

NIAGARA COUNTY LEGISLATURE

FROM: Legislator John D. Ceretto DATE: 09/01/09 RESOLUTION # II-093-09

APPROVED BY
CO. ATTORNEY

REVIEWED BY
CO. MANAGER

COMMITTEE ACTION

LEGISLATIVE ACTION

Approved: Ayes _____ Abs. _____ Noes 0
Rejected: Ayes _____ Abs. _____ Noes _____
Referred: _____

**RESOLUTION CALLING ON THE NEW YORK STATE LEGISLATURE
TO RESTORE STAR REBATES AND ENACT BILLS S.5248 AND S.253/A.7094**

WHEREAS, in enacting the 2009-2010 New York State Budget devised by Governor David A. Paterson, Speaker of the Assembly Sheldon Silver, and then-Senate Majority Leader Malcolm Smith, the New York State Legislature discontinued the "Middle Class STAR Rebate" program, and

WHEREAS, the New York State Legislature did reduce total spending on all STAR programs by 31.4%, which constitutes a \$1.5 billion tax increase on property owners statewide, and

WHEREAS, restoring the STAR rebate checks would return \$141.56 million in tax relief for homeowners in Western New York, and

WHEREAS, in the Executive Budget Briefing Book, Governor Paterson and his Budget staff coldly described "Eliminate STAR Rebate program" as a "Major Initiative," and

WHEREAS, as proposed by Governor Paterson, the STAR Rebate elimination disproportionately negatively impacted Upstate New York, while the only significant impacts for New York City was to "Permanently shift December payment for NYC STAR to June" and restoring the NYC STAR credits "to pre-rebate levels," which constitutes a reduction in spending of \$112 million for New York City's STAR program while STAR was cut by the previously-mentioned \$1.5 billion for all other New Yorkers, and

WHEREAS, enactment of the STAR Local Property Tax Rebate in 2006 was undertaken in response to increases in local school property taxes, the cost of which are largely driven by the actions of the New York State Legislature, and

WHEREAS, the impact of high school property taxes, which constitute more than half of the typical Niagara County property taxpayer's annual property tax bill, has been that Niagara County's property taxpayers are ranked among the highest-taxed in the nation, as a percentage of property values, and

WHEREAS, Senator Michael Ranzenhofer has introduced Senate Bill S.5248, "Reinstates the Middle Class STAR Rebate for the 2009-2010 School Year and Thereafter," and Senator Elizabeth O'Connor. Little has introduced Senate Bill S.253, "Establishes a Personal Income Tax Credit for Portion of Residential Real Property Taxes Which Exceeds a Certain Percentage of the Household Gross Income," and Member of the Assembly Sandra Galef has introduced A.7094 as a companion bill to S.253, and

WHEREAS, the Legislature has taken no significant actions on these measures, with S.253 being referred to the Committee on Investigations and Government Operations on January 7, 2009, and A.7094 being referred to the Committee on Ways and Means on March 20, 2009, and S.5248 being referred to the Committee on Local Government on April 27, 2009, now, therefore, be it

RESOLVED, that the Legislature of the County of Niagara does hereby call upon the Honorable Sheldon Silver, Speaker of the Assembly; the Honorable Pedro Espada Jr., Senate Majority Leader; the Honorable Malcolm A. Smith, Senate President; the Honorable Craig M. Johnson, Chairman of the Senate Committee on Investigations and Government Operations; the Honorable Andrea Stewart-Cousins, Chairwoman of the Senate Committee on Local Government; and the Honorable Herman D. Farrell Jr., Chairman of the Assembly Committee on Ways and Means to permit committee and floor votes on S.253, A.7094, S.5248, and to introduce and enact an Assembly companion bill to S.5248, and be it further

RESOLVED, that the Legislature of the County of Niagara calls upon the entire Western New York delegation to support enactment of these laws and restoration of the STAR Rebate program, and be it further

RESOLVED, that the Legislature of the County of Niagara does hereby call upon Governor David A. Paterson to sign such legislation restoring the STAR Rebate program upon its passage by the New York State Legislature, and be it further

RESOLVED that the County of Niagara shall forward copies of this Resolution to Governor Paterson, Senator George D. Maziarz, Senator Antoine D. Thompson, Senator Pedro Espada, Senator Malcolm Smith, Senator Craig M. Johnson, Senator Andrea Stewart-Cousins, Senator Michael Ranzenhofer, Senator Elizabeth O'Connor Little, Member of the Assembly Jane L. Corwin, Member of the Assembly Francine DelMonte, Member of the Assembly Robin Schimminger, Member of the Assembly Stephen Hawley, Member of the Assembly Jim Hayes, Speaker of the Assembly Sheldon Silver, Member of the Assembly Herman D. Farrell, Member of the Assembly Sandra Galef, and all others deemed necessary and proper.



LEGISLATOR JOHN D. CERETTO