



NEW YORK STATE SENATOR

Thomas F. O'Mara

## Senator O'Mara's weekly column 'From the Capitol' -- for the week of February 10, 2025 -- 'Albany has never kept its promise on mandate relief'

THOMAS F. O'MARA February 10, 2025

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Senator O'Mara offers his weekly perspective on many of the key challenges and issues facing the Legislature, as well as on legislative actions, local initiatives, state programs and policies, and more. Stop back every Monday for Senator O'Mara's latest column...

This week, "Albany has never kept its promise on mandate relief"

# Weekly Column from



*for the week of February 10, 2025*

**“Albany has never kept its promise on mandate relief”**

Not long ago, I wrote about a newly proposed state mandate causing yet more consternation out of Albany under which the state Fire Prevention and Building Code Council would require automatic sprinkler systems in every new home construction. The New York State Builders Association (NYSBA) estimates the mandate would increase the cost of building a home by up to \$20,000-\$30,000 at a time when skyrocketing construction costs already drive up historically prohibitive costs for homebuyers.

When this proposed mandate first came to light, I wondered what Albany [REDACTED] majorities could possibly be thinking in a state that already ranks as one of the most unaffordable states in America. What can they be thinking in a state where, for as long as I've been in office, Albany's appetite for imposing unfunded state mandates has been insatiable and where the consequences are now resulting in nothing short of a mass exodus from New York, the largest population loss of any state in the nation.

In fact, New York State received its worst ranking in a decade in U-Haul's recently released annual migration report. It'll cost you four times as much to rent a one way U-Haul truck from Upstate NY to South Carolina than it does to go from South Carolina to New York.

At last week's state budget hearing on local government, we were again left thinking, What are Albany [REDACTED] majorities thinking? We were reminded that unfunded state mandates continue to be an enormous burden on affordability in New York State.

It's an old story out of Albany.

One of the panels we convened at last week's hearing consisted of representatives of the New York State Association of Counties (NYSAC), the Association of Towns of New York State, and the New York State Conference of Mayors. The talk inevitably turned to the impact of unfunded state mandates on local governments and property taxpayers.

NYSAC reminded us that the total amount of unfunded mandates that counties currently carry is

Medicaid to public assistance for adults and families, indigent criminal defense legal services, child welfare, preschool special education and numerous others (read more in NYSAC's report, "The State of State Mandates," on the NYSAC website: <https://www.nysac.org/issues/mandates/>). Keep in mind that it's not just counties that are impacted, it extends to cities, towns, and school districts too.

At last week's hearing, I directly asked if any future mandate relief provided by the state would be met by counties, dollar for dollar, with property tax reductions. The answer was yes. That's a significant commitment. It would be life-changing for property taxpayers and it's time for this Legislature to finally take it more seriously.

For as long as I've been serving, and long before that, many of us have railed against Albany's appetite for continually imposing unfunded state mandates on localities and school districts – in other words, on local property taxpayers -- to pay for programs and services being dictated out of Albany. It's been unfair, it's been wrong, and it's been egregious – and we can never truly transform the state-local partnership and finally make it work in favor of local property taxpayers, like it should, until we address it.

In 2011, then-Governor Andrew Cuomo made it his top priority to enact a local property tax cap. As part of that push, he made a promise to localities and school districts to roll back one of the nation's heaviest burdens of unfunded state mandates. That promise was never kept. It was ignored and it has continued to undermine the ultimate purpose of the tax cap, which was to reduce property taxes, not just limit their growth.

We can't keep turning our backs on the fact that more needs to be done. Mandate relief has to become a state priority. Localities and school districts facing tough fiscal challenges still have their hands tied by too many unfunded state mandates and yet Albany just keeps loading on more. As I've highlighted in this column constantly over the past several years, right now Governor Hochul and the ██████ legislative majorities in charge of this state have a barrel full of energy mandates hitting ratepayers' monthly utility bills and many more are in the pipeline, including an all-electric school bus mandate that school districts warn could be the heaviest unfunded mandate hit that they have ever faced.

If the spending increases Governor Hochul has proposed for Medicaid in her 2025-26 proposed budget are enacted, state Medicaid spending will have increased by nearly 60 percent across the four budgets she has overseen as the governor. As of last September, nearly 45% of the state's population was enrolled in some form of state-sponsored Medicaid. Forty-five percent, or nearly eight million New Yorkers.

This state under one-party control just keeps moving in the wrong direction, especially for taxpayers.

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