



NEW YORK STATE SENATOR

Thomas F. O'Mara

O'Mara, Senate continue push for legislation to end unfunded state mandates

THOMAS F. O'MARA January 24, 2018

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The state enacted the local property tax cap in 2011 with a promise to localities and school districts to roll back the heavy burden of unfunded state mandates. We still have a lot of work to do to lift that existing burden on local governments and local property taxpayers.

Albany, N.Y., January 24—The New York State Senate Committee on Local Government this week approved legislation co-sponsored by Senator Tom O'Mara (R,C,I-Big Flats) to end the practice of unfunded state mandates on local governments and school districts.

Specifically the legislation ([S.2323/A.2922](#)), which now goes to the Senate Finance Committee for consideration, would ban the enactment of any new state mandates that increase costs on local governments and school districts without providing state funding to localities to pay for delivering the required programs and services.

“The state enacted the local property tax cap in 2011 with a promise to localities and school districts to roll back the heavy burden of unfunded state mandates. We still have a lot of work to do to lift that existing burden on local governments and local property taxpayers,” said O’Mara, a member of the Senate Finance Committee. “But we should also immediately put an end to any future unfunded state mandates. This legislation proposes a commonsense step that says the state will no longer pass the buck to counties, cities, town, villages, or school districts. If the state mandates a program or a service that increases costs, the state should pay for it.”

O’Mara said the legislation serves to highlight the ongoing need for New York to provide mandate relief to local governments and school districts. It would also mark, if enacted, the beginning of a true transformation of the state-local partnership, he said. The state has taken some important mandate relief actions over the past several years, including long-term pension reform and the takeover of the growth in local Medicaid costs, but it hasn’t been enough, according to O’Mara.

“Some meaningful steps have been taken to rein in the cost of Medicaid, for example,” O’Mara said. “But we can’t keep turning our backs on the fact that more needs to be done. Mandate relief has to remain a state priority. Localities and school districts facing tough fiscal challenges still have their hands tied by too many unfunded state mandates.”

The New York State Association of Counties (NYSAC) “strongly supports” the legislation O’Mara co-sponsors. In a [memorandum of support](#), NYSAC states, “It is true that the

permanent hard cap on local Medicaid contributions and reforms to the State and Local Pension System have saved county taxpayers from the consistent growth of both of these programs, but more needs to be done. Local taxpayers need greater protection from future state cost shifts and the creation of new mandates. Enactment of this 'no new unfunded mandates' legislation will improve accountability to all New York property taxpayers, as it will require those setting statewide public policy initiatives to finance the cost of these initiatives, instead of shifting the cost to local governments and taxpayers."

Before it can become law, the legislation needs approval by both houses of the Legislature and Governor Andrew Cuomo.