local fiscal impact statement which states, so far as possible, such mandate's estimated cost to local governments,” and

WHEREAS, the New York State Legislature is respectfully requested to recognize the urgency and importance of the Governor's Executive Order and all that it implies for county governments, and

WHEREAS, the Laws and Rules Committee has met and reviewed said request with a majority of the members voting approval, and

WHEREAS, the Ways and Means Committee has met and reviewed said request with a majority of the members voting approval, now, therefore, be it

RESOLVED, that the Ulster County Executive and the Ulster County Legislature hereby memorialize their position that the New York State Legislature must not increase any unfunded or underfunded State mandates, or take any action that simply shifts costs from the State to the counties, and, be it

RESOLVED, that the Ulster County Executive and the Ulster County Legislature hereby call upon the New York State Legislature to address the State government's budget deficit by making the critical long-term reforms and difficult decisions required to solve its budget shortfall without negatively impacting our already-struggling County taxpayers, and, be it further

RESOLVED, that the Clerk of the Ulster County Legislature shall forward copies of this resolution to Governor David Paterson, Senate Majority Leader Pedro Espada Jr., Senate Minority Leader Dean G. Skelos, Assembly Speaker Sheldon Silver, Assembly Majority Leader Ron Canestrari, Assembly Minority Leader Brian M. Kolb, New York State Senators John J. Bonacic and William J. Larkin, Jr., New York State Assemblymen Kevin A. Cahill, Clifford W. Crouch, Peter Lopez and Frank K. Skartados and the New York State Association of Counties,

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and moves its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 28 NOES: 0
(Absent: Legislators Aiello, Decker, Felicello, and
Shapiro)
(Legislator Roberts left 8:31 PM/returned 8:33
PM)

FINANCIAL IMPACT:
NONE

0919

STATE OF NEW YORK
ss:
COUNTY OF ULSTER

This is to certify that I, the undersigned Clerk of the Legislature of the County of Ulster have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 9th Day of September, 2009, and that the same is a true and correct transcript of said resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the County of Ulster this 10th Day of September in the year Two Thousand and Nine.

/s/ Mary L. Carey
Mary L. Carey, Clerk
Ulster County Legislature

Submitted to the County Executive this
11th Day of September, 2009.

/s/ Mary L. Carey
Mary L. Carey, Clerk
Ulster County Legislature

Approved by the County Executive this
16th Day of September, 2009.

/s/ Michael P. Hein
Michael P. Hein, County Executive