

United for Progress



A Five-Year Overview of Advocacy Achievements

2018

2023



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Introduction

Founded in 1925, the New York State Association of Counties has existed for nearly 100 years. Those years have spanned wars and peace, economic depressions and expansions, and countless shifts in the political landscape.

Through it all, NYSAC has remained as the united voice of county governments, evolving to meet the needs of New York's County officials.

Amid this century of service, the last five years stand out as some of the most transformative and challenging in NYSAC's proud history.

A global health pandemic on a scale not seen in a century placed unprecedented demands on county government officials. At the same time, New York State leaders have tried over and over again to shift more responsibilities and more costs to counties and local taxpayers.

Governors Cuomo and Hochul and State Legislators tried to unravel that Medicaid cap, ended the historic federal eFMAP sharing, diverted hundreds of millions of county sales tax dollars, increased public defense attorney rates, reduced county reimbursement for a number of state programs, and tampered with our local election cycles.

They've continued to use local resources as an "off-the-books" funding source for their own programs, concealed from the transparency of the State Budget and financial plan.

These actions have occurred amid a rapidly changing political environment that has shifted the balance of power in Albany, elevated a new Governor, and ushered in a new generation of State Legislators unfamiliar with county government.

Despite these setbacks and obstacles, the NYSAC team continues to tirelessly advance the interests of New York's County leaders and the New Yorkers they serve.

The 19th-century German statesman Otto Von Bismarck famously said that politics is "the art of the possible."

Over the last five years, NYSAC has navigated these uncharted waters to maximize what was possible for the betterment of New York's County governments and the residents they serve.

This report recaps some of the highlights of the last five years of NYSAC advocacy.

“Politics is the art of the possible.

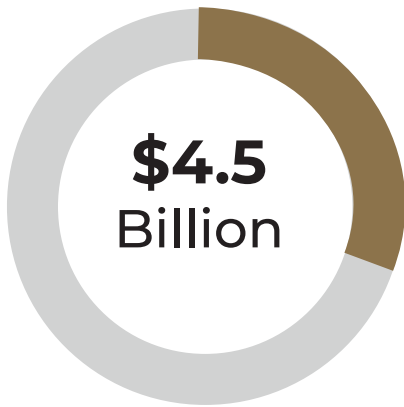
- *Otto Von Bismarck*



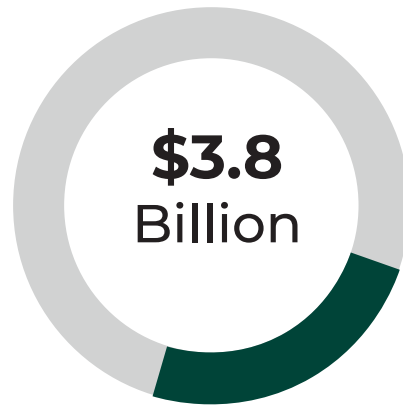
Advocacy by the Numbers

5 YEARS, \$15 BILLION

Since 2018, NYSAC successfully advocated for:



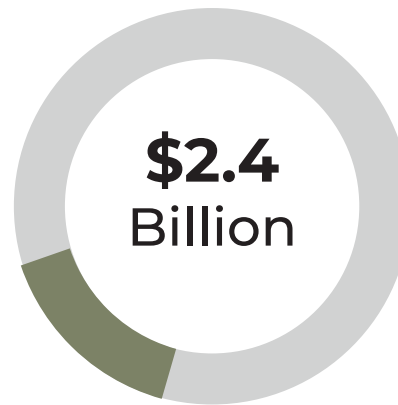
New State aid/reimbursements for county-administered programs.



Direct COVID stimulus for Counties and NYC.



Internet sales tax revenue for counties.



CARES Act funding for NYC and counties with over 500k residents.



COVID-related Medicaid assistance for counties.



Major Policy Victories

1

Defeated state efforts to unravel the county Medicaid cap.

2

Successfully fought to ensure Federal COVID aid was shared with counties.

3

Coordinated historic settlement of Opioid lawsuits to ensure damages flow to counties that have been on the front lines of the opioid scourge.

4

Beat back new unfunded mandates on programs like Raise the Age and election reforms.

5

Eliminated the energy service companies (ESCO) tax exemption (\$46 million per year for counties).

6

Beat back a proposed \$138 million cut to Community College funding in SFY 2024 budget.

7

Fought to protect the health of our communities by raising the tobacco purchase age to 21.

8

Created a commercial insurance covered lives assessment fee for early intervention (\$40 million to offset county contributions).

9

Staved off rushed changes to the In Rem foreclosure process.

10

Expanded safe investment options for counties (resulting in hundreds of millions in nontax revenue for counties).

Unifying the County Voice

NYSAC's mission is to foster excellence in county government and unify the voice of county officials. New York is a large and diverse state, but the myriad interests seeking action from government. For counties to break through and have our priorities respected, they must speak with one unified voice.

Over the last five years, NYSAC has fulfilled this core part of its mission with advocacy campaigns that unified the county voice to deliver on county priorities.



Keep the Cap, 2020

In 2021, Governor Andrew Cuomo's Executive Budget included a provision that would have required counties to stay under the 2 percent property tax cap in order to continue benefitting from the current local Medicaid growth caps that have effectively frozen the local share; and required counties to adhere to a local Medicaid share cost growth limit of three percent annually or pay any excess back to the state above that amount.

Through our Keep the Cap advocacy campaign we successfully removed this provision from the final budget, saving counties **\$1 billion in annual costs upon full implementation.**





Keep Local Taxes Local, 2021

In the SFY 2019 Budget, New York State began a troubling and unprecedented practice of intercepting and diverting local sales taxes to fund state programs; first to backfill \$59 million in state cuts to the AIM local government assistance program, and again in the SFY 2021 budget, when it took \$250 million per year to finance a temporary state controlled distressed health facilities fund in response to the COVID pandemic.

Through NYSAC's the Keep Local Taxes Local campaign, we successfully fought for the elimination and scheduled phase-out of these sales tax intercepts, returning **\$160 million** annually to counties.



COVID Response and NY Counties Lead, 2020

As the Covid-19 pandemic ravaged the world in 2020, two truths became clear: 1) that counties would need to unite, work together and share information and resources to fight the pandemic, and 2) counties would need significant resources from the federal government to effectively protect their communities and economies.

NYSAC sprang into action, launching a series of nightly conference calls with county officials across the state to share the latest information, and serve as a crucial relay point between county and state officials. These calls, and accompanying nightly newsletters, were a vital connection for our members and provided invaluable information and collaboration in the darkest days of the pandemic.

We also launched the NY Counties Lead campaign to promote the work that county officials did to respond to the COVID-19 pandemic and build support from the public for the county officials fighting the pandemic on the front lines. This support was crucial to securing buy-in from federal officials in charge of allocating COVID response resources.

As a result of these campaigns and the dedicated advocacy work of NYSAC in collaboration with our federal delegation, NYSAC helped secure over **\$8 billion** in federal resources to counties and the City of New York.

A Five-Year Snapshot

Below is a more detailed overview of NYSAC's budget and legislative wins over the past five years.

2019 Session & 2019-20 Enacted State Budget

- Eliminating the energy service companies (ESCO) tax exemption (\$46 million a year for counties).
- \$385 million in new State and Municipal Facilities (SAM) funding.
- \$15 million in new aging services funding and eliminating the 25% local maintenance of effort.
- \$24.7 million in new funding to comply with election reforms.
- \$100 million in additional funding (totaling \$200 million) for Raise the Age reforms.
- Enabling the Dormitory Authority (DASNY) to provide capital design and construction services to counties.
- \$8 million in new funding for jail-based substance use disorder treatment.
- Authorizing municipalities to compel mortgagees to complete a mortgage foreclosure proceedings.
- Creating an electronic open auction public bond sale pilot program.
- Establishing a post-consumer paint collection program.
- Prohibiting household cleaning products, cosmetic products, and personal care products that contain 1,4-dioxane.
- Increasing the age to purchase tobacco products from 18 to 21-year-olds.
- Creating the school bus stop arm camera program.
- Preventing the Homeowner Mortgage Refinance Relief Act from becoming law.



2020 Session & 2020-21 Enacted State Budget

- Rejecting the Governor’s proposal to shift \$1 billion in new Medicaid costs to counties.
- Extending the use cooperative purchasing and best value contracts.
- Securing the Families First Coronavirus Response Act—new \$12.6 billion eFMAP funding for New York State and counties over four years.
- Enacting the Coronavirus Aid, Relief, and Economic Security (CARES) Act (\$2.4 billion to NYC and largest counties).
- Negotiated language for unrestricted federal aid through the American Rescue Plan Act (ARPA).



2021 Session & 2021-22 Enacted State Budget

- Requiring the Public Service Commission to study availability of high-speed internet services (map released in 2023).
- Early voting funding of \$22 million.
- Increasing the amount of the municipal zero-emission vehicle (ZEV) rebate for counties to purchase clean vehicles.
- Achieving a \$7 million commercial gaming offset revenue fund.
- Acquired \$5 million for jail-based substance use disorder treatment.
- Authorizing counties to have the same investment options as New York City.
- Creating a \$40 million early intervention covered lives assessment fee on commercial insurance to relieve burden on counties.
- Prohibiting technical parole violators from being housed in local correctional facilities.
- Raising the age of juvenile delinquents from 7 to 12, reducing county detention costs.
- Ensuring ARPA funds go directly to counties.

2022 Session & 2022-23 Enacted State Budget

- Ended the diversion of local sales tax to cover the state's AIM payments (saving counties \$59.2 million a year).
- Ending diversion of county sales tax to support financially distressed facilities (\$50 million in savings for the 57 counties and \$57 million for New York City).
- Repealing the DOT Right-of-Way fee for all projects.
- Creating ConnectALL program for \$1.445 billion in broadband funding.
- Increasing base grant funding for local health departments (LHDs).
- Making fringe benefits an eligible expense for Article 6 public health funding.
- \$40 million in new funding for Extreme Weather Recovery for local roads.
- Increasing state funding to Veterans' Service Agencies from \$10,000 to \$25,000.
- \$7.7 million in state funding to expand the Joseph P. Dwyer Veterans' Support Program.
- Requiring insurers to fund postexposure rabies treatment coverage, saving LHDs money.

2023 Session & 2023-24 Enacted State Budget

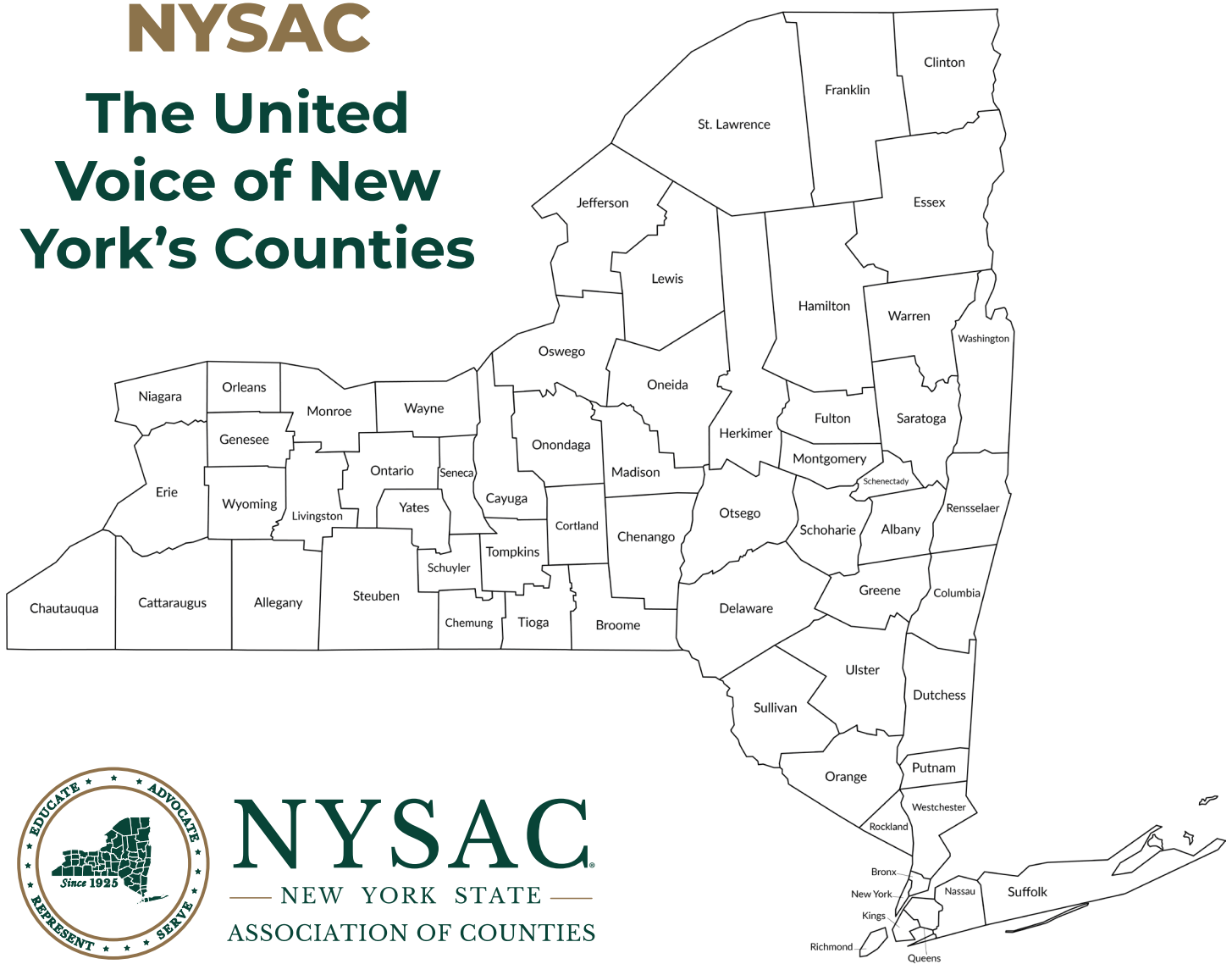
- Postponing reforms to in rem tax foreclosure proceedings.
- Achieving authorization for counties to exit the pension's Contribution Stabilization Program.
- Maintaining funding for community colleges at 100 percent of prior year funding (averting cut of \$138 million for enrollment declines).
- \$15 million for new voting equipment and software/technology upgrades.
- \$4 million for costs related to pre-paid return postage on absentee ballots.
- Increasing DMV transactions fees by \$13 million annually.
- \$285 million in new funding for public defense, prosecution, and alternatives to incarceration programs.
- \$92 million to cover 50% of new 18-B attorney rates and \$10 million for family court attorneys.
- Allowing Payment In Lieu of Tax (PILOT) agreements to be factored into tax cap formula.
- Authorizing counties to join public workers comp self-insurance plans.
- Extending the open auction bond sale pilot program.
- Extending expanded investment options for counties.
- Removing local health departments (LHDs) from Article 28 regulatory requirements.
- Removal of LHDs from home care licensure requirements.
- Prevented a \$50 million cost shift from early intervention provider rate increases.

Conclusion

The last five years have ushered in a new wave of political power, a global pandemic, an economic recession, unprecedented federal aid, and the resignation of a Governor.

While economic and political instability has gripped our state, the NYS Association of Counties has been here to serve our members, rising above these challenges to deliver real meaningful regulatory and financial results for counties.

NYSAC The United Voice of New York's Counties



NYSAC
— NEW YORK STATE —
ASSOCIATION OF COUNTIES