

LWW of Albany County

Educate

Participate

Advocate

April 2006

Audrey Kibrick and Marggie Skinner, Co-Presidents

Come One, Come All to the Financing Education Consensus Meetings

Members have the opportunity to choose to participate in two morning sessions or one evening session (same material). Each session will cover the same information and provide the same opportunities for discussion and consensus. In these meetings we will be dealing with the issue of how New York should raise funds to implement the Campaign for Fiscal Equity lawsuit and whether we should take a formal position on the STAR program.

Morning Session: Thursday, April 20th
Thursday, April 27th
7:30 – 9:30 a.m.

First Presbyterian Church, State & Willett Streets, Albany
(adjacent to Washington Park). Park in church parking lot.

At the first session there will be a powerpoint presentation and discussion about the issues considered by the consensus. At the second meeting, we will attempt to reach consensus. A light breakfast will be served at each meeting.

Evening Session: Thursday, April 27th
5:30 – 9:00 p.m.

Bethlehem Public Library, 451 Delaware Avenue, Delmar

The first half of this meeting will be devoted to the powerpoint presentation and discussion of the issues. The second portion will be devoted to reaching consensus. A light supper will be served.

To assure that we have adequate food for participants, it will be necessary to call or e-mail Gael Vecchio, 459-9958, or gaelcasey@aol.com to let her know the meeting(s) you will attend. Please call at least two days prior to the meeting.

The consensus questions have been printed in this bulletin. Please see also Preparation for Consensus instructions in this bulletin.

FROM THE PRESIDENTS

Hello everyone. April brings spring showers and – consensus meetings for financing education. There are two morning meetings at the First Presbyterian Church on State Street from 7:30-9, April 20 and 27. At the evening meeting we will provide a light informal supper- cold cuts, and soup etc. The evening meeting is at 5:30 April 27, at Bethlehem public library. Eat and learn! What a great way to learn about this important issue.

We want to make sure you are all aware of an exciting opportunity that has opened for us to educate Albany County and other counties' residents. As reported by Maggie Moehringer, Voter Service Director, the Albany County League was chosen to host the Attorney General Democratic Primary debate. We have no date as yet. Candidates are currently Denise O'Donnell, Mark Green, Richard Brodsky, Charlie King, Shawn Patrick Maloney and Andrew Cuomo. Our tasks as the local committee are varied and give us a wonderful chance to show off our skills and talents as facilitators..

We have received a small grant to provide a special program for Law Day celebrated May 1 or another date in that week. We have chosen the topic of election/appointment of judges. This has been studied by a Commission appointed by Chief Judge Judith Kaye and recently recommendations have been made. Our program, still being formed, will bring together New York State experts in this area to debate the pros and cons of the recommendations.

The State League has an Action Alert to support embryonic stem cell research which just happened to be the topic of our February meeting (wonderful to be SO timely in what we do!) The State League supports in the Healthcare Position putting \$100M into state funding for FY2006-2007 for the purpose of regenerative medicine, including embryonic stem cells. The budget is being negotiated NOW so, if you agree with this position, go immediately to www.lwvny.org and find the petition in the Citizen Action ToolkiT.

Audrey and Marggie

Did You Forget Something This Month?

Could it be your 2006-07 LWVAC dues notice is still in your "to be paid" file? Our Treasurer, Mary Berry, is eager to get a head start on our finances for the upcoming year and your dues make it possible for us to plan ahead for new and creative programming.

League of Women Voters of Albany County Board

Co-Presidents	VP Administration	VP Program	Treasurer	Secretary
Marggie Skinner	Gael Vecchio	Wendy Dury-Samson	Mary Berry	Judy Jarnefeld
489-5311	459-9958	439-1113	439-5679	869-3228
Audrey Kibrick	Voter Service	Membership	Development	International Relations
489-9931	Maggie Moehringer	Susan Coleman	Lori Keegan-Brady	Kay Wilkie
	475-0969	433-9446	475-0396	768-2901
Bulletin Editor	Public Relations	Poll Reporting	At Large	At Large
Aimee Allaud	Margaret Sawyer	Melanie Trimble	Raymond Blanchard	Betsey Swan
482-2617	783-9424	439-8475	438-0550	426-3711

E-Mail Address: lwvac@crisny.org. Web Site: www.lwvalbany.org

LWV of New York State: 35 Maiden Lane, Albany 12207, Phone: 465-4162, Fax: 465-0812, E-mail: lwvny@lwvny.org, Web Site: lwvny.org

The League of Women Voters is a nonpartisan citizen organization that promotes the informed and active participation of citizens in government, and influences public policy through education and advocacy. Any person of voting age, male or female, may become a League member.

This newsletter is published by the League of Women Voters of Albany County, 12 Coventry Road, Glenmont, New York 12077 and mailed to League Members. The frequency of publication is as follows: one mid-summer issue followed by nine monthly issues from September to May.

Consensus questions for 2006 LWVNYS Financing Education Study

- A. General Principles to Provide All New York Students with an Adequate Education—Desired Features of a Tax System
1. **Vertical equity or Fairness to Wealthier vs. Less Wealthy Taxpayers:** As an overall matter, looking at all resources available, should the
 - a. taxes collected be progressive- graduating the tax burden toward those most able to pay?
 - b. taxes collected are proportional- taxing all at the same percentage of income (“flat tax”)?
 2. **Horizontal Equity or Fairness within Similar Groups of Taxpayers:** should the means of raising money be designed so that similar groups of taxpayers are treated similarly, that is to minimize special interest group exemptions?
 3. **Stability:** should the sources of money be stable- capable of producing a steady and predictable stream of income? (Property taxes and sales taxes are more stable than income taxed, but overall, the three taxes used together can create stability.)
 4. **Simplicity:** should the system of raising money embrace the principles of simplicity and transparency?
 5. **Exportability:** should the taxes embrace the concept of exportability. Exportability means that someone other than NYS taxpayers will ultimately pay for some or all of the tax. For instance, residents of other states buy NYS sales tax when they buy goods in NYS. In the past, out-of-state residents paid a commuter personal income tax (PIT) on money earned while working in New York City. This means out-of-state persons working and/or using New York services help pay the taxes. An increase in both real property tax on homes and vacation homes and an increase in the PIT create additional deductions on federal taxes for New Yorkers who itemize, thus reducing their overall federal tax liability and resulting in another form of exportability.
 6. **Economic Development Consequences:** should the means of providing money be designed to minimize adverse economic development consequences? This includes the impact any proposed measures will have on the State’s ability to attract and retain business, the State’s debt level, and the cost of government services generally in comparison with other states. The current State budget is approximately \$104 billion.
 7. **Reserve Fund:** should the State earmark a substantial reserve fund to education to guarantee a continued stream of revenues in times of economic downturn? Currently the entire state stabilization reserve account is \$872 million (2005), and the education budget from the State is \$24 billion.

B. Questions about Local Taxes – Targeted Relief from Taxes School Tax Relief Program (STAR) vs. Circuit Breakers

The League position currently supports circuit breakers, limiting property tax relief to those with income below a certain level, and granting relief based on need. At the time of the 1997 consensus, STAR had not been enacted, and the circuit breaker level had not been adjusted for cost of living increases since 1986.

School Tax Relief (STAR): provides both seniors, who get more STAR at income under \$66,050, and non-seniors with school property tax relief at all income and property value levels. The STAR program provides \$2.6 billion of school property tax relief. Due to a 1997 political trade, New York City also receives Personal Income Tax credit in the amount of \$60 per single and \$125 per couple. Total program cost is \$3.3 billion (2005).

CIRCUIT BREAKERS: The current maximum income level, set in 1986, is still \$18,000 and the current maximum home value is \$85,000. Renters are also eligible if their rent does not exceed \$450. If adjusted for inflation with the consumer price index to 2005 levels, these amounts would now be \$32,070, \$151,441 and \$801. This income amount is approximately half the level of the STAR threshold for the Enhanced (higher) exemption. The current circuit breaker was recently estimated to benefit so few taxpayers that its cost to the state is approximately \$30 million. The STAR program superseded the program, but did not eliminate it.

By answering the following questions, you specify which type of local tax relief you believe is the most appropriate from a conceptual standpoint. The questions provide an opportunity to express your views about property tax relief mechanisms in a different way.

Local Tax Relief Targeting Generally (check one)

- B. i. Property Tax Relief for all PIT taxpayers, regardless of ability to pay (an example is the \$400/taxpayer proposal by the Executive and currently in use in NY City _____)
- B. ii. School Tax Relief only for all homeowners who pay real property tax, regardless of ability to pay (an example is the STAR basic program) _____
- B. iii. Property Tax Relief targeted to those whose property taxes exceed a certain %age of income (current incomes are less than a specified %age of the property tax) as proposed in the STAR training video by E. J. McMahon) _____
- B. iv. Property Tax Relief to lower income taxpayers, but not based upon the %age relationship between the taxes and income _____
- B. v. Property Tax Relief to lower income taxpayers with homes below a specified value, but not based on a %age relationship between the taxes and income (this is the current circuit breaker law, although the current circuit breaker has not been adjusted recently to provide meaningful tax relief.) _____
1. Should property tax relief be provided to all taxpayers, both renters and homeowners, regardless of ability to pay? This would increase the cost of the STAR Program, currently at \$3.3 billion (2005).
 2. Should property tax relief be provided to all homeowners, but not renters, regardless of ability to pay?
 3. Should property tax relief be based on need, with those having lower incomes receiving the greatest relief? This could be achieved either by placing an income limit on eligibility for STAR or expanding the circuit breaker. ITEP estimated that if an income cap of \$125,000, thereby eliminating STAR benefits for those with incomes above the stated level, were imposed, NYS would save \$1.6 billion annually. New Jersey currently has an income limitation of \$200,000. This would be an alteration, not elimination of the current program.
 4. Should school property tax relief be based on overall school tax burden, with relief being provided once school taxes (or some mixture of income and real property taxes for NYC and Yonkers) exceed a portion of income? For example, if a taxpayer had income of \$50,000, school taxes of \$5,000 and the maximum tax burden were 5% of income, the taxpayer would receive tax relief of \$2,500.
 5. Should property tax relief be based on overall local tax burden, with relief being provided once local taxes (municipal or local and school, if applicable) exceed a portion of income? For example, if a taxpayer had income of \$50,000, school taxes of \$5,000 and county and local taxes of \$5,000 (or municipal real property taxes and PIT in the case of NYC, municipal real property taxes, county taxes, and PIT in the case of Yonkers or municipal and county taxes in the case of the other dependent school districts) and the maximum tax burden were 5% of income, the taxpayer would receive tax relief of \$7,500.
 6. Should local tax relief be adjusted to reflect the disparity of housing costs in different parts of the state? This adjustment currently occurs in the STAR Program, but does not occur in the circuit breaker program.

7. Should taxpayers with real estate valued at over a certain amount be ineligible for local tax relief? There is a current limitation in the circuit breaker program (\$85,000), but none in the STAR program.
8. If there are limits placed on a local tax relief program, should they be automatically adjusted to reflect changes in cost of real estate or growth of income over time? This would mean that any local tax relief would provide a steady benefit to taxpayers over time and would not be eroded by inflation of wages or real estate costs. Multipliers could be added to either a circuit breaker program or a means limited STAR. For example, the \$18,000 circuit breaker, if adjusted for inflation since 1986 would provide relief to taxpayers with an income below \$32,070. This would be adjusted annually by the Consumer Price Index.
9. Should local property tax relief be based on New York State's definition of income, or should it be based on federal income? (Public pensions and most Social Security are excluded from NYS PIT).

C. Raising Money to Provide all Children with an Adequate Education. Please Comment of the following measures as a way of raising money to provide all NYS's children with an adequate education.

1. Do you favor implementing efficiencies and educational best practices as a means of providing NYS's children with an adequate education?
2. Do you favor any or all of the following measures as a means of funding an adequate education?
 - a. Expansion of the definition of income for NYS PIT purposes to conform to federal treatment of Social Security and pension benefits?
 - b. Expansion of the sales tax to include certain exempted goods?
 - c. Expansion of the sales tax to include certain exempted services?
 - d. Expansion of the sales tax to tax internet and distance sales?
 - e. Increase horizontal equity in business taxation?
3. Do you favor re-enactment of the stock transfer tax at a lower rate?
4. Recognizing that no one favors raising taxes, if other measures are insufficient, do you favor any or all of the following measures to make up the shortfall:
 - a. increase of the personal income tax?
 - b. increase of the statewide sales tax?
 - c. creation of a statewide property tax?

Information for Financing Education Consensus Meetings

In preparation for consensus, go to the LWVNYS website at www.lwvny.org and print a copy of Consensus Part I – Financing Education Discussion Leaders Guide with a blinking “new” sign under the Financing Education Study portion of the Home Page. This document contains information about the consensus issues and the consensus questions. It is important to review this document prior to the meetings. If you do not have access to the documents on-line, call Betsey Swan at 426-3711 to receive a hard copy by mail. If you have any questions about the materials, Betsey will be happy to discuss them with you prior to the meeting. Call her at 426-3711 or e-mail at faircamp@nycap.rr.com. For those of you who may not be able to make the first morning meeting or who may arrive late at the evening meeting, the PowerPoint presentation will also be available on the NYSLWV website.

ALBANY COUNTY HUMAN RIGHTS COMMISSION

Albany County's Human Rights Commission, lacks sufficient funding to operate effectively. The commission has never met, has no procedures for dealing with complaints and does not inform the public of its existence and its mission.

Albany County Legislators will be proposing legislation that will fully fund an Albany County Human Rights Commission. The proposal would ensure that the Commission will be fully appointed, meet on a regular basis, inform the community of its mission and processes and have specific procedures for handling human rights complaints.

Discrimination is a grim reality in our region and complaints are on the rise. The City of Albany fully supports its Human Rights Commission and the County should do so as well to give those outside of the city the same protections against discrimination along with the mechanisms to file a complaint and be heard. The legislation to be proposed will also offer much needed protection from discrimination in housing, employment, public accommodation and education to everyone without regard to military status, gender identity and expression, and status as a victim of domestic violence or sexual assault. As a league we support this under our national human rights position.

The LWVAC is part of the Capital District Coalition for Human Rights, a local group that has supported this issue since 2003. The Coalition includes: Albany County Central Federation of Labor – AFL-CIO, Campus Action, Capital District Gay and Lesbian Community Council (CDGLCC), Capital District Humanist Society, Capital District Labor Religion Coalition, Citizen Action, Eleanor Roosevelt Democratic Club, Empire State Pride Agenda, Equinox, First Unitarian Universalist Society of Albany, GLSEN Capital Region, Holy

Trinity National Catholic Church, Housing Works, In Our Own Voices, Inc., International Foundation for Gender Education, Inc. (IFGE), Metropolitan Community Church of the Hudson Valley, National Organization for Women-New York State Chapter, New York Association for Gender Rights Advocacy, Inc. (NYAGRA), New York Civil Liberties Union Capital Region Chapter, New York State Coalition Against Domestic Violence, New York Transgender Coalition, Phoenix Q Arts & Media Project, Social Justice Center of Albany, Working Families Party.

History

The City of Albany amended its Human Rights Law in 2004 to protect transgender and gender variant individuals from discrimination in housing, employment, education and public accommodation by a vote of 11 to 3. The City's amendment did not include protection for victims of domestic violence or military personnel on active duty.

Albany County Legislator John Frederick introduced legislation in December, 2004 to expand the County's human rights law to include transgender individuals and victims of domestic violence and military personnel on active duty. A public hearing was held in January, 2005. Strong and inflammatory opposition to the legislation was expressed by representatives of a religious coalition and the legislation was subsequently withdrawn.

Now some legislators have agreed that it is time to fully fund and operate a responsive Human Rights Commission in Albany County and to expand the law to include transgendered individuals, victims of domestic violence and military personnel on active duty. .

We need this law because discrimination exists right here and now in Albany County. We have heard first hand testimony from individuals who have been denied employment, education, and public accommodation based upon race, religious affiliation, gender, gender identity and expression or because of their status as a victim of sexual assault or domestic violence. This discrimination has become an increasing concern in our region.

Victims of domestic violence have been denied housing because landlords fear their batterer may appear and cause harm, despite the fact that restraining orders are in place.

Military personnel return from active duty to find that they have lost their job and housing and cannot find new opportunities because of the fear that they may be deployed again and not be able to fulfill lease and employment obligations.

Transgender and gender variant individuals face the many discriminatory practices in housing, employment and public accommodation. They must deal with constant verbal and even physical abuse and violent attacks due to their appearance.

What can you do?

1. Call or write your county legislator and say that you are in favor of a fully operational Human Rights Commission. If you do not know who represents you, call the Albany County Board of Elections, 487-5060 or the Albany County Clerk, 447-7168 and ask for the name and contact information of your Albany County legislator, or check on the league's website www.lwvalbany.org.
2. Write a letter to the editor in support of a fully functional Human Rights Commission for Albany County.
3. Educate your friends and neighbors and encourage them to support Human Rights legislation and to contact their legislator as well.

If you have any questions, please contact **Melanie Trimble, 439-8475.**

Celebrate the Life of Elfrieda Textores

Elfrieda Textores, a long time Albany County League member who died in December, 2004, will be remembered in a program at the Howe Branch of the Albany Public Library, Schuylers & Broad Streets in Albany's South End, on Saturday, April 29, 3:00 p.m. She is the subject of a children's book, *Elfrieda, a South End Legend*, which will have its debut that day. The Giffen School Community Choir will perform and awards will be presented for *Two Together* student essays on the topic of "My South End Hero."

We remember Elfrieda in the League for her advocacy and monitoring of health care issues in the NYS Legislature and with our Albany County League on Social Policy positions. Her community activism from planting gardens to holding parties for neighborhood children to beating down the doors of City Hall are legendary. This event is open to the public and refreshments will be served.

The Albany County League expresses our deepest sympathy to Linda Sorenson and her family on the recent death of her husband, Edward. Ed, also a longtime League member and supporter, assisted Linda for many years while she was Membership Treasurer and helped in keeping those meticulous records.

League of Women Voters of Albany County

NOMINATIONS SLATE 2006-7

Officers

Co-President	Audrey Kibrick	2006-7
Co-President	Marggie Skinner	2006-7
VP Program	Wendy Dury-Samson	2005-7
VP Action		2006-8
VP Administration	Gael Casey Vecchio	2006-7
Secretary	Judy Jarnefeld	2005-7
Treasurer	Mary Berry	2006-7

Directors (On Board)

Voter Service	Maggie Moehringer	2005-7
Membership	Susan Coleman	2006-8
Development	Lori Keegan-Brady	2006-7
State & Local Government	Raymond Blanchard	2006-8
Public Relations	Margaret Sawyer	2005-7
International Relations	Kay Wilkie	2006-8
Poll Reporting		2006
At Large	Jacqui Williams	2006-8

Directors (Off Board)

National Government	Edith Allen	2005-7
Social Policy	Courtney Burke	2005-7
Natural Resources		
Information Specialist	Don Kennedy	2005-7
Bulletin Editor	Aimee Allaud	2005-7
Bulletin Layout	Guy Allaud	2005-7
Bulletin Distribution	Annette Argyros	
Speakers Bureau	Barbara Bartoletti	2005-7
Budget Director	Mike Durocher	2005-7
Nominations		
Financing Education	Betsey Swan	2005-7



TAKING IT TO THE STREETS

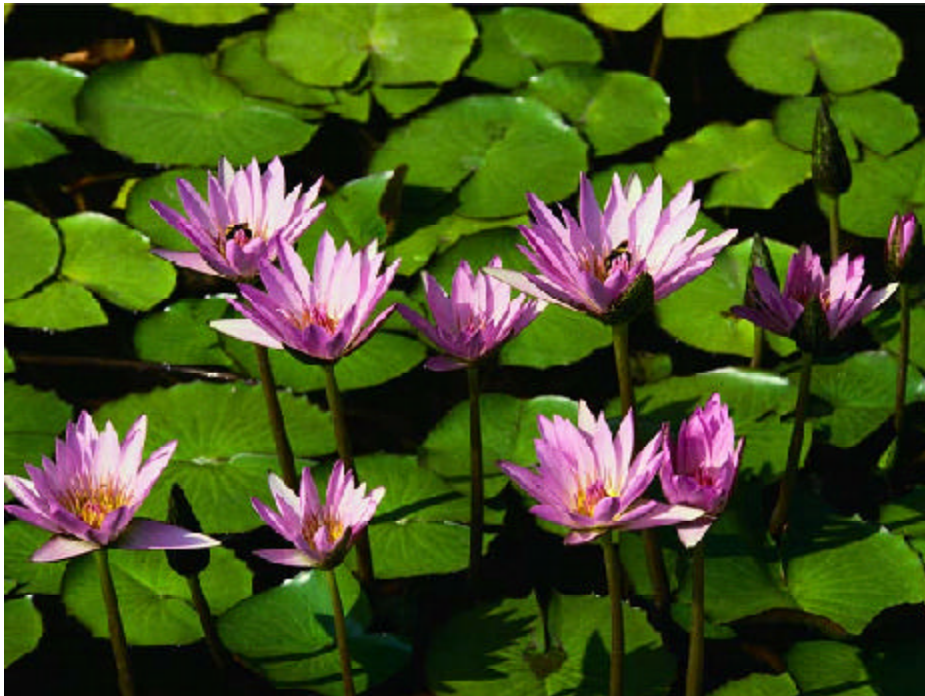
We've walked the halls and stood on the steps of the Capitol but now it's time to truly "pound the pavement" in Albany and show the tens of thousands of walkers, runners, and supporters of the Freihofer Run for Women just how proud we are of our organization.

Come to Albany on Sat. June 3, and join in the fun and camaraderie. Wear one of our new LWV t-shirts which will be provided at the special rate of just \$5 for all League members participating that day as you walk in the 3 mile Community Walk at 8 a.m., run in the 5k race at 10:15 a.m., volunteer along the course, or cheer from the sidelines. While there is a fee for the 5K run, the community walk is free - both require registration. Visit the event website at www.freihofersrun.com for details and registration forms.

In addition to the outside events, the League will have a table at the "expo" in the concourse level of the Empire State Plaza from noon until 9 p.m. on Friday, June 2 and from 7 a.m. until 2 p.m. on Saturday, June 3. Tens of thousands of people pass through this area during those two days, so it will provide a great opportunity for League visibility.

Of course, the bottom line remains "fun" As we all know, this is a very busy time for League and it's important to not lose sight of the fact that we are part of a team. So, come and share the day with your teammates and walk, run, and cheer for the League.

As members of a Capital Region League, in addition to your own participation, your extra help is needed to make this event a success. We would like to offer overnight accommodations to League participants from outside the area on the night of June 2. Please notify Stephanie at the State League office (stephanie@lwny.org or 465-4162) if you would be able to provide a bed or two that night. In addition to supporting the event, it's a nice way to become acquainted with members from other areas. Thank you.



ATTENTION: LWV NEW MEMBERS PLEASE JOIN US FOR COFFEE AND PASTRIES!!

We'd like to get to know our newest Albany County League of Women Voters members. Please join us Saturday morning, May 6, 2006, from 9:00 am to 11:00 am at the Perfect Blend Espresso Bar & Café. You'll have the opportunity to meet LWV members, learn more about the League and how you can become involved, and start your weekend off with coffee, goodies, and conversation! Please rsvp Susan Coleman at 433-9446. Hope to see you!

Perfect Blend Espresso Bar & Café
376 Delaware Avenue
Delmar NY 12054
(Free parking in rear)

Marggie Skinner – Co-President
Audrey Kibrick – Co-President
Susan Coleman – Membership Committee Chair

LWVAC PROPOSED 2006/2007 BUDGET

EXPENDITURES	ACTUAL 2004/05	BUDGET 2005/06	ACTUAL 02/16/06	PROPOSED 2006/07
A. Operating Costs				
1. General Supplies	16.60	100.00	40.60	200.00
2. Postage/permit Fee	150.00	175.00	150.00	175.00
3. Misc.Expense/Grants	0	24.00	462.44	100.00
SUBTOTAL	166.60	299.00	653.04	475.00
B. Board & Administrative Expenses				
1. President	0	50.00	0	50.00
2. Administrative Committees				
a. Publicity / website	100.00	360.00	100.00	150.00
b. Finance Drive /Development	0	175.00	0	175.00
c. Membership/Directory	319.70	275.00	217.28	350.00
SUBTOTAL	419.70	860.00	317.28	725.00
C. Delegates				
1. State Convention	1170.00	0	0	2000.00
2. National Convention	0	2000.00	0	0
3. Annual Meeting/May	4115.58	1800.00	0	2000.00
4. Potluck/September	621.68	300.00	319.92	300.00
5. Luncheon/December	1005.91	1000.00	1321.89	1200.00
6. Affiliations	100.00	100.00	0	100.00
SUBTOTAL	7013.17	5200.00	1641.81	5600.00
D. Financial Support				
1. State PMP	3357.00	3294.00	2632.50	3750.00
2. National PMP	4338.70	4641.00	4494.80	5000.00
3. Local Fundraising	481.60	1500.00	462.15	500.00
SUBTOTAL	8177.30	9435.00	4956.95	9250.00
E. Bulletin				
1. Supplies	1272.04	1300.00	793.12	1300.00
2. Postage	447.99	400.00	424.00	500.00
SUBTOTAL	1720.03	1700.00	1217.12	1800.00
F. Educational Activities				
1. Program Study	0	100.00	0	300.00
2. Voter Service				
a. Facts for Voters	865.58	350.00	191.31	350.00
b. Candidates Meetings	0	300.00	0	300.00
c. Voters Guide	760.98	150.00	0	0
3. Student Sponsor	268.28	300.00	0	0
4. Special Projects	92.47	100.00	0	100.00
SUBTOTAL	1987.31	1300.00	191.31	1050.00
G. Program Action	0	0	65.67	100.00
TOTAL	19,484.11	18,794.00	9,043.18	19,000.00

INCOME	ACTUAL 2004/05	BUDGET 2005/06	ACTUAL 02/16/06	PROPOSED 2006/07
AA. Membership Dues	8775.00	7500.00	1660.00	8500.00
BB. Contributions				
1. Member	815.00	1000.00	45.00	150.00
2. Fund Drive	5160.15	4000.00	1812.00	3000.00
SUBTOTAL	5975.15	5000.00	1857.00	3150.00
CC. Other Fundraising				
1. Annual Meeting/May	1582.00	1700.00	0	1700.00
2. Potluck/September	150.00	150.00	65.00	150.00
3. Luncheon/December	895.00	1000.00	1447.00	1000.00
4. Events	1715.00	2000.00	875.00	1000.00
SUBTOTAL	4342.00	4850.00	2387.00	3850.00
DD. Other Income				
1. Poll Reporting	2182.00	1500.00	2154.00	3000.00
2. Speakers Bureau	1156.00	100.00	500.00	100.00
3. Misc. Income/Grants	0	0	1138.44	100.00
SUBTOTAL	3338.00	1600.00	3792.44	3200.00
EE. Bank Interest	192.26	80.00	240.58	500.00
SUBTOTAL	22,622.41	19,030.00	9,937.02	19,200.00
From reserves		-236.00		-200.00
GRAND TOTAL		18,794.00		19,000.00

Law Day and NYS Court Reform

Law Day, conceived by the American Bar Association and established by President Dwight Eisenhower in 1957, is a national day set aside to celebrate the rule of law. Law Day underscores how law and the legal process have contributed to the freedoms that all Americans share.

Law Day programs are designed to help people understand how law keeps us free and how our legal system strives to achieve justice. Thousands of programs nationally are presented each year by school systems, civic organizations, state bar associations and other interested groups.

LWVAC, in order to accomplish our Mission of Public Information and having received a small grant from LWVUS under the "Safeguarding U.S. Democracy" program, is convening a May Day (May 1) forum to discuss NYS Court Reform, specifically the timely issue of how judges are chosen. This subject has an enormous effect on public attitudes towards the judiciary and is one of the primary concerns in court reform. There are, obviously other matters that impact upon public confidence in the court system and they include, but are not limited to, campaign finance disclosure, judicial discipline and salary reform, court restructuring and the need for physical plants that reflect the dignity of the courthouse.

Justice Judith Kaye and her Board of Administrators have successfully reformed various areas of the state court system and, more recently (in 2003), focused on the judicial elective system. Chief Judge Kaye appointed John Feerick, former Dean of Fordham Law School, to chair a *statewide Commission to Promote Public Confidence in Judicial Elections*. After a year of study and analysis, the commission, in a June 24, 2004 report, developed a set of proposals aimed at restoring public confidence in the state's antiquated and complex system of judicial elections. John Feerick said, "The commission found that every part of New York State is experiencing some form of threat to public confidence in judicial elections." The commission's recommendations have been presented to the State Legislature for approval and include:

- Judicial retention elections (where a judge faces only a yes/no vote, not an opponent)
- State-sponsored independent screening panels to vet judicial candidates
- Public financing of judicial election campaigns
- Voter guides with information on candidates and the justice system
- Public access to candidates' campaign finance information

Chief Justice Kaye stated that "the recommendations are courageous and far-reaching and would dramatically transform the judicial election process in New York State."

This Press Release of March 3, 2006, announced the filing of a Motion to Intervene in a US DOJ lawsuit against NYS filed on March 1, 2006. The League and other parties in the suit oppose the DOJ suit which would require NYS to fully implement HAVA by the September 2006 primary election. The full Motion is on the LWVNYS website at www.lwvny.org.

Larry Rockefeller

(212) 996-5662 (o)

Barbara Bartoletti

League of Women Voters of New York

(518) 469-8905 (c)

Bo Lipari

New Yorkers for Verified Voting

(607) 387-9308 (o)

(607) 351-2314 (c)

Richard Emery, Emery Celli Brinckerhoff & Abady, (917)414-4140 (c), (212) 763-5050 (o)

MARCH 3, 2006 - FOR IMMEDIATE RELEASE

VOTERS, GROUPS OPPOSE DOJ LAWSUIT THAT WOULD CAUSE ELECTORAL CHAOS

A coalition of New York voters and civic groups, including New Yorkers for Verified Voting and the League of Women Voters of New York, announced today that they are intervening to oppose a lawsuit filed by the United States Department of Justice against New York State. Led by Larry Rockefeller, a longtime voting activist, the coalition has filed a Motion to Intervene asserting that the relief sought by the Department of Justice—rushing out new electronic voting machines for the September 2006 primaries—will inevitably cause mass chaos on election day and will deny the right of citizens to have their votes counted.

Mr. Rockefeller said, “The Department of Justice’s rush to force the State to certify and buy computerized voting machines in time for the September primaries is a perfect storm for voting disaster. These machines have failed all over the country in other jurisdictions and, under this time pressure, will definitely fail New Yorkers. To privatize our elections using insecure technology risks inside fraud that can tilt election outcomes without a trace.”

“New York State voters are the ones who lose if the Department of Justice forces electronic chaos on us,” said Bo Lipari, Executive Director of New Yorkers for Verified Voting. “We cannot ignore the warnings of technical experts about the need for comprehensive analysis and testing of voting systems prior to their use in an election. We cannot ignore the warnings of election officials who call for adequate time to evaluate, purchase, and deploy a new voting system. And we cannot ignore the recurring problems with computerized voting which calls into question their ability to accurately count our votes.”

“The lawsuit filed on March 1, 2006 by the United States Department of Justice threatens to completely erode the process that would ensure the security and integrity of the citizen’s vote in New York State. Although the Federal Government has an obligation to enforce HAVA, we must not lose sight of the fact that the citizen has a fundamental constitutional right to an accurate and secure vote,” said Marcia Merrins, President, League of Women Voters of New York State.

The coalition has presented the expert testimony of Professor Douglas Jones, who documents the grave security and reliability problems that are inherent in the technology itself and that will be greatly exacerbated by a rushed certification and purchasing process. The coalition’s attorney, Richard Emery of Emery Celli Brinckerhoff & Abady, stated, “The State and the Feds are failing the voters of New York. Pushing any new voting system for this year’s election will, without a doubt, deprive New Yorkers of their sacrosanct right to vote because it is inevitable that many votes will not be counted. Knowing this now, but nonetheless forging ahead blindly, would be a travesty.”

The motion to intervene is being filed in Albany today with Hon. Gary L. Sharpe, the federal district court judge assigned to hear the case. Coalition members are also being represented by Zuckerman Spaeder LLP and the Law Office of Lowell Finley.

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Membership 2005–2006
Join & Make a Difference

Name _____

Address _____

Telephone _____

e-mail _____

- Individual membership \$45/year
- Household membership \$60/year
- Student membership \$15/year
- Contribution in support of my local league
- Please send me more information

Mail to : League of Women Voters of Albany County
 P.O. Box 611 Slingerlands, NY 12159

Or contact: Susan Coleman Tel: 433–9446

Letters

we get letters (we hope!)

Express yourself! We are starting a new column for the bulletin. Let me know your ideas and opinions...keep it short and to the point, and primarily on League issues. Mail your letter to Aimee Allaud, Editor, LWVAC bulletin, 85 Melrose Avenue, Albany, NY, 12203, or 85aimee@nycap.rr.com. Bulletin deadlines are the board meeting each month, generally the first Tuesday of each month.

Welcome our new members

Alison Grinnell	Albany
Betty Lou Bailey	Schenectady
Jonathan Stromer-Galley	Berne
Martin Pearlman	Voorheesville
Herb Brown	Albany
Ellen Burkhard	Delmar
Miriam Pye	Troy

Letter to the Editor.....

On Friday, March 3, 2006, the Times Union printed an article "Voting Pressure," which cited the US Department of Justice suing New York State for failing to establish ballot reforms.

For as long as I have been a member of the Albany County League Board, electronic voting machines has been an issue of significant priority. The League has long and actively supported the need to have an easy to use paper audit trail and record for the recording of voter's choices. The LWV has consistently urged the Legislature to take affirmative action as required by the federal HAVA. The crux of the matter, in addition to a dysfunctional decision making process, is the inability to decide between two technologies. These are an optical scanning system using a paper ballot that is marked by the voter and scanned and permanently retained, or an electronic voting touch screen similar to the system used by many bank ATMs and then create a paper record if requested by the voter. Either system must be accessible for disabled persons. The suit, filed on March 1 by the Justice Department focused on the issue of failure to comply with the January 1, 2006 deadline for the state to have a plan in place to replace lever voting machines and a statewide voter registration database by the federal Primary in September 2006.

Exacerbating the issue is an inane NYS law that requires a "full face ballot" where all the races and candidates appear on a single page. NYS is the only state to have such a requirement, a requirement that would necessitate a redesign of available machine systems.

The TU article is quoted as saying, "It is embarrassing that NYS has ranked last in compliance with HAVA and has become the first state to be sued." The reason behind this woeful recognition is the "cavalier attitude of the Board of Elections" to rest and select a viable system.

I'm proud to be associated with an organization that has been in the forefront of recommending solutions about this issue even though they seemed to have fallen on deaf ears. The LWV needs you, your friends and family to join us in the crusade to identify and expose the dysfunctionality of our legislative process. I urge you to join with us to help make logical and sound legislative decisions a reality. Many voices, in unison, can make a difference. We are a nonpartisan, not-for-profit group of intelligent and concerned citizens working for you. Come work with us.

Raymond S. Blanchard, Member at Large of the LWVAC Board

UPCOMING EVENTS CALENDAR

Great Decisions Discussions

Mondays, 9:30-11:30 a.m.

April 10 – India/China

April 24 – Turkey

May 8 – Pandemics &
National security

For information on locations

Call Katie Hendrickson,
439-4308

LWVAC Board Mtg.

Tues. April 4, 5:45 p.m.

Albany Public Library

2nd floor meeting room

Washington Avenue

Members welcome

Albany County Legislature

Monday, April 10

Albany County Courthouse

2nd floor, Legislative Chambers

7 p.m. (6:30 public comment)

LWVAC Meeting

Thursdays, April 20, 27

7:30 a.m.-9 a.m.

First Presbyterian Church

State & Willett Streets, Albany

Light breakfast

Topic: Financing Education
Consensus

LWVAC Meeting

Thurs. April 27

5:30 - 9:00 p.m.

Bethlehem Public Library

Delaware Avenue, Delmar

Topic: Financing Education

Consensus

Light supper

Elfrieda Textores, A Celebration Of Her Life

Howe Library

Schuyler & Broad Streets, Albany

Saturday, April 29

3 p.m.

Law Day

Monday, May 1

Albany Law School

Holland Avenue, Albany

Panel in formation

Call Audrey Kibrick, 489-9931

For further information

New Member Orientation

Saturday, May 6

9:00 – 11:00 a.m.

Perfect Blend Café

376 Delaware Avenue,

Delmar

The League of Women Voters of Albany County

P.O. Box 611

Slingerlands, NY 12159

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<p>5. Exportability: Should the taxes embrace the concept of exportability? Exportability means that someone other than NYS taxpayers will ultimately pay for some or all of the tax. For instance, residents of other states pay NYS sales tax when they buy goods in NYS. In the past, out-of-state residents paid a commuter PIT on money earned while working in New York City. This means out-of-state persons working and/or using New York services help pay the taxes. An increase in both real property tax on homes and vacation homes and an increase in the PIT create additional deductions on federal taxes for New Yorkers who itemize, thus reducing their overall federal tax liability and resulting in another form of exportability.</p>	<p>NO PROBABLY NOT UNSURE PROBABLY YES</p> <p>Comments:</p>
<p>6. Economic Development Consequences: Should the means of providing money be designed to minimize adverse economic development consequences? This includes the impact any proposed measures will have on the State's ability to attract and retain business, the State's debt level, and the cost of government services generally in comparison with other states. The current State budget is approximately \$104 billion (see <i>Money Money</i>).</p>	<p>NO PROBABLY NOT UNSURE PROBABLY YES</p> <p>Comments:</p>
<p>7. Reserve Fund: Should the State earmark a substantial reserve fund to education to guarantee a continued stream of revenues in times of economic downturn? Currently the entire state tax stabilization reserve account is \$872 million (2005), and the education budget from the State is \$24 billion.</p>	<p>NO PROBABLY NOT UNSURE PROBABLY YES</p> <p>Comments:</p>

**B. Questions about Local Taxes – Targeted Relief from Taxes
School Tax Relief Program (STAR) vs. Circuit Breakers**

The League position currently supports circuit breakers, limiting property tax relief to those with income below a certain level, and granting relief based on need. At the time of the 1997 consensus, STAR had not been enacted, and the circuit breaker level had not been adjusted for cost of living increases since 1986.

School Tax Relief (STAR): Explanation in full in consensus booklet. Provides both seniors, who get more STAR at income under \$66,050, and non-seniors with school property tax relief at all income and property value levels. The STAR program provides \$2.6 billion of school property tax relief. Due to a 1997 political trade, New York City also receives Personal Income Tax credit in the amount of \$60 per single and \$125 per couple. Total program cost is \$3.3 billion (2005).

CIRCUIT BREAKERS: The current maximum income level, set in 1986, is still \$18,000 and the current maximum home value is \$85,000. Renters are also eligible if their rent does not exceed \$450. If adjusted for inflation with the Consumer Price Index to 2005 levels, these amounts would now be \$32,070, \$151,441 and \$801. See <http://data.bls.gov/cgi-bin/cpicalc.pl>. This income amount is approximately half the level of the STAR threshold for the Enhanced (higher) exemption. The current Circuit Breaker was recently estimated to benefit so few taxpayers that its cost to the State is approximately \$30 million. The STAR program superseded the program but did not eliminate it.

By answering the following questions, you can specify which type of local tax relief you believe is the most appropriate from a conceptual standpoint. The questions will provide an opportunity to express your views about property tax relief mechanisms in a different way.

B. Local Tax Relief Targeting Generally (check one*):

B. i. Property Tax Relief for all PIT Taxpayers, regardless of ability to pay (an example is the \$400 per taxpayer proposal by the Executive and currently being used in New York City) _____

B. ii. School Tax Relief only for all homeowners who pay real property tax, regardless of ability to pay (an example is the STAR basic program) _____

B. iii. Property Tax Relief targeted to those whose property taxes exceed a certain percentage of income [current incomes are less than a specified percentage of the property tax](as proposed in the STAR training video by E.J. McMahon) _____

B. iv Property Tax Relief to lower income taxpayers, but not based upon the percentage relationship between the taxes and income _____

B. v. Property Tax Relief to lower income taxpayers with homes below a specified value, but not based upon a percentage relationship between the taxes and income (this is the current circuit breaker law, although the current circuit breaker has not been adjusted recently to provide meaningful tax relief.) _____

*** School Tax Relief in Dependent School Districts – Buffalo, Rochester, Syracuse, New York City or Yonkers – is difficult to identify because taxpayers do not pay School Taxes in those districts, but rather Property Tax. It is, however, possible to allocate a portion of the municipal tax burden to education taxes and provide relief accordingly.**

Comments:

<p>1. Should property tax relief be provided to all taxpayers, both renters and homeowners, regardless of ability to pay? This would increase the cost of the STAR Program, currently at \$3.3 billion (2005).</p>	<p>NO PROBABLY NOT UNSURE PROBABLY YES</p> <p>Comments:</p>
<p>2. Should property tax relief be provided to all homeowners, but not renters, regardless of ability to pay?</p>	<p>NO PROBABLY NOT UNSURE PROBABLY YES</p> <p>Comments:</p>
<p>3. Should property tax relief be based on need, with those having lower incomes receiving the greatest relief? This could be achieved either by placing an income limit on eligibility for STAR or expanding the circuit breaker. ITEP estimated that if an income cap of \$125,000, thereby eliminating STAR benefits for those with incomes above the stated level, were imposed, NYS would save \$1.6 billion annually. New Jersey currently has an income limitation of \$200,000. This would be an alteration, not elimination, of the current program.</p>	<p>NO PROBABLY NOT UNSURE PROBABLY YES</p> <p>Comments:</p>
<p>4. Should school property tax relief be based on overall school tax burden, with relief being provided once school taxes (or some mixture of income and real property taxes for NYC and Yonkers) exceed a portion of income? For example, if a taxpayer had income of \$50,000, school taxes of \$5,000, and the maximum tax burden were 5% of income, the taxpayer would receive tax relief in the amount of \$2,500.</p>	<p>NO PROBABLY NOT UNSURE PROBABLY YES</p> <p>Comments:</p>

<p>5. Should property tax relief be based on overall local tax burden, with relief being provided once local taxes (municipal or local and school, if applicable) exceed a portion of income? For example, if a taxpayer had income of \$50,000, school taxes of \$5,000, and county and local taxes of \$5,000 (or municipal real property taxes and PIT in the case of NYC, municipal real property taxes, county taxes, and PIT in the case of and Yonkers or municipal and county taxes in the case of the other dependent school districts) and the maximum tax burden were 5% of income, the taxpayer would receive tax relief in the amount of \$7,500.</p>	<p>NO PROBABLY NOT UNSURE PROBABLY YES</p> <p>Comments:</p>
<p>6. Should local tax relief be adjusted to reflect the disparity of housing costs in different parts of the state? This adjustment currently occurs in the STAR Program, but does not occur in the circuit breaker program.</p>	<p>NO PROBABLY NOT UNSURE PROBABLY YES</p> <p>Comments:</p>
<p>7. Should taxpayers with real estate valued at over a certain amount be ineligible to receive local tax relief? There is a current limitation in the circuit breaker program (\$85,000), but none in the STAR Program.</p>	<p>NO PROBABLY NOT UNSURE PROBABLY YES</p> <p>Comments:</p>
<p>8. If there are limits placed on a local tax relief program, should they be automatically adjusted to reflect changes in cost of real estate or growth of income over time? This would mean that any local tax relief would provide a steady benefit to taxpayers over time and would not be eroded by inflation of wages or real estate costs. Multipliers could be added to either a circuit breaker program or a means limited STAR. For example, the \$18,000 circuit breaker, if adjusted for inflation since 1986 would provide relief to taxpayers with an income below \$32,070. This would be adjusted annually by the Consumer Price Index. See explanation under B above.</p>	<p>NO PROBABLY NOT UNSURE PROBABLY YES</p> <p>Comments:</p>

<p>9. Should local property tax relief be based on New York State’s definition of income, or should it be based on federal income? (Public Pensions, and most Social Security are excluded from NYS PIT)</p>	<p>NO PROBABLY NOT UNSURE PROBABLY YES</p> <p>Comments:</p>
<p>C. Raising Money to Provide all Children with an Adequate Education. Please comment on the following measures as a way of raising money to provide all NYS’s children with an adequate education.</p>	
<p>1. Do you favor implementing efficiencies and educational best practices as a means of providing NYS’s children with an adequate education?</p>	<p>NO PROBABLY NOT UNSURE PROBABLY YES</p> <p>Comments:</p>
<p>2. Do you favor any or all of the following measures as a means of funding an adequate education:</p> <p>a. Expansion of the definition of income for NYS PIT purposes to conform to federal treatment of Social Security and pension benefits?</p> <p>b. Expansion of the sales tax to include certain exempted goods?</p> <p>c. Expansion of the sales tax to include certain exempted services?</p> <p>d. Expansion of the sales tax to tax internet and distance sales?</p> <p>e. Increase horizontal equity in business taxation?</p>	<p>NO PROBABLY NOT UNSURE PROBABLY YES</p> <p>Comments:</p> <p>NO PROBABLY NOT UNSURE PROBABLY YES</p> <p>Comments:</p> <p>NO PROBABLY NOT UNSURE PROBABLY YES</p> <p>Comments:</p> <p>NO PROBABLY NOT UNSURE PROBABLY YES</p> <p>Comments:</p> <p>NO PROBABLY NOT UNSURE PROBABLY YES</p> <p>Comments:</p>
<p>3. Do you favor re-enactment of the stock transfer tax at a lower rate?</p>	<p>NO PROBABLY NOT UNSURE PROBABLY YES</p> <p>Comments:</p>

<p>4. Recognizing that no one favors raising taxes, if other measures are insufficient, do you favor any or all of the following measures to make up the shortfall:</p> <p>a. increase of the personal income tax?</p> <p>b. increase of the statewide sales tax?</p> <p>d. creation of a statewide property tax?</p>	<p>NO PROBABLY NOT UNSURE PROBABLY YES</p> <p>Comments:</p> <p>NO PROBABLY NOT UNSURE PROBABLY YES</p> <p>Comments:</p> <p>NO PROBABLY NOT UNSURE PROBABLY YES</p> <p>Comments:</p>
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