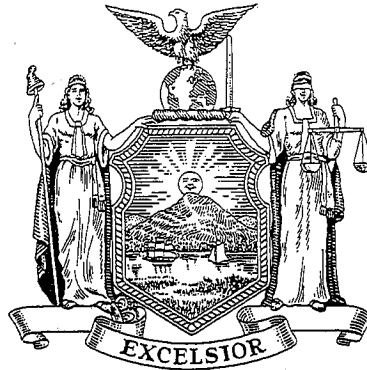


TAXATION AT THE CONSTITUTIONAL LIMIT:

A STATUS REPORT ON REAL PROPERTY TAXES IN NEW YORK STATE, 1975-1982



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FOREWORD

The report is derived from an interest on the part of the State Board of Equalization and Assessment in the current status of New York State municipalities and school districts vis a vis Constitutional Tax Limits. Consequently, the report is designed to be an exposition of the most recent data on the subject, limited to the real property tax aspects of those limits. Implications concerning spending policies in such taxing units are not examined.

The authors would like to acknowledge the assistance of several providers of data, publications, and insights, including: Joseph Hilton, Joseph Green, and Judy Mowczan, Department of Audit and Control, Bureau of Municipal Research and Statistics; Lois Wilson, Division of the Budget, Education Unit; and Beth Smayda, Legislative Commission on State-Local Relations.

EXECUTIVE SUMMARY

This report is designed to view the proximity of the current real property tax levies in New York's cities, counties, villages, and city school districts to the prevailing Constitutional limits. These limits, first enacted as Constitutional provisions in 1884, have an uneven impact across types of governments, sizes of cities, and whether or not the maximum two percent limit has been reached in counties and city school districts. The extent to which such governments and school districts are currently being constrained by Constitutional limits is the central focus of the analysis.

The most stringent limitation on local real property taxation is in New York City, where the levy subject to the Constitutional limit (excepting debt service and capital expenditures) is, at most, 2.5% of the five-year full value average. Over the past eight fiscal years, discussed in this report, New York City has taxed real property at 96.2% of the limit. New York City's case is particularly confining due to the inability to add taxes handled as county or school district purposes in the rest of the State.

The next most limited case occurs in the four other cities of over 125,000 population. County purposes are separated out, but the cities themselves must fund school purposes within an overall constraint of two percent of the five-year full value average. Yonkers is the hardest hit by this Constitutional limit, with the average of the past eight years exceeding 99% of the limit. Following Yonkers are Rochester (90.5% of the limit, on average), Syracuse (averaging 86.7% of the limit), and Buffalo (76.6% of the limit).

Nineteen cities, including all of the Big Five, have exceeded 90% of the Constitutional limit of 2% of the full value average at least once in the past eight years. Smaller cities closest to the limit, on average, are the cities of Newburgh, Binghamton, Beacon, Rensselaer, Long Beach, and New Rochelle.

Forty seven villages have exceeded 90% of their Constitutional limit at least once during the past eight years. In general, villages are not severely constrained by the real property tax limitation, with only one in seven exceeding 70% of the limit in the fiscal year ending in 1982. The villages where some Constitutional limit problems have occurred include Larchmont (Westchester County), Malone (Franklin County), Hempstead (Nassau County), Ossining (Westchester County), Tupper Lake (Franklin County), Monticello (Sullivan County), Ilion (Herkimer County), and Piermont (Rockland County). All other villages have averaged less than 90% of the Constitutional limit over the past eight years, though they may have had some real property tax levies near the limit during that period.

Counties, by and large, do not come close to the maximum Constitutional limit of 2% of the full value average. This is, perhaps, a bit misleading due to current Constitutional limits in 43 Counties at less than 2%. In these instances, however, the county legislature has the power to raise the limit to the Constitutional maximum. Counties coming closest to the Constitutional limit of 2% of full value include Oswego (77.8% average over the past eight years), Lewis (69.5%) and Schoharie (66.3%).

City school districts include many instances of taxation near the current Constitutional limit. The current distribution of the 65 school districts either wholly or partly within city limits shows 16 at 1.25% of the full value average, 17 operating at a 1.5% limit, 22 at 1.75% of the full value average, and the remaining 10 at the full 2.0% Constitutional limit. Using these current limits we find five-sixths of the city school districts exceeding 60% of the Constitutional levy, on average, during the past eight years, with fully one quarter averaging over 90% of the limit. If we refocus our view of limits to the Constitutional maximum of 2% of the five-year full value average, three-fourths of the school districts are taxing at less than 70% of this maximum.

Hardest hit within the current Constitutional limits (in parentheses) are: Glen Cove, averaging 100.6% of its limit (set at 1.75% of full value); Mount Vernon, at 99.8% average of

the limit (2%); Niagara Falls, at 99.8% of its Constitutional limit (1.25%); Poughkeepsie, at 99.6% of its limit (1.5%); Peekskill, at 99.2% of the maximum limit (2%); Rensselaer, at 98.8% of the limit (1.25%); and Long Beach, at 97.5% of the Constitutional maximum (2%). This list could continue for some time, with fully 40% of the city school districts exceeding 90% of their current tax limits during the 1982-83 school year. Appendix B displays the tax levies and limits of each of the 64 city school districts that have been in existence over the past eight school years.

The fiscal health of the city school districts with respect to their Constitutional real property taxation limits follows several trends. Some have remained at the Constitutional maximum for several years, some have recently approached that limit. Other districts approached the Constitutional limit in the recent past, but have receded from it since. Still others exhibit a "roller coaster" effect of approach and avoidance over time. The combined effects of two rates of growth — school budgets and the real property tax base — account for these differences over time.

In the 1978-79 school year new procedures were adopted increasing the tax and debt limits for city school districts. In most cases, the taxing limits rose very dramatically. Only three of the 64 city school districts had only a modest or no increase in their tax limits. The response of the city school districts to their higher taxing power was direct and immediate. In 49 of the districts, property tax levies for 1978-79 either rose in direct proportion to the new taxing power or at a much higher rate than during the other years covered in the analysis. Only 15 districts appear to have been unaffected by their greater taxing power.

The observed tax limitations, when combined, produce several effects. While New York City taxes at close to its limit, the resultant tax rate, on average, at \$24.05 per \$1000 of full value does not come close to the combined taxation experience in Long Beach, where the combined averages of the city, county and city school district produce an average tax

bill at \$46.94 per \$1000 of full value. These Constitutional constraints, which have an uneven effect across types of municipalities, result in a lessened reliance upon local tax resources and a greater need for State aid (see Appendix A) in those places where the impact of the limits is most severe.

TABLE OF CONTENTS

	<u>Page</u>
TITLE PAGE	i.
FOREWORD	ii.
EXECUTIVE SUMMARY	iii.
TABLE OF CONTENTS	vii.
LIST OF TABLES	viii.
LIST OF FIGURES	ix.
TAXATION ON THE CONSTITUTIONAL LIMIT: A STATUS REPORT ON REAL PROPERTY TAXES IN NEW YORK STATE, 1975-1982	1.
Cities	4.
Villages	12.
Counties	16.
City School Districts	26.
Change in Calculation of Constitutional Limits	31.
Combined Taxing Limits	35.
APPENDIX A: Constitutional Tax Limits and State Aid	
Adjustments to Cities	A.1
Cities with Dependent School Districts	A.1
Cities with Independent School Districts	A.3
APPENDIX B: Real Property Tax and Constitutional Limit Trends:	
64 City School Districts	B.1

LIST OF TABLES

	<u>Page</u>
Table 1.	Constitutional Tax Limits in New York State, 1982 2.
Table 2.	New York State Cities with Constitutional Tax Limit Problems 10.
Table 3.	New York State Villages with Constitutional Tax Limit Problems 15.
Table 4.	Constitutional Tax Limits in New York State Counties, 1975-1982: Ten Counties Closest to the Constitutional Maximum Limit 23.
Table 5.	Average Percentage of Constitutional Tax Limit Achieved By City School Districts: Four Limit Categories, Top Five in Each 28.
Table 6.	Constitutional Tax Limit Problems in City School Districts, 1975-76 to 1982-83: Ten Highest Districts in each of Four Current Constitutional Limits 32.
Table 7.	Combined Constitutional Tax Limits for Cities over 125,000: 1975-1982 Averages 36.
Table 8.	Combined Constitutional Tax Limits for Selected Cities under 125,000: 1975-1982 Averages. 37.
Table 9.	Combined Constitutional Tax Limits for Selected Villages: 1975-1982 Averages. 38.
Table A.1	State Aid Payments to Cities over 125,000 (except New York City) during State Fiscal Years 1976-77 through 1981-82: Three Aid Categories A.2
Table A-2	Small City School Districts Receiving Hurd Aid, 1979-80 to 1982-83 A.4

LIST OF FIGURES

	<u>Page</u>
Figure 1. Total Real Property Tax Levy and Levy Subject to Constitutional Limit: New York City, 1975-1982	5.
Figure 2. Total Real Property Tax Levy and Levy Subject to Constitutional Limit: Buffalo, 1975-1982	6.
Figure 3. Total Real Property Tax Levy and Levy Subject to Constitutional Limit: Rochester, 1975-1982	7.
Figure 4. Total Real Property Tax Levy and Levy Subject to Constitutional Limit: Syracuse, 1975-1982	8.
Figure 5. Total Real Property Tax Levy and Levy Subject to Constitutional Limit: Yonkers, 1975-1982	9.
Figure 6. Villages in New York State with Tax Levies Exceeding 70% of Constitutional Limit: 1975-1982	13.
Figure 7. Use of Actual Constitutional Tax Limit and 2% Maximum Limit: Nassau County, 1975-1982	17.
Figure 8. Use of Actual Constitutional Tax Limit and 2% Maximum Limit: Suffolk County, 1975-1982	18.
Figure 9. Use of Actual Constitutional Tax Limit and 2% Maximum Limit: Westchester County, 1975-1982	19.
Figure 10. Use of Actual Constitutional Tax Limit and 2% Maximum Limit: Erie County, 1975-1982	20.
Figure 11. Use of Actual Constitutional Tax Limit and 2% Maximum Limit: Monroe County, 1975-1982	21.
Figure 12. Use of Actual Constitutional Tax Limit and 2% Maximum Limit: Onondaga County, 1975-1982	22.
Figure 13. Average County Use of Constitutional Tax Limits: Current Limits and Maximum (2%) Limit, 1975-1982	25.
Figure 14. Average School use of Constitutional Limits: Current Limits and Maximum (2%) Limit, 1975-1982	27.
Figure A-1. Ten Largest Recipients of Hurd Aid Grants: Small City School Districts, 1979-80 School Year	A.6

	<u>Page</u>
Figure A-2. Ten Largest Recipients of Hurd Aid Grants: Small City School Districts, 1980-81 School Year	A.7
Figure A-3. Ten Largest Recipients of Hurd Aid Grants: Small City School Districts, 1981-82 School Year	A.8
Figure A-4. Ten Largest Recipients of Hurd Aid Grants: Small City School Districts, 1982-83 School Year	A.9
Figure A-5. Real Property Tax plus Hurd Grants to Small City School Districts: Top Ten Hurd Aid Recipients, 1979-80 through 1982-83	A.10
Figures B-1 through B-64. Constitutional Tax Limits in City School Districts, 1975-76 to 1982-83: ___ City School District, Current Limit of ___%	App. B.

TAXATION AT THE CONSTITUTIONAL LIMIT:

A STATUS REPORT ON REAL PROPERTY TAXES IN NEW YORK STATE, 1975-1982

The powers of many of New York State's local governments and school districts to levy real property taxes are limited by Article VIII, §10 of the State Constitution. The expression of New York State control over these local revenues dates from 1846, when the Legislature was empowered to restrict local governments' abilities to tax and borrow. Tax limitations first appeared as Constitutional provisions in 1884.¹

This report is designed to view the proximity of current real property tax levies in New York's cities, counties, villages, and city school districts to the prevailing Constitutional limits. By way of this overview we may better understand some of the financial constraints operating locally. While limits to one form of taxation tend to produce other kinds of taxes and attempts to escape the fiscal controls imposed, the legality of such methods of avoiding taxation limits is not examined in this report.²

Constitutional tax limits are currently imposed on counties, cities, villages, and school districts wholly or partly within cities. Other municipalities and corporations are not subject to such limits. The effects of tax limits within the State have an uneven impact

¹Several sources trace the history of Constitutional tax limits in New York State in detail. Restricting its focus to the immediate question is the Final Report, New York State Temporary State Commission on Constitutional Tax Limitations, chaired by Judge Francis Bergan (1974). Within the broader context of tax and debt limits, a recent Fordham Law School symposium produced several relevant articles published in Fordham Urban Law Journal, especially "Local Finance: A Brief Constitutional History," by Robert Cockren, Maria L. Vecchiotti, and Donna M. Zerbo (v. VIII, No. 1, pp. 135-183).

²Several recent articles with particular attention paid to New York State applications include: M. David Gelfand, "Seeking Local Government Financial Integrity through Debt Ceilings, Tax Limitations, and Expenditure Limits: The New York City Fiscal Crisis, the Taxpayers' Revolt, and Beyond," in Minnesota Law Review, v. 63, pp. 545-608; Richard L. Sigal, "The Proposed Constitutional Amendments to the Local Finance Article: A Critical Analysis," in Fordham Urban Law Journal, v. VIII, No. 1, pp. 29-51; and Dale Hickam, Robert Berne, and Leanna Stiefel, "Taxing Over Tax Limits: Evidence from the Past and Policy Lessons for the Future," in Public Administration Review, July/August 1981, pp. 445-453.

across types of governments, sizes of cities, and historical accidents of prior spending practices in counties and school districts.³ The structure of these impacts can be displayed as a sum of tax limits, as in Table 1.

Table 1. Constitutional Tax Limits in New York State, 1982.

TAXING JURISDICTION	TAX LIMIT	COUNTY LIMIT	SCHOOL LIMIT	SUM OF TAX LIMITS
New York City	2.5%	---	---	2.5%
Cities over 125,000	2.0%	1.5% ^a	---	3.5%
Cities under 125,000	2.0%	1.5-2.0% ^b	1.25-2.0% ^c	4.75-6.0%
Villages	2.0%	1.5-2.0% ^b	No Limit ^c	3.5-4.0% ^d
Towns	No Limit	1.5-2.0%	No Limit ^c	No Limit

Source: 1982 data from Department of Audit and Control, Bureau of Municipal Research and Statistics. Table based on Final Report, Temporary State Commission on Constitutional Tax Limitations, p. 10.

Notes:

- ^a County limits may be increased to a maximum of 2% by a method prescribed by the Legislature. Current limits in Erie, Monroe, Onondaga and Westchester Counties are set at 1.5%, yielding the current sum of limits at 3.5%.
- ^b The current distribution of tax limits for counties outside the Big Five cities is 37 at 1.5%, 1 each at 1.7% and 1.75%, and 14 at the maximum of 2.0%.
- ^c The current distribution of tax limits for these school districts: 16 at 1.25%, 17 at 1.5%, 22 at 1.75%, and 10 at 2.0%. This total of 65 school districts includes 57 city school districts and 8 non-city school districts partly within city limits (affecting some villages and towns).
- ^d The unlimited taxing power of the town is also available.

³ Article VIII, §10 (a) restricts counties to 1.5%, but provides for increasing the limit to 2% by legislatively prescribed means (§233 (2), County Tax Law). City school district limits are set in Art. VIII, §10 (e), limiting these districts to the next highest quarter percent to their taxes levied in the first fiscal year after July 1, 1947. These limits can be raised one quarter percent at a time up to the 2% ceiling by a 60% or greater majority in a general or special election (Education Law, §§2701-2706).

In Table 1 we observe that the most stringent limitation upon the local ability to generate revenues from the real property tax occurs in New York City. Next are the remaining "Big Five" cities with dependent school districts, where the current combined Constitutional limits for city (2%) and county (1.5%) are set at 3.5% of the most recent five-year real property full value average.⁴ This limit could be raised one-half of one percent by the counties involved, so as to reach the maximum of two percent, but this has only occurred in 14 counties to date. Table 1 shows cities under 125,000 having a Constitutional limit sum for the city, county and school district of up to 6.0% of the five-year full value average. Only two jurisdictions, the cities of Long Beach and Olean also have the Constitutional limits for their counties and school districts at the two percent maximum.

The remainder of this report will consider separate taxing jurisdictions in turn, illustrating cities, villages, counties and school districts where the Constitutional limits have been approached in the recent past. The last section of the paper combines these several jurisdictions to show cases where "combined" taxing limits are being reached. In addition, two appendices are attached to the exposition of Constitutional tax limits. In Appendix A, a short history of recent State aid adjustments to cities and city school districts is presented, and in Appendix B the recent performance of the city school districts

⁴The five-year full value average is computed according to Article VIII, §10 (f), as follows:

"The average full valuation of taxable real estate of such county, city, village, or school district shall be determined by taking the assessed valuations of taxable real estate on the last completed assessment rolls and the four preceding rolls of such county, city, village or school district, and applying thereto the ratio which such assessed valuation on each of such rolls bears to the full valuation, as determined by the state tax commission or by such other state officer or agency as the legislature shall by law direct."

The "legislatively directed" means of calculating the five-year average was changed by chapter 280 of the Laws of 1978, effective June 9, 1978 (§1252 of the Real Property Tax Law). As a consequence of this changed means of calculating the full value average, the 1979 and subsequently established limits are, in general, higher than prior limits due to projected changes in the "updated" ratios of assessed to full value. This is readily apparent in Appendix B, where most city school districts evidence an upward shift from the 1977-78 school year to the 1978-79 year.

is presented graphically, showing the real property tax levy subject to the Constitutional limit, the total tax levy, the current Constitutional limit and, where different, the calculated tax limit at the maximum rate of 2% of the five-year full value average.

Cities

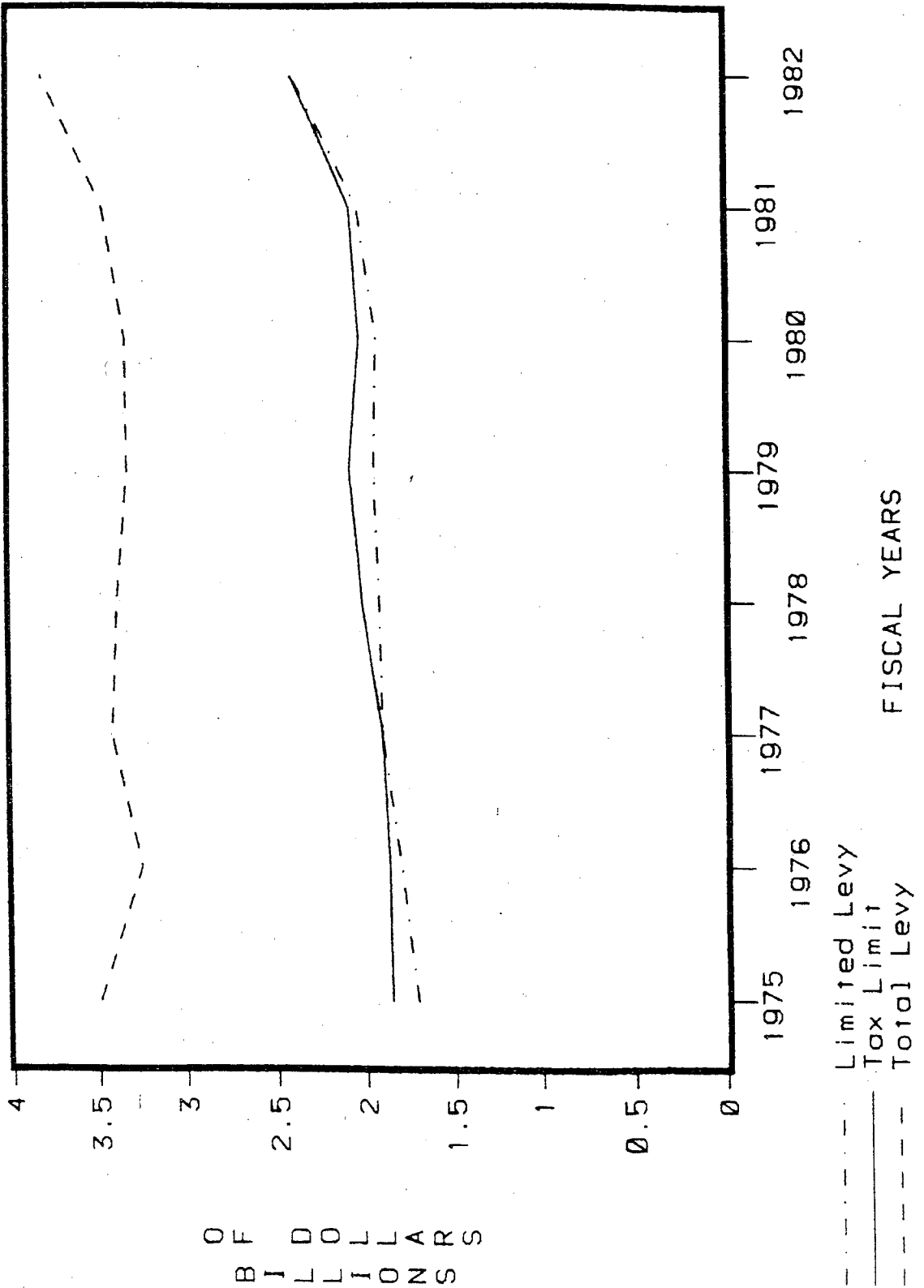
Figures 1 through 5 illustrate the cases of the Big Five cities in New York State, where dependent school districts yield a combined city and school district tax limit at the city maximum. This Constitutional maximum is exceeded by the total tax levy in all instances except the city of Syracuse in fiscal years ending in 1980 and 1982. The reason for this is the set of exceptions to the Constitutional limits. These include some debt service, capital improvements, and other expenditures for long-term purposes.

In Figures 1-5 the three lines represent the total real property tax levy (dashed line), the Constitutional tax limit (solid line), and the real property taxes subject to the Constitutional tax limit (dash-dot line). In the case of New York City (Figure 1), the Constitutionally limited levy parallels the tax limit during the period 1975-1982, ranging from 92.2% of the limit (1975) to 99.96% (1977).

Buffalo, in Figure 2, shows a more uneven approach to the Constitutional limit, reaching it in one year (1979) and exceeding 90% in only two other years (1975, 1982). Overall, the eight-year average percent of the Constitutional limit exhausted shows Buffalo at approximately three-fourths of the limit.

Rochester, in Figure 3, only reaches the Constitutional limit in one year (1979), but exhausts at least 90% of the limit in three other years (1977, 1978, and 1982). Substantial fluctuations in the size of the total levy occur in Rochester, however, with the 1982 levy reaching over \$99.5 million.

Figure 1. Total Real Property Tax Levy and Levy Subject to Constitutional Limit: New York City, 1975-1982



OF DOLLAR
BILLIONS

--- Limited Levy
— Tax Limit
- - - Total Levy

FISCAL YEARS

Figure 2. Total Real Property Tax Levy and Levy Subject to Constitutional Limit: Buffalo, 1975-1982

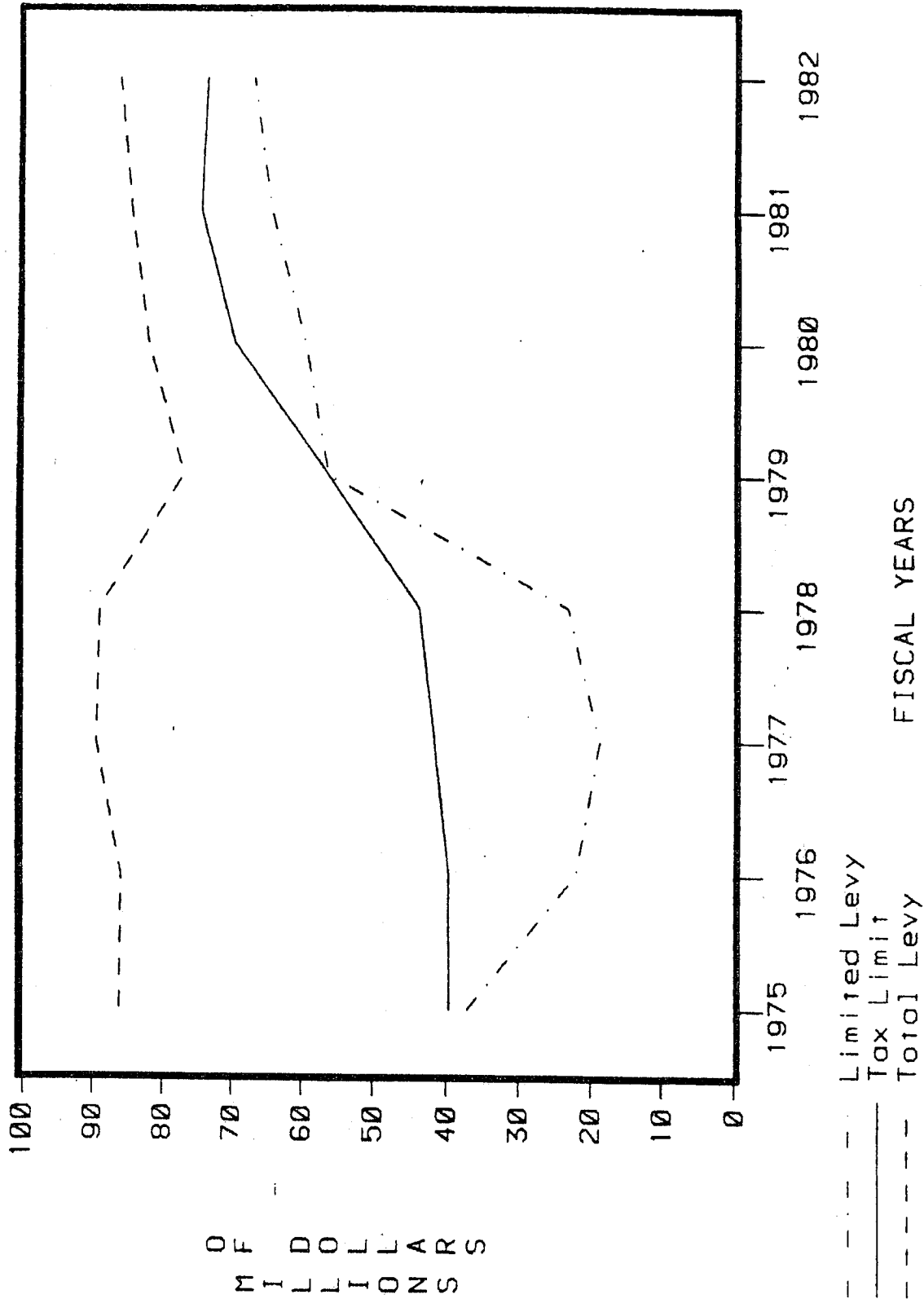
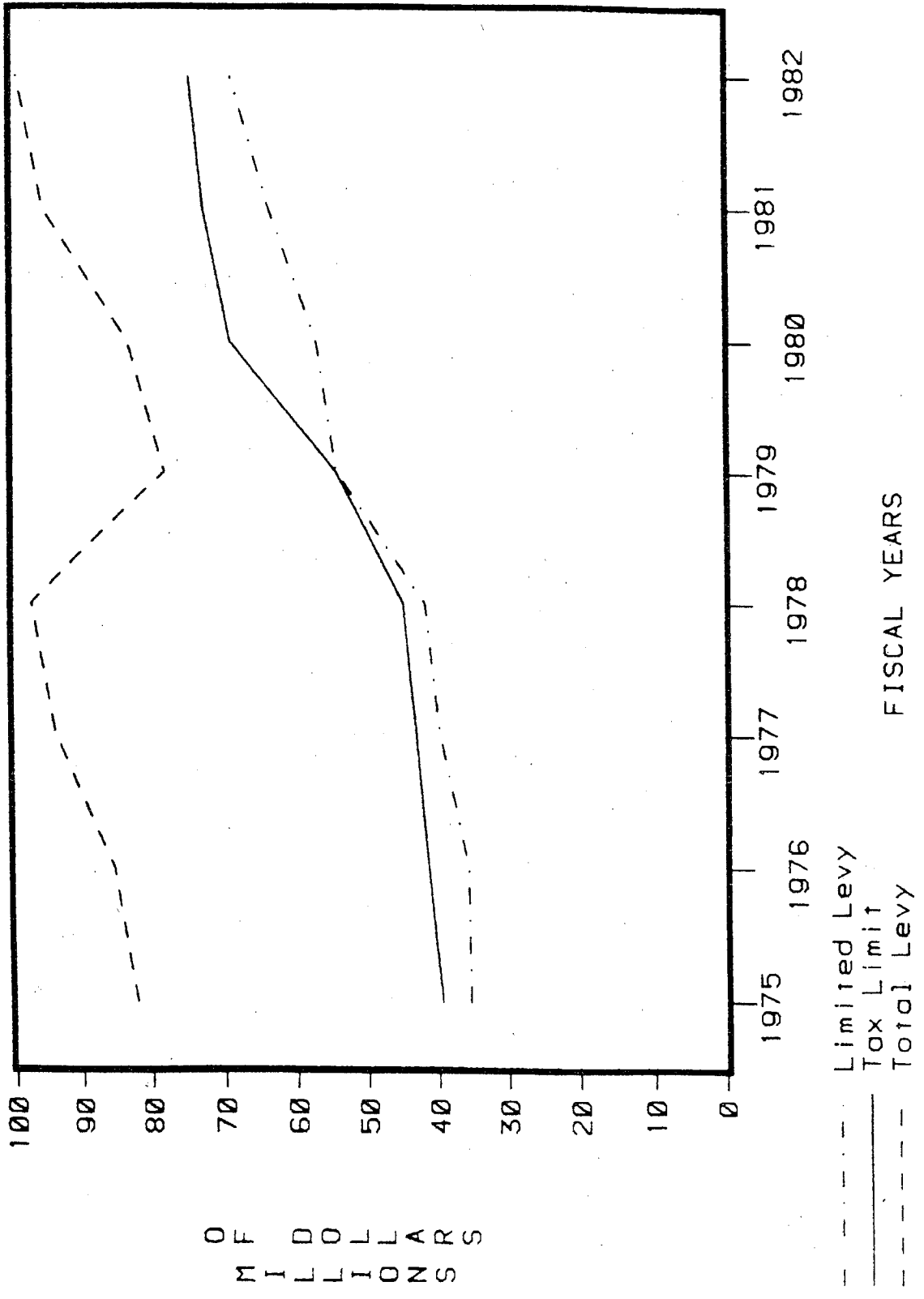


Figure 3. Total Real Property Tax Levy and Levy Subject to Constitutional Limit: Rochester, 1975-1982

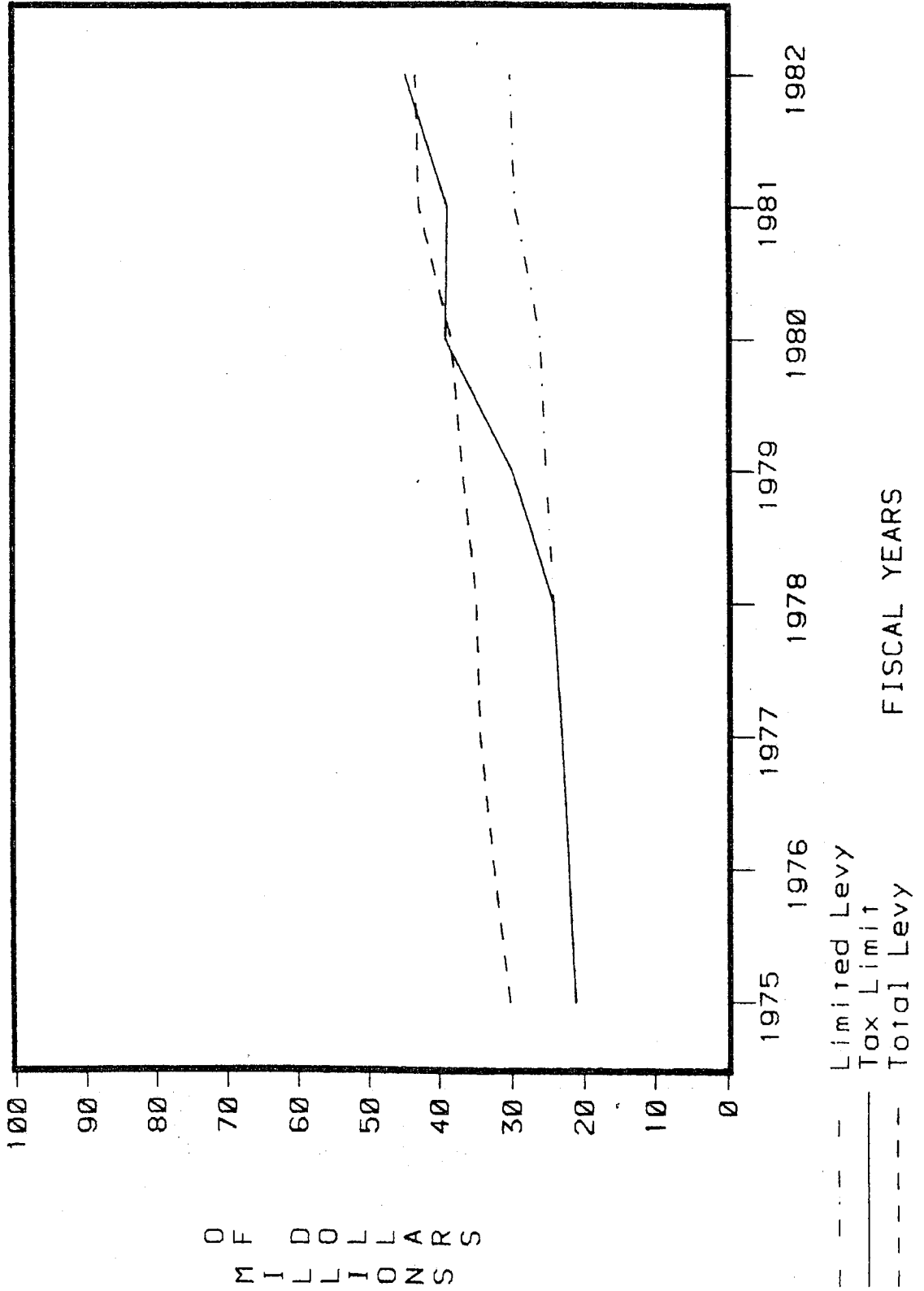


OF DOLLARS
MILLIONS

--- Limited Levy
— Tax Limit
- - - Total Levy

FISCAL YEARS

Figure 4. Total Real Property Tax Levy and Levy Subject to Constitutional Limit: Syracuse, 1975-1982

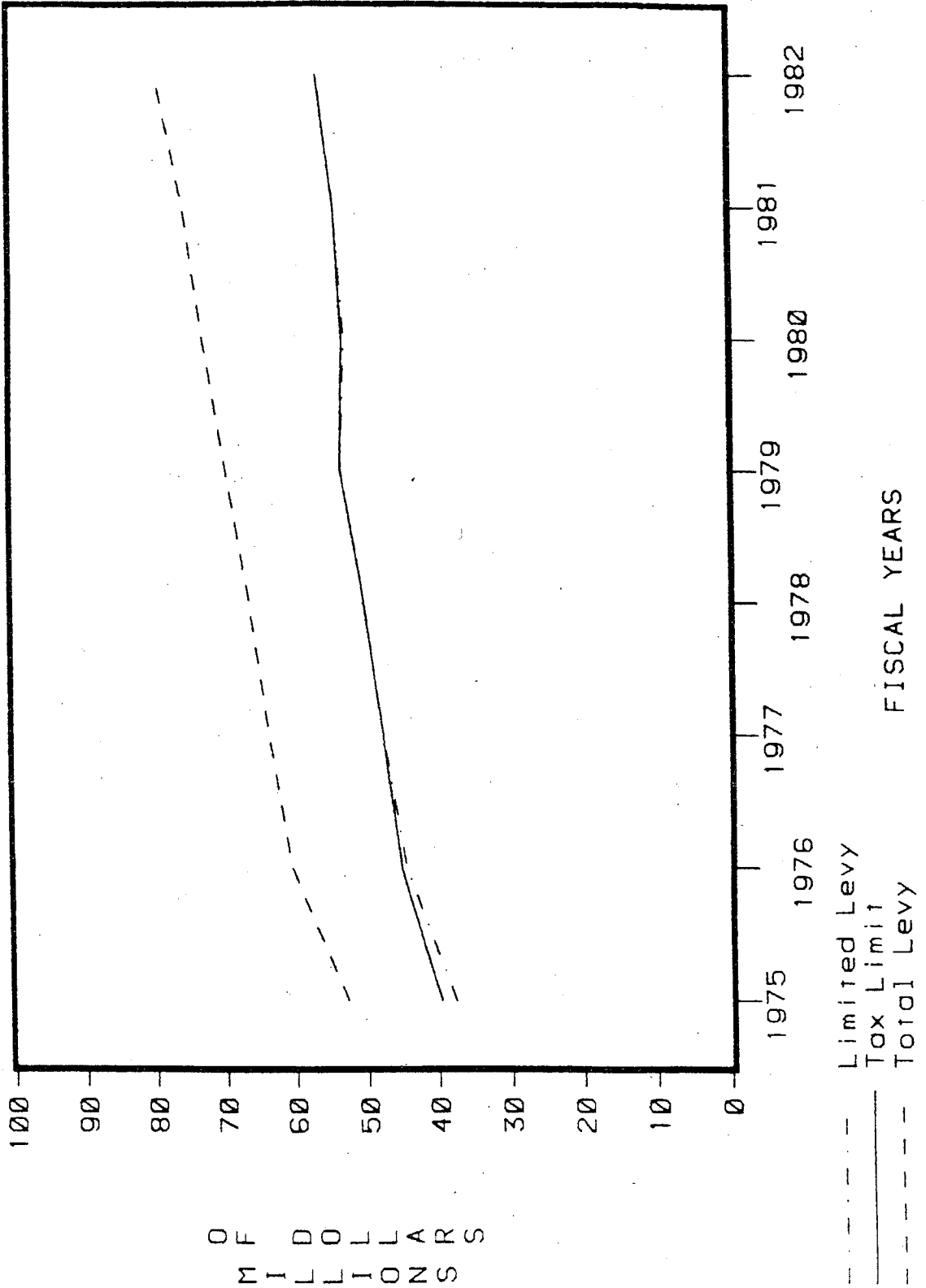


OF DOLLARS
MILLIONS

--- Limited Levy
—— Tax Limit
- - - - Total Levy

FISCAL YEARS

Figure 5. Total Real Property Tax Levy and Levy Subject to Constitutional Limit: Yonkers, 1975-1982



Syracuse, in Figure 4, used almost all of the Constitutional tax limit up until 1978, and has exhibited considerable fiscal health since. In two of the eight years shown, the total tax levy, including debt service and capital expenditures, has been less than the Constitutional limit, which is unique for the Big Five. During the eight-year period shown in this report, the total tax levy in Syracuse rose from \$30.2 million to \$43 million, up only 42%, while the Constitutional limit rose from \$21.1 million to \$44.5 million, an increase of 111%.

Yonkers, in Figure 5, exhibits the extreme case where almost all of the Constitutional tax limit is levied every year. During the past eight years the low percentage of the tax limit levied occurs in 1975, where almost 95% of the limit is required to meet city fiscal needs.

These cities are placed within the larger context of all New York State cities by Table 2. Nineteen cities exceeded 90% of the Constitutional limit in at least one of the past eight years. The eight-year average "percent of Constitutional limit exhausted" ranges from over 99% (Yonkers) to less than 74% (Lackawanna). In Table 2 the Big Five show up in first place (Yonkers), third (New York City), fifth (Rochester), tenth (Syracuse), and eighteenth (Buffalo). The remaining 43 cities did not exceed 90% of the Constitutional limit during the period.

Among the nineteen cities shown in Table 2 we find several trends. Some cities show improving fiscal health over time, with recent tax levies well under the Constitutional limit (Syracuse, Salamanca, Middletown, Poughkeepsie, Niagara Falls). Several also show deteriorating fiscal health, with recent levies approaching the Constitutional limit (Utica, Rensselaer, Lackawanna). Some are cyclical with respect to the approach to the limit (Long Beach, Mount Vernon, Buffalo), and some exhibit stability over time close to the taxation limit (Yonkers, Newburgh, New York City).

Only Yonkers and New York City exceed 90% of the Constitutional limit in each of the eight years, while Lackawanna and Niagara Falls only reach that level once. Six cities in the State average more than 90% of the Constitutional limit over the past eight fiscal years, three of which are members of the Big Five.

Table 2. New York State Cities with Constitutional Tax Limit Problems, 1975-1982.*

CITY	PERCENT OF LIMIT EXHAUSTED								8-YR AVG.
	1975	1976	1977	1978	1979	1980	1981	1982	
Yonkers	94.9	98.4	100.0	100.0	100.0	99.4	100.0	100.0	99.1
Newburgh	98.6	99.9	87.8	90.0	99.9	99.8	99.8	94.5	96.3
New York City**	92.2	96.5	99.9+	95.1	93.3	95.0	97.9	99.9	96.2
Binghamton	82.8	99.4	99.9+	95.6	94.3	89.8	92.5	92.3	93.3
Rochester	89.8	86.2	92.2	93.2	99.9+	82.6	87.4	92.5	90.5
Beacon	99.6	87.8	97.3	92.1	85.8	85.4	84.0	91.2	90.5
Rensselaer	87.8	82.7	85.2	83.4	85.6	95.6	96.5	99.7	89.6
Long Beach	92.6	90.8	74.9	83.5	88.8	94.5	93.6	94.3	89.1
New Rochelle	99.8	93.4	86.8	86.3	87.1	87.7	84.3	87.3	87.7
Syracuse	99.9	100.0	100.0	99.9	83.9	66.6	76.0	67.4	86.7
Utica	54.9	69.1	88.9	96.5	96.1	96.1	95.5	90.2	85.9
Mount Vernon	91.2	85.4	83.2	82.5	77.9	79.7	88.9	86.8	84.4
Salamanca	95.0	99.3	92.7	99.7	78.1	75.1	76.0	57.4	84.2
Peekskill	99.4	83.6	92.7	84.7	80.7	70.2	70.9	81.5	83.0
Middletown	98.8	92.8	87.2	78.9	77.0	75.6	76.7	73.6	82.6
Poughkeepsie	98.5	94.3	96.5	88.4	58.3	65.6	65.0	75.0	80.2
Niagara Falls	74.6	81.9	91.7	81.8	81.2	71.0	71.5	65.0	77.3
Buffalo	96.5	55.7	45.1	53.0	100.0	85.6	86.4	90.9	76.6
Lackawanna	52.7	64.4	68.7	68.2	69.4	86.8	84.0	96.3	73.8

*: Percent of limit exhausted exceeds 90% at least once during 1975-1982.

** : New York City Constitutional tax limit set at 2.5% of the five-year full value average. All other cities with limits at 2.0%.

The Constitutional tax limit as a constraint upon the power to levy real property taxes is unevenly burdensome to New York State's cities. Without recourse to county and school district limits in addition to its own 2.5% limit, New York City is the hardest hit. Next come the remainder of the Big Five, where dependent school districts produce a combined tax limit of only city and county levies. With Yonkers, New York City and Rochester among the top five fiscally constrained cities in the State, the impacts of real property taxation limits are evident.

Villages

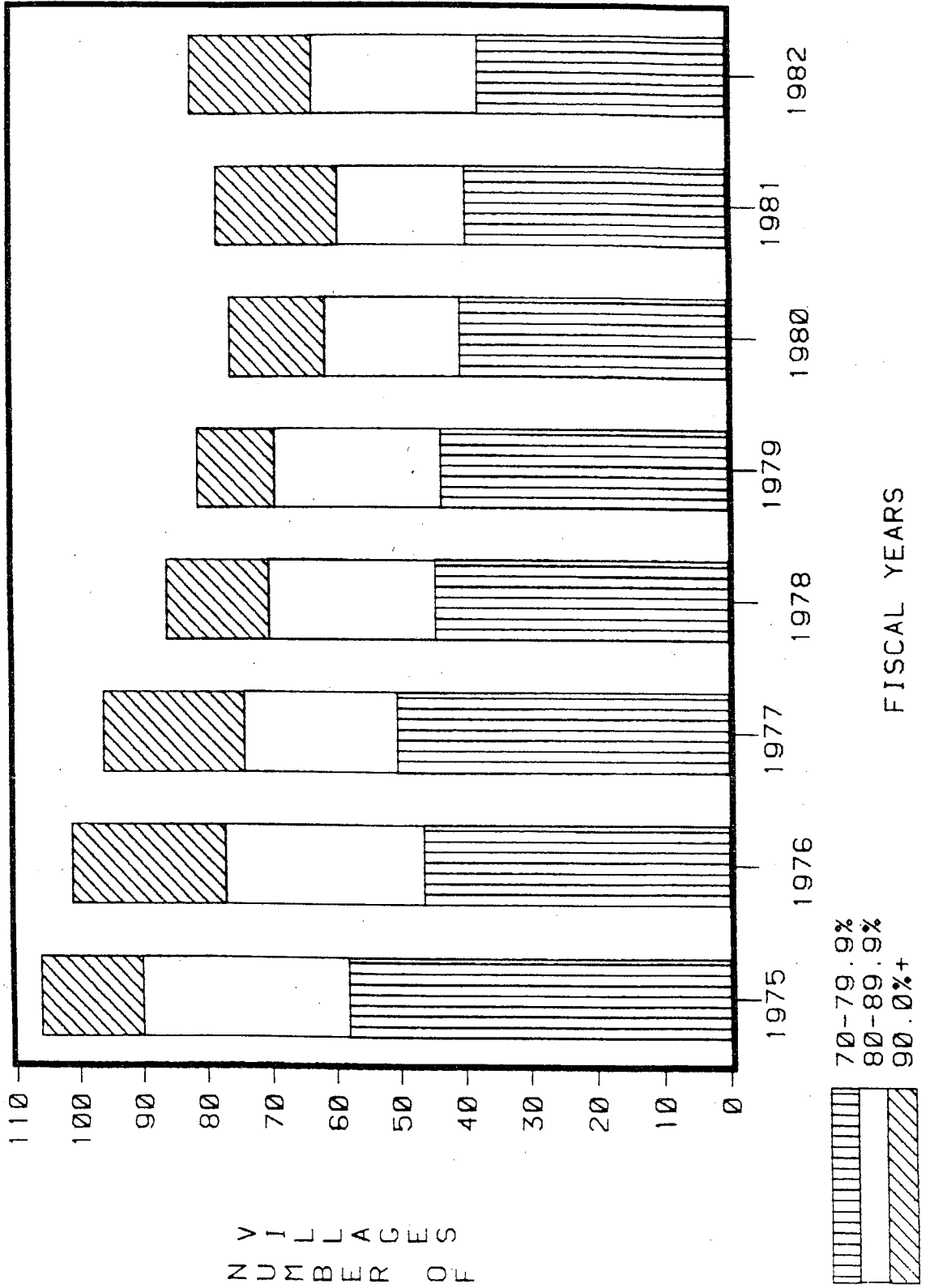
Over the past eight fiscal years 47 villages in New York State have exceeded 90% of the Constitutional tax limit at least once. The overall trend appears to be toward greater fiscal health in the villages as a whole (see Figure 6), with the number of villages exceeding 70% of the limit dropping from 106 in 1975 to only 82 villages over that mark in 1982.

Yet recurring real property taxation near the Constitutional limit is sufficient to show 25 villages averaging at least 85% of the limit over the eight year period. These villages appear to fall primarily into three groups: suburban, isolated, and resort areas.

Suburban villages with apparent real property tax limit problems include Larchmont in Westchester County, where the real property tax has exceeded 97% of the Constitutional limit in each of the past eight years. Among the cities, only Yonkers comes close to the Larchmont average. Other villages in suburban areas with tax limit problems include Hempstead and Freeport in Nassau County, Ossining and Pelham Manor in Westchester County, Piermont in Rockland County, and Northport in Suffolk County. Roughly one-third of the villages with Constitutional tax limit problems fall into this category.

Isolated areas also contain villages with tax limit problems (Table 3). The village of Malone in Franklin County exceeds even New York City in its eight-year average percentage of the Constitutional maximum levied. Other isolated areas containing villages with tax

Figure 6. Villages in New York State with Tax Levies Exceeding 70% of Constitutional Limit: 1975-1982



limit problems are Tupper Lake in Franklin County, Ilion and Herkimer in Herkimer County, Saranac Lake in Essex and Franklin Counties, Whitehall in Washington County, and Harrisville in Lewis County. Some of the other villages shown in Table 3 might also fit this category of isolated areas.

Finally, other villages noticeable in the higher ranges of tax limit usage include those in resort areas. Some of these include Monticello, Ellenville, and Liberty in Sullivan County, Catskill in Greene County, Saugerties in Ulster County, Schuylerville in Saratoga County, and Chatham in Columbia County. Since villages often provide services not sought on a town-wide basis, some of these observed exceptions to the more usual case of fiscal health for villages are readily understandable.

Table 3. New York State Villages with Constitutional Tax Limit Problems.*

VILLAGE (County)	PERCENT OF LIMIT EXHAUSTED								8-YR AVG.
	1975	1976	1977	1978	1979	1980	1981	1982	
Larchmont (Westchester)	97.8	97.1	97.2	98.1	98.0	99.3	98.1	99.9+	98.2
Malone (Franklin)	89.7	97.1	96.1	98.7	98.6	99.8	95.9	96.0	96.5
Hempstead (Nassau)	89.9	97.2	94.0	92.5	94.4	99.1	96.6	98.9	95.3
Ossining (Westchester)	99.2	99.8	98.3	96.5	89.7	85.7	90.0	91.8	93.9
Tupper Lake (Franklin)	91.6	91.9	91.6	98.4	92.7	96.6	95.9	87.8	93.3
Monticello (Sullivan)	89.3	87.1	89.0	92.2	93.1	98.2	98.2	91.3	92.3
Ilion (Herkimer)	85.8	84.9	92.1	83.2	89.4	97.0	99.9+	99.9+	91.6
Piermont (Rockland)	82.3	91.3	88.6	91.4	91.5	92.6	96.8	93.8	91.0
Catskill (Greene)	93.3	99.9+	98.1	89.9	81.9	79.0	82.5	94.4	89.9
Saugerties (Ulster)	96.3	98.8	83.5	91.0	98.7	90.1	89.1	81.3	89.8
Saranac Lake (Essex/Franklin)	86.1	98.4	83.2	80.7	88.6	99.8	99.1	82.6	89.8
Walden (Orange)	88.1	97.9	98.3	99.7	85.5	85.5	80.1	78.8	89.2
Ellenville (Sullivan)	80.6	81.8	91.1	96.9	90.4	83.8	91.2	94.4	88.8
Liberty (Sullivan)	95.4	90.2	90.8	76.1	79.1	87.4	91.1	97.7	88.5
Pelham Manor (Westchester)	90.5	88.9	87.6	85.7	88.2	88.7	91.3	86.6	88.4
Herkimer (Herkimer)	79.7	83.2	88.4	88.8	84.4	84.5	99.9+	92.6	87.8
Whitehall (Washington)	80.8	81.5	78.0	79.6	89.0	93.6	99.9	99.2	87.7
Green Island** (Albany)	92.7	94.6	88.2	89.3	80.7	79.1	83.4	93.0	87.6
Northport (Suffolk)	89.6	96.2	91.4	88.8	81.3	85.1	81.8	81.3	86.9
Freeport (Nassau)	73.0	84.3	94.3	91.5	92.2	91.2	85.7	81.9	86.8
Schuylerville (Saratoga)	98.8	99.1	94.8	80.2	67.3	70.8	99.8	82.8	86.7
Elmira Heights (Chemung)	71.3	81.4	91.3	92.0	88.0	88.5	91.7	88.3	86.6
Oriskany Falls (Oneida)	90.4	86.3	90.6	88.7	80.8	78.5	88.1	83.7	85.9
Harrisville (Lewis)	84.3	90.5	90.4	96.2	96.4	82.0	53.9	90.4	85.5
Chatham (Columbia)	89.6	99.5	95.2	90.3	92.2	82.4	72.8	60.8	85.4

*: Villages over 90% of limit at least once with average over 85%.

** : Coterminous town-village. May also levy for town purposes.

Counties

Comparison standards and the use of the Constitutional tax limits are more complex in counties and city school districts due to the varying limits currently in place. The State Constitution prescribes limits lower than the maximum in places where the then-prevailing tax rates were lower (see footnote 3, p. 2). Ultimately, all counties and city school districts are constrained by the maximum Constitutional tax limit of two percent of the five-year full value average. However, counties may raise their limits by an extraordinary majority (two-thirds) of the county legislature or by submitting the proposition to a referendum (§233(2), County Tax Law). City school districts may only raise their Constitutional limits via a local referendum, where a 60% majority must be obtained (§§2701-2706, Education Law).

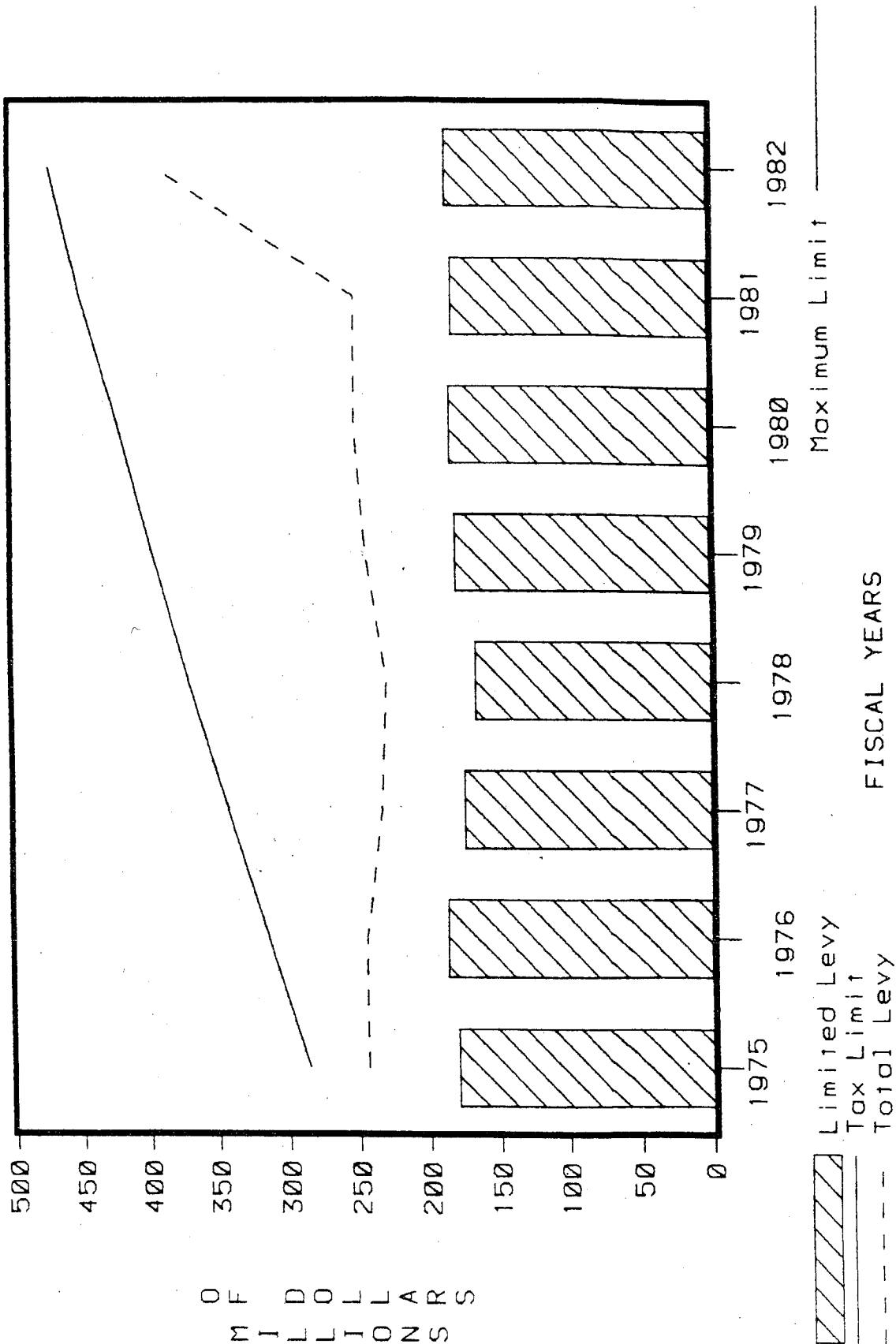
As noted in Table 1, only 14 counties are currently at the 2% maximum, with the other 43 at some lesser percent of the full value average. Comparisons made in this report will be restricted to the 2% standard, with appropriate notes made where Constitutional limits are lower than the maximum.

Six counties in New York State had a maximum Constitutional limit (2%) of more than \$100 million in 1982. These are the four counties which include Big Five cities and the two Long Island Counties (Figures 7-12). Of these six, only Nassau County has a Constitutional tax limit set at the 2% maximum. With one exception, these six counties used a lower percentage of the Constitutional tax limit in 1982 than in 1975: Onondaga County went from 48.1% to 64.2% of the prevailing limit during the period (from 36.1% to 48.1% of the 2% maximum).

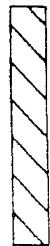


Unlike the evidence from the Big Five cities, where the total real property tax levy exceeds the Constitutional limit in all cases except Syracuse in 1980 and 1982, we find only one case of the total levy, with exclusions counted, exceeding the Constitutional limit among these counties (Erie County, 1977). Even this levy does not exceed the 2% maximum

Figure 7. Use of Actual Constitutional Tax Limit and 2% Maximum Limit:

Nassau County, 1975-1982



O F D O L L A R S
M I L L I O N S

 Limited Levy
 Tax Limit
 Total Levy

FISCAL YEARS

Maximum Limit

Figure 8. Use of Actual Constitutional Tax Limit and 2% Maximum Limit:

Suffolk County, 1975-1982

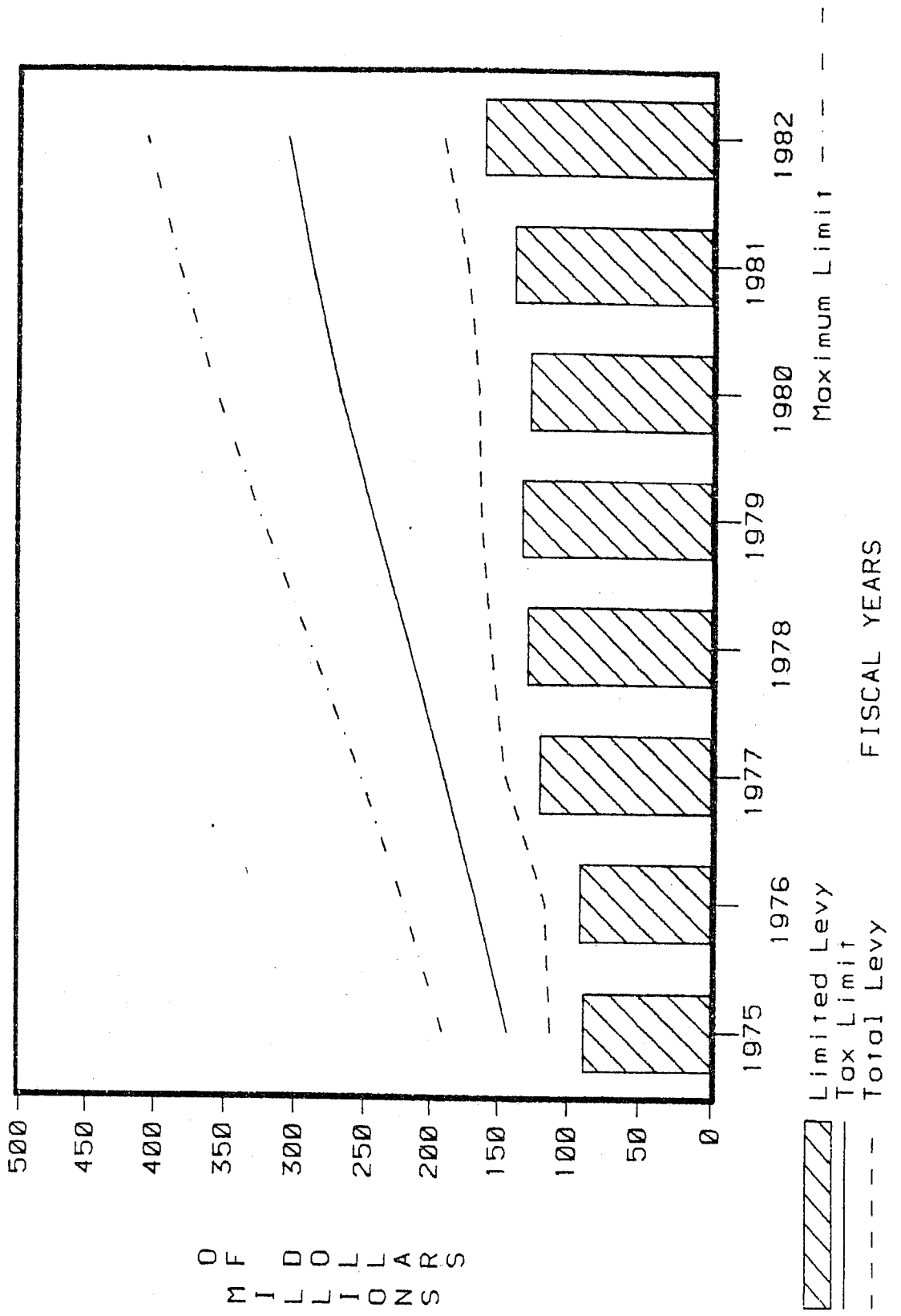


Figure 9. Use of Actual Constitutional Tax Limit and 2% Maximum Limit:
Westchester County, 1975-1982

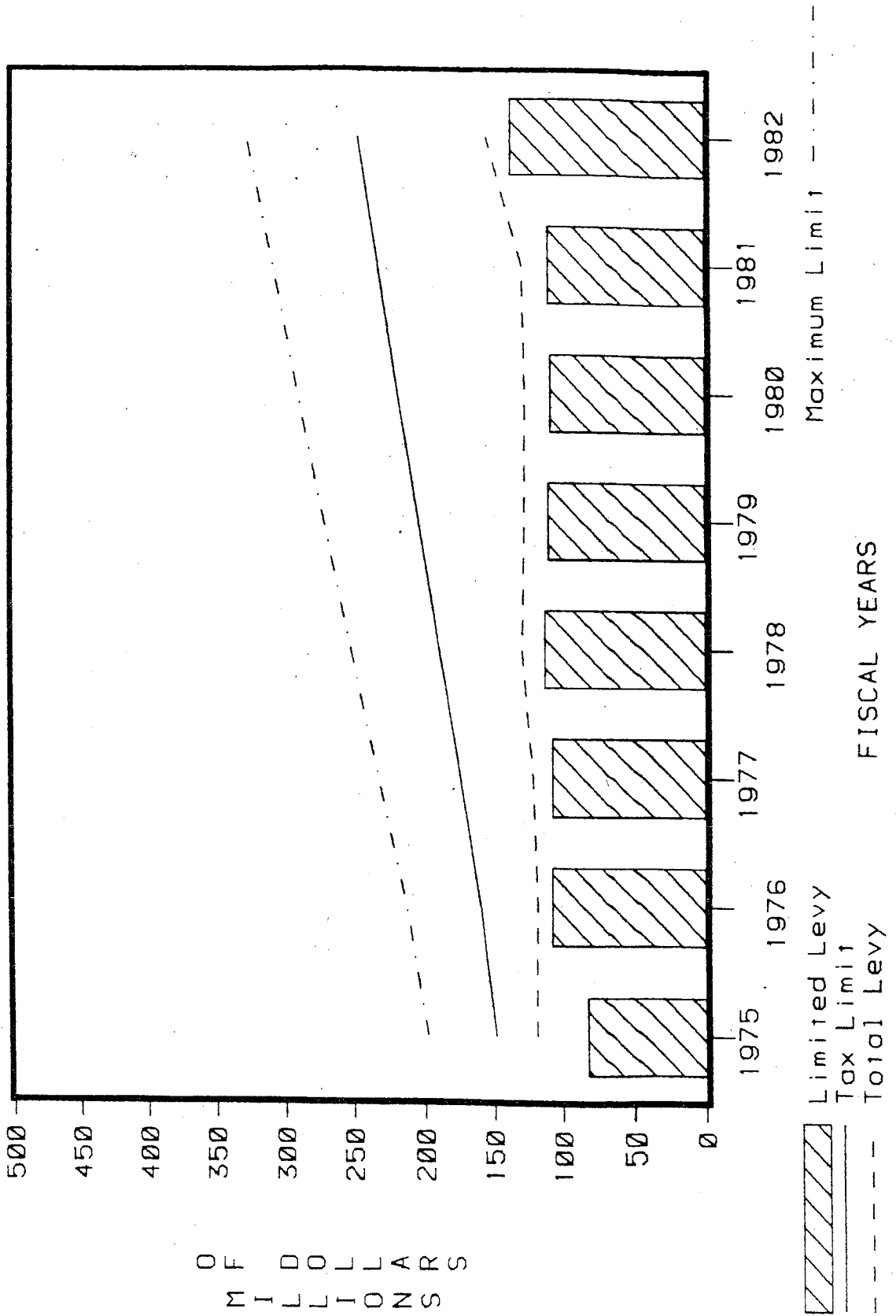


Figure 10. Use of Actual Constitutional Tax Limit and 2% Maximum Limit:

Erie County, 1975-1982

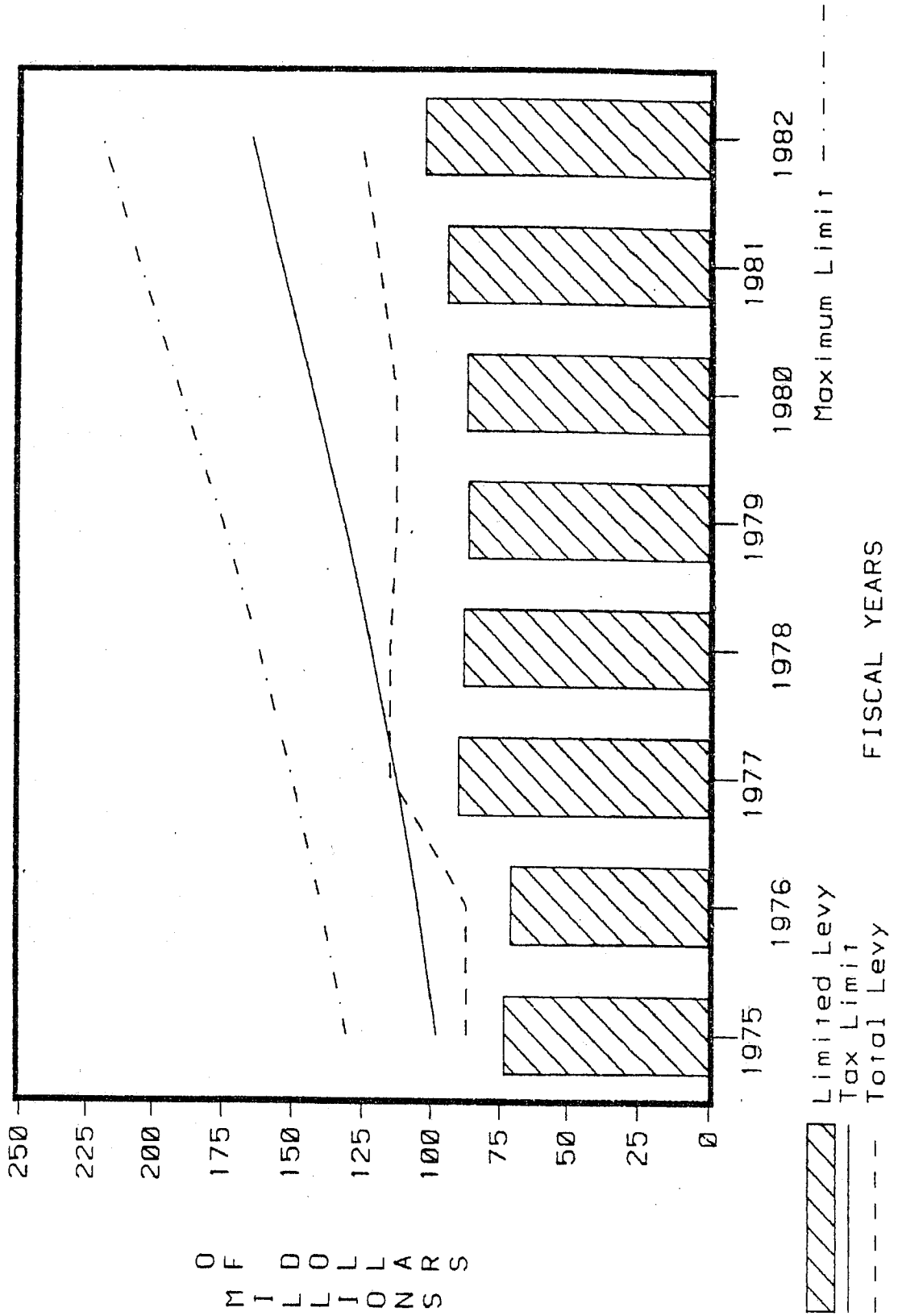


Figure 11. Use of Actual Constitutional Tax Limit and 2% Maximum Limit:
Monroe County, 1975-1982

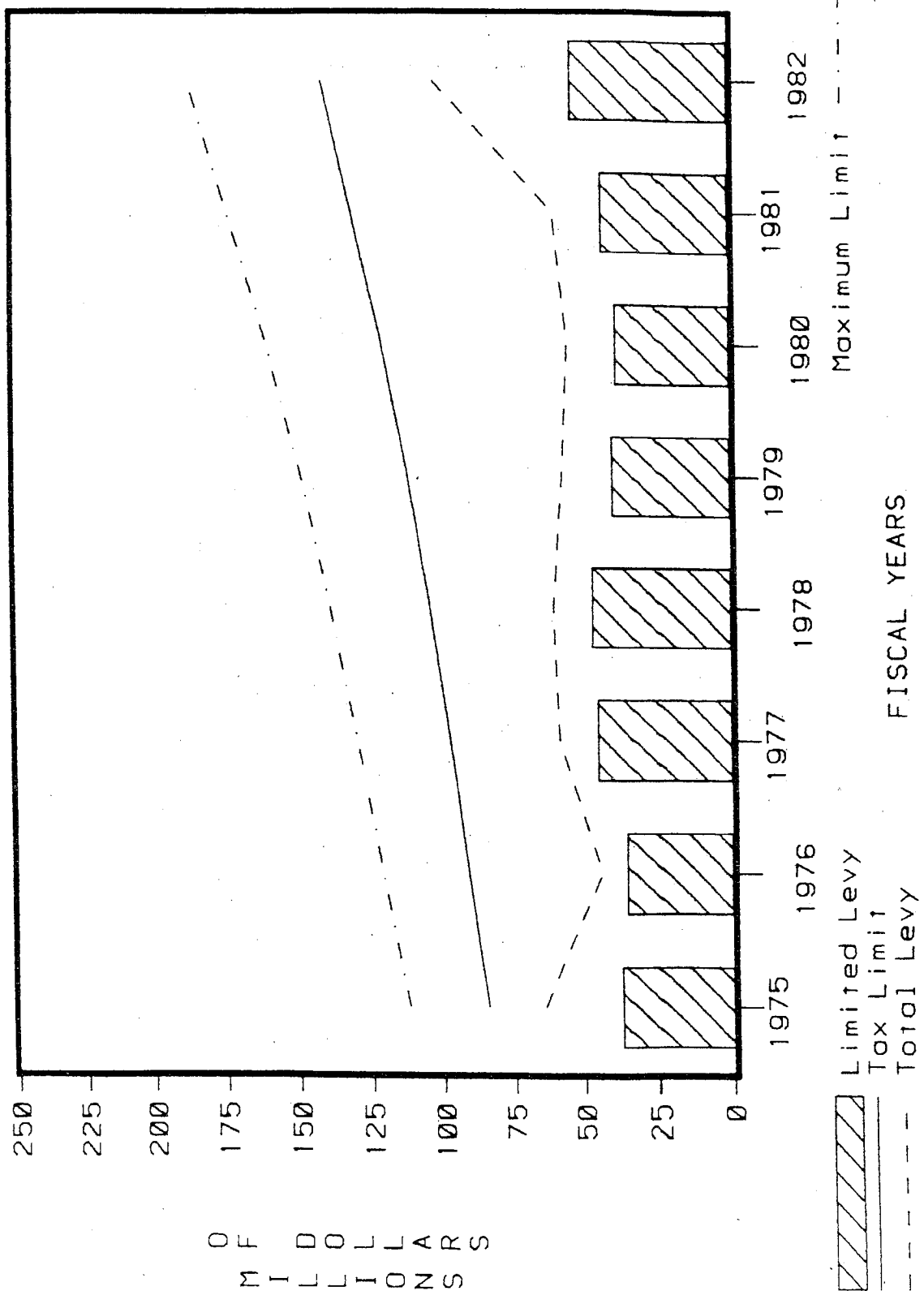
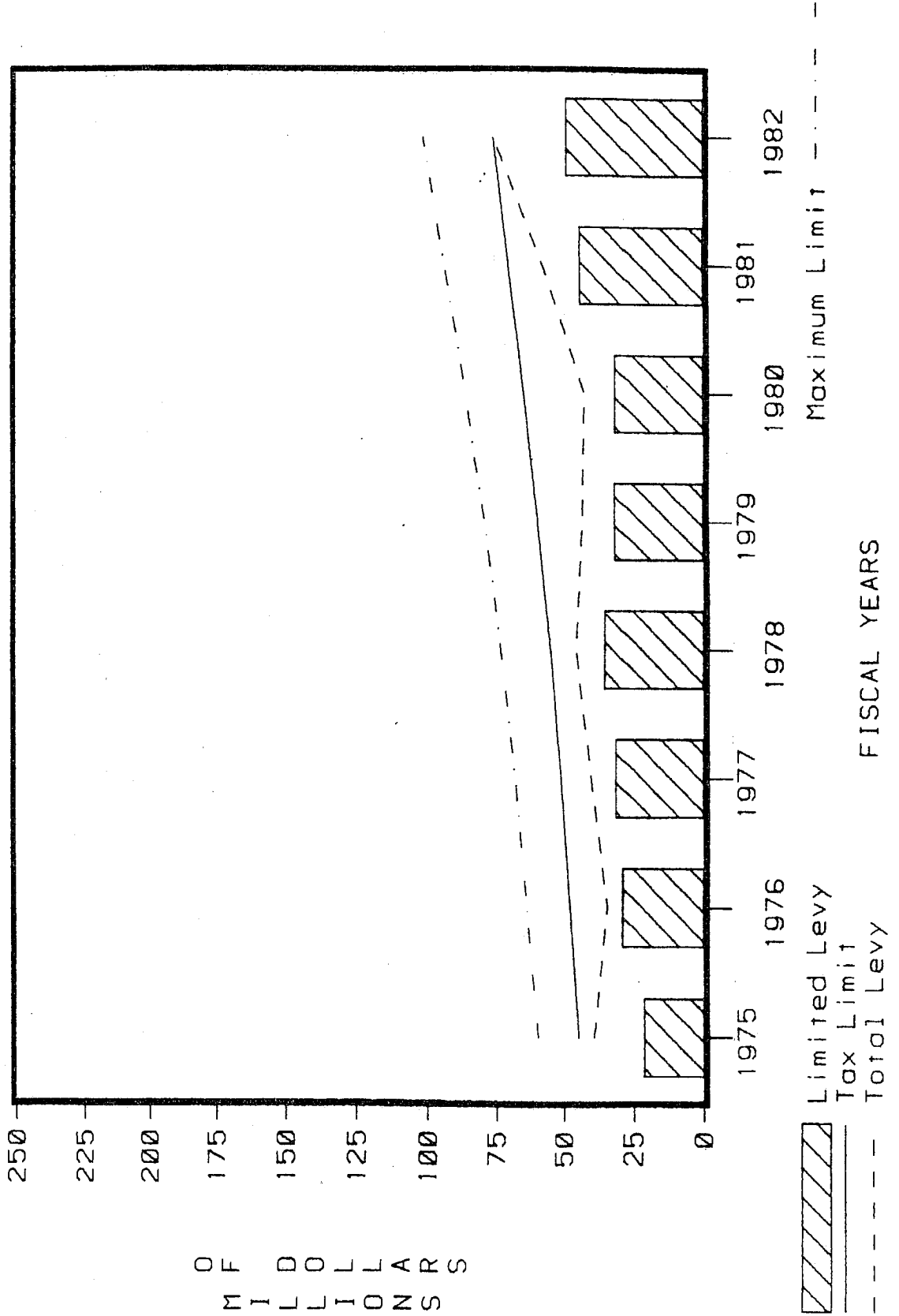


Figure 12. Use of Actual Constitutional Tax Limit and 2% Maximum Limit:

Onondaga County, 1975-1982



Constitutional limit. Figures 7 through 12 depict the utilization of the Constitutional tax limits in these six counties from 1975 through 1982. Nassau County (Figure 7), with its current Constitutional tax limit at the maximum rate (2%), shows only three amounts. The remaining five counties juxtapose the current tax limit (at 1.5%) with the maximum limit.

Figures 7 through 12 demonstrate considerable room between the current real property tax levies in the six largest counties outside New York City and the Constitutional maximum of 2%. None of the six makes the County "ten most taxed" list of the past eight years (Erie County's average is eleventh). In Table 4 we use the Constitutional maximum of 2% to compare the ten counties with the highest average percentage of that limit exhausted.

**Table 4. Constitutional Tax Limits in New York State Counties, 1975-1982:
Ten Counties Closest to the Constitutional Maximum Limit.**

COUNTY	PERCENT OF MAXIMUM (2%) LIMIT EXHAUSTED								8-YR AVG*
	1975	1976	1977	1978	1979	1980	1981	1982	
Oswego	99.1	92.3	94.2	74.0	62.8	65.3	65.8	69.2	77.8
Lewis	90.9	86.1	79.8	69.3	61.6	52.6	56.3	59.1	69.5
Schoharie	81.7	75.0	69.0	64.3	61.4	53.5	62.7	63.0	66.3
Schenectady**	67.6	66.4	67.5	59.3	57.9	53.5	51.6	54.5	59.8
Schuyler**	58.9	67.8	65.8	55.1	48.6	52.7	53.3	72.1	59.3
Oneida**	61.9	60.3	67.0	63.4	54.1	53.0	59.1	54.2	59.1
Wyoming	72.2	72.9	69.5	67.8	66.3	63.3	57.6	51.1	56.8
Seneca***	58.7	56.7	76.3	55.7	50.5	46.4	49.6	36.2	53.8
Herkimer**	55.2	58.2	57.3	49.0	44.5	48.8	58.0	58.7	53.7
Fulton**	71.4	69.9	60.2	51.0	37.3	34.0	43.8	47.8	51.9

*: Eight year average at the maximum Constitutional limit of 2%.

** : Counties with current Constitutional limit of 1.5%. To solve for percent of the current limit exhausted, multiply table numbers by 1.333.

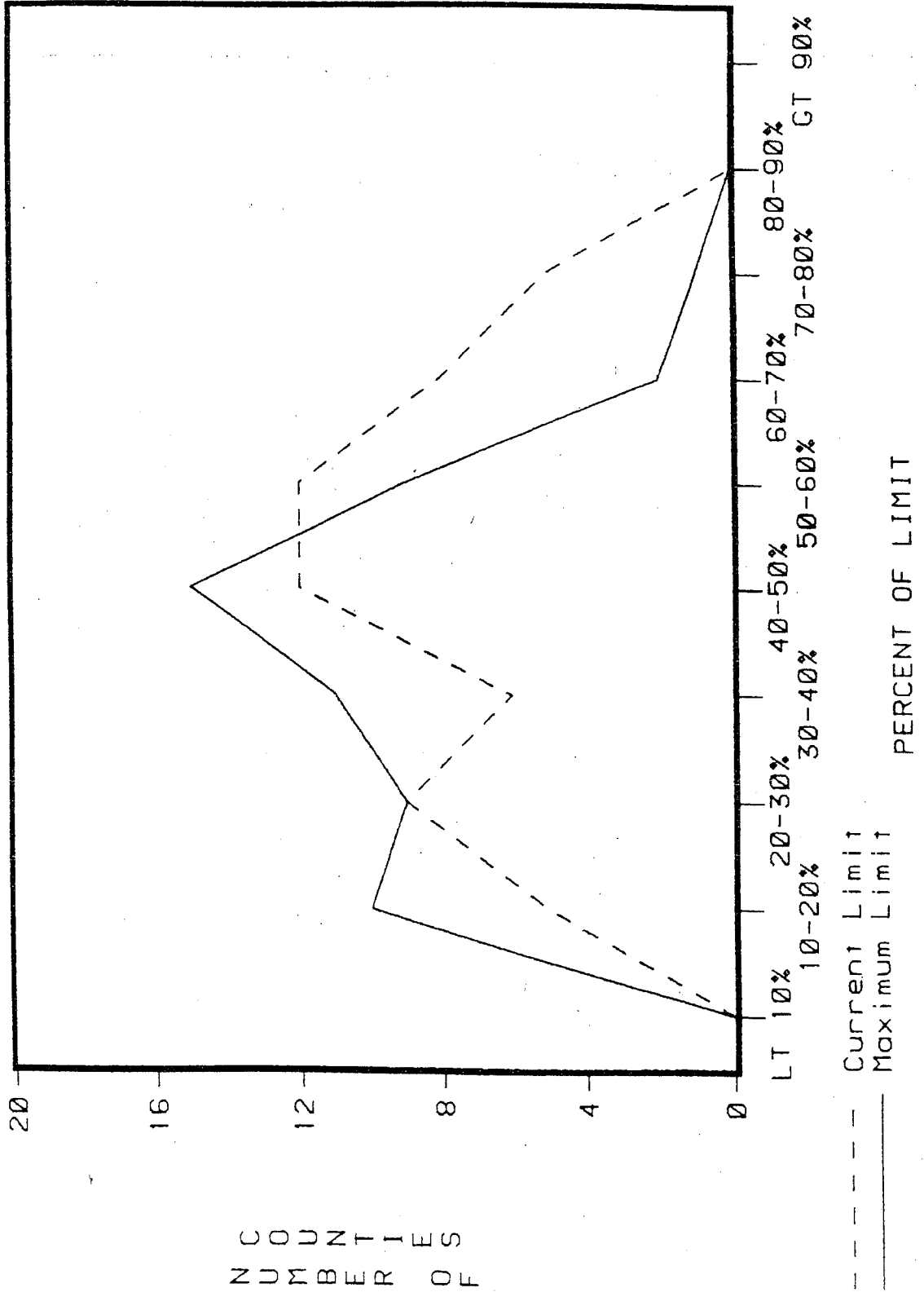
***: County with current Constitutional limit of 1.75%. To solve for percent of the current limit exhausted, multiply table numbers by 1.143.

Unlike Table 2, where cities with over 73.8% of their Constitutional tax limits reached are shown, or Table 3, where villages exceeding 85% of their tax limit on the average are displayed, Table 4 shows counties with from half to three-fourths of their capacity taxed. While the 1982 distribution of New York State counties by the percent of taxing capacity reached shows ten at greater than 60% of the current Constitutional limit, this number is reduced to only three counties (Schuyler at 72.1%, Oswego at 69.2%, Schoharie at 63.0%) when we view current taxation in terms of the maximum 2% taxing limit. Something less than taxation at the Constitutional limit is the norm for county taxing purposes.

Also evident in Table 4 is a decreased reliance on the real property tax for county purposes in the recent past. Most of the counties shown in the Table display lower taxation during the latter part of the period compared to 1975-1977. In Table 4 only Schuyler and Herkimer Counties exceed their eight-year averages in 1982.

Once again, the view of county taxation in terms of the Constitutional limits depends upon whether current limits are used or the theoretical maximum of 2% is the standard. Figure 13 shows the distribution of county averages under both standards. Even at the current limits (dashed line), the counties are not in immediate danger of exceeding Constitutional limits. Using the maximum as the comparison standard (solid line), even less danger is apparent.

Figure 13. Average County Use of Constitutional Tax Limits:
Current Limits and Maximum (2%) Limit, 1975-1982



COUNTIES
NUMBER OF

City School Districts

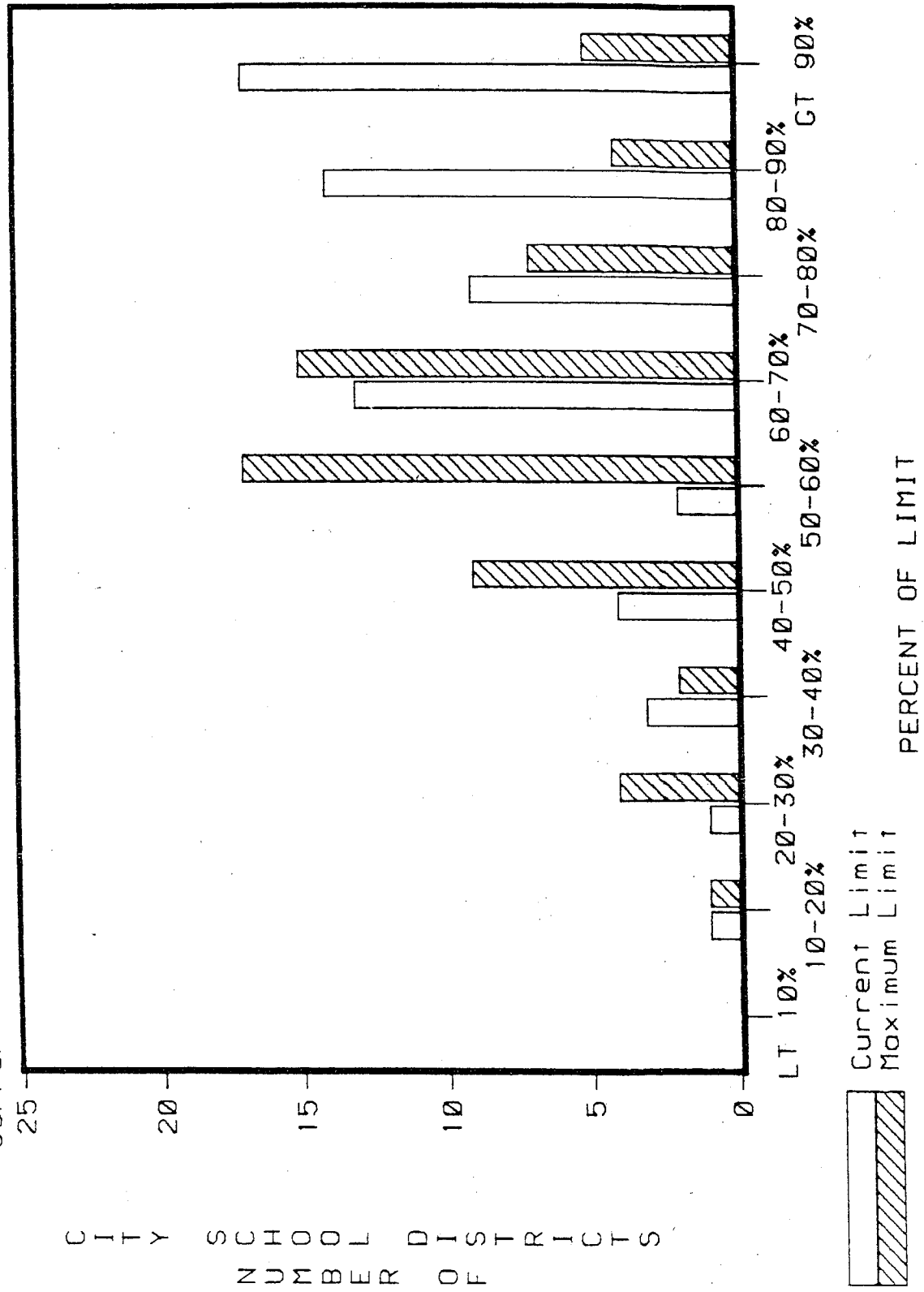
Once again it is important to segregate different constitutional limits in order to have a single comparison standard for city school districts. The difference between 55 districts' current limits (at 1.25%, 1.5%, 1.75%) and the maximum Constitutional limit (2%) will produce signs of fiscal "stress." Many city school districts could raise the Constitutional limit to the maximum if the voters desire greater spending on schools.

Figure 14 shows the distribution of the two definitions of "limit." Using the current limits we find five-sixths of the city school districts exceeding 60% of the Constitutional levy, with fully one quarter of the districts in the category of 90% or more. Stepping this down into the common comparison standard of the maximum Constitutional levy (2%), the most frequent taxation practices are in the range of 40-70% of the limit. Using this standard, three-fourths of the school districts are taxing at less than 70% of the Constitutional maximum.

Of the 65 school districts limited by Constitutional provisions as to the amount of real property taxes they can levy, six exceeded the limitation at least once during the eight school years studied. Five of these districts have Constitutional tax limits below the 2% maximum: Niagara Falls (1.25%), Rensselaer (1.25%), Oneonta (1.5%), Poughkeepsie (1.5%), and Glen Cove (1.75%). The other district, Peekskill, is already at the maximum tax limit. One school district (Glen Cove) shows six years of levies at exactly the Constitutional limit (1.75% of the five-year full value average) and two years above that maximum, with an overall average of 100.6% of the Constitutional limit for the period.

Table 5 shows the five city school districts in the most difficulty within each of the four categories of Constitutional limits. The first number shown is the percent of the current limit reached, on average, over the past eight school years, and the second is the percent of the maximum (2%) Constitutional limit.

Figure 14. Average School Use of Constitutional Limits:
 Current Limits and Maximum (2%) Limit, 1975-1982 Average



CITY SCHOOL DISTRICTS
 NUMBER OF

Current Limit
 Maximum Limit

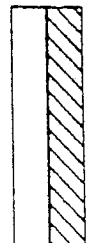


Table 5. Average Percentage of Constitutional Tax Limit Achieved by City School Districts: Four Limit Categories, Top Five in Each.

SCHOOL DISTRICT	PERCENT OF CURRENT LIMIT	PERCENT OF MAXIMUM LIMIT
I. Districts with 2.0% Constitutional Limit:		
1. Mount Vernon	99.8%	99.8%
2. Peekskill	99.2%	99.2%
3. Long Beach	97.5%	97.5%
4. New Rochelle	96.7%	96.7%
5. Rye Neck Union Free	95.7%	95.7%
II. Districts with 1.75% Constitutional Limit:		
1. Glen Cove	100.6%	88.0%
2. White Plains	96.4%	84.3%
3. Kingston	92.1%	80.6%
4. Troy	90.3%	79.0%
5. Newburgh	88.5%	77.5%
III. Districts with 1.5% Constitutional Limit:		
1. Poughkeepsie	99.6%	74.7%
2. Corning	94.3%	70.7%
3. Schenectady	91.4%	68.6%
4. Oneonta	89.3%	67.0%
5. Albany	88.8%	66.6%
IV. Districts with 1.25% Constitutional Limit:		
1. Niagara Falls	99.8%	62.3%
2. Rensselaer	98.8%	61.8%
3. Lackawanna	97.1%	60.7%
4. Fulton	94.5%	59.0%
5. Middletown	94.5%	59.0%

Note: Averages are from Constitutionally limited levies of 1975-76 through 1982-83 school years.

The city school districts in New York State are reaching their limits often in terms of Constitutional limitations on real property tax levies. In the most recent school year, 1982-83, fully 26 of the districts — 40% — exceeded 90% of their current tax limits. School districts wholly outside these city boundaries (approximately 640 major districts), do not have to reckon with these constraints on an annual basis.

For the 65 school districts either wholly or partly within city limits, school budgets are drawn up with full knowledge of the Constitutional tax limit. In the most recent case, for example, most tentative ratios of assessed value to projected market value for school district portions were sent out to the small city school districts in December 1982 (for school budgets to be drawn up in 1983 for the 1983-84 school year). These ratios can be appealed, and final ratios for the portions were established for most districts by January 6, 1983. From these ratios the five-year full value averages can be computed (by the Department of Audit and Control), from which the Constitutional limit is derived. In years when the Division of Equalization and Assessment is introducing a new market value survey for equalization rate purposes, the timetable may be delayed from this most recent example by a matter of a few months. Budgets are developed, with the usual case having a final school budget drawn up by June 30th. Correspondence between the school districts and the State Department of Audit and Control continues throughout the process on whether certain budget items can be excluded from the Constitutionally limited levy.

Table 6 displays the recent effects of city school district property taxes with respect to the Constitutional tax limits. Two rates of growth, increases in school budgets and increases in the five-year full value of real property tax base, produce a variety of effects in the school districts shown.

A small set of city school districts show a flat representation over time with over 95% of the Constitutional limit exhausted each year. These include Glen Cove, Mount Vernon, Peekskill and Poughkeepsie. Other districts coming close to exhausting the Constitutional limit every year, with a single exception, include Long Beach (1976-77), Niagara Falls (1979-80), and Rensselaer (1980-81). A few others drop below the 95% margin only twice.

Some city school districts exhibit a generally increasing trend, using a greater percentage of the Constitutional limit in the last few years compared with seven or eight years ago. These districts, where the school budgets have been growing at a faster rate than the tax base include Elmira, where the past two years have been at the Constitutional limit

while as recently as the 1975-76 school year less than half of the limit was reached; Albany, increasing from around 80% of the limit to close to the maximum during the eight years; Middletown, rising from a four year average of 89.7% for the 1975-1978 period to an average of 99.2% for the latter four years; and Troy, where the comparable rise in four year averages was from 83.4% to 97.2%.

While these districts were using more and more of the available tax base, other districts have seen the Constitutional limit, keyed to real property values in the district, rise faster than budgets. These city schools include Ithaca, dropping from the full Constitutional limit in 1975-76 to the mid-80 percent range in the recent past; Jamestown, with an even more precipitous drop from 100% to only 57% in 1982-83; Oswego, going from almost the full Constitutional limit to only 67.8% in the most recent school year; Lockport, averaging 91.8% during the first four years shown and only 82.4% during the second four years; and Oneonta, exceeding the Constitutional limit in 1975-76 and reaching it in 1976-77, then dropping to the current mid-80 percentage range.

Another category of city school districts shows a more cyclical performance with respect to the Constitutional tax limits. School districts rising to a single peak then falling again include Binghamton, where the Constitutional limit was reached in the 1978-79 school year, with greater fiscal health shown both before and since; Olean, with two years (1976-77, 1977-78) of more than 90% of the Constitutional limit taxed and other years in the 50-60% range; and Norwich, showing the same pattern as Olean. City school districts with more than one period of considerable use of the taxing limit followed by a lesser percentage of it include Corning, showing a roller coaster effect before reaching a recent plateau near the limit; Amsterdam, rising from only 19.7% (1975-76) to 80.4% (1977-78), dropping back to the 40% range, then rising gradually to the present two-thirds of the limit; Newburgh, rising to 97% (1979-80), dropping back to 88% the next year, then rising again to the limit in 1982-83; Oneida, rising to almost 90%, dropping down to less than 60%, then rising again to the current 79%; Schenectady, with two years (1976-77, 1978-79) considerably below two peaks

of taxation at the limit (1977-78 and the two most recent years); New Rochelle, with a roller coaster of taxation at the Constitutional limit three different times and moderate fiscal well-being in the interim; and the Glens Falls Common school district, showing a gradual drop in the percent of the limit taxed, a rise to 87.7% (1980-81), and another gradual drop.

A final category of city school districts shown in Table 6 exhibit improving fiscal health for a time followed by another rise toward the Constitutional limit of real property taxation. This category includes the Rye Neck Union Free school district, where we see a decline from the limit (1975-76) to less than 90% of the maximum (1978-79) and a subsequent rise back to the Constitutional peak. Another district with the same tendency is Kingston's, dropping to less than 80% (1977-78) and rising to the maximum in the past two years. A third district with a single trough during the eight years is Glens Falls, dropping to less than 70% (1977-78) then taxing at 90% of capacity since.

These patterns of reaching the Constitutional maximum and taxing at something less than the full amount allowed do not exhaust all of the possibilities. Some of the stranger phenomena included in Table 6, such as the 54.1% for Canandaigua (1976-77) with taxation at the limit in the prior and succeeding years, defy categorization. Similarly, Beacon's peak taxation of almost 99% of the limit in 1977-78 is bookended by two years of taxation at less than 70% of the limit. Within the complex world of city school district budgets are a multitude of unknowns.

Change in Calculation of Constitutional Limits

Chapter 280 of the Laws of 1978 revised the procedure for calculating the constitutional tax limit for city school districts. Article 12-A of the Real Property Tax Law was amended to require the State Board to establish special equalization ratios for calculating tax and debt limits for cities with populations of 125,000 or more (Buffalo,

Table 6. Constitutional Tax Limit Problems in City School Districts, 1975-76 to 1982-83: Ten Highest Districts within each of Four Current Constitutional Limits.

CITY SCHOOL DISTRICT	PERCENT OF CURRENT LIMIT EXHAUSTED								8-YR
	75-76	76-77	77-78	78-79	79-80	80-81	81-82	82-83	AVG.
I. Districts with 2.0% Constitutional Limit:									
Mount Vernon	99.9	100.0	99.6	100.0	100.0	100.0	98.5	100.0	99.8
Peekskill	98.7	98.6	105.0	100.0	95.3	98.8	98.4	98.4	99.2
Long Beach	99.9	93.1	98.1	95.4	100.0	96.1	97.6	100.0	97.5
New Rochelle	100.0	100.0	88.0	100.0	91.3	94.7	99.9	100.0	96.7
Rye Neck U. Free	100.0	95.4	95.0	89.5	92.1	95.8	98.2	99.3	95.7
Rye	92.4	89.4	89.0	83.2	80.1	82.6	83.5	89.5	86.2
Batavia	82.8	67.2	77.6	67.5	67.6	68.5	76.6	78.9	73.3
Olean	62.8	97.1	90.2	62.4	57.0	60.2	63.0	62.8	69.4
Norwich	59.8	90.1	97.9	55.6	55.5	54.3	54.7	58.2	65.8
Amsterdam	19.7	66.5	80.4	46.3	44.3	55.7	57.9	66.6	46.4
II. Districts with 1.75% Constitutional Limit:*									
Glen Cove	102.1	100.0	102.9	100.0	100.0	100.0	100.0	100.0	100.6
White Plains	99.0	89.6	89.7	99.9	95.2	98.9	98.8	99.9	96.4
Kingston	95.6	91.2	79.5	81.1	93.1	96.3	99.9	99.9	92.1
Troy	79.7	84.7	76.2	92.9	97.8	95.1	95.7	100.0	90.3
Newburgh	77.9	71.8	84.9	90.6	97.0	88.1	97.8	100.0	88.5
Glens Falls	82.6	73.4	69.1	96.8	91.2	96.8	95.0	96.1	87.6
Ithaca	100.0	91.4	87.6	77.5	81.8	84.5	84.9	84.4	86.5
Glens Falls Common	97.6	88.5	84.0	86.3	78.1	87.7	80.7	78.8	85.2
Jamestown	100.0	82.9	87.8	80.7	69.8	69.7	74.4	57.0	77.8
Oneida	86.6	85.5	89.6	63.2	57.4	63.9	70.9	79.0	74.5

*: To solve for the eight year average at the maximum 2% rate, multiply times 0.875.

Table 6. Constitutional Tax Limit Problems in City School Districts, 1975-76 to 1982-83: Ten Highest Districts within each of Four Current Constitutional Limits. (cont.)

CITY SCHOOL DISTRICT	PERCENT OF CURRENT LIMIT EXHAUSTED								8-YR
	75-76	76-77	77-78	78-79	79-80	80-81	81-82	82-83	AVG.
III. Districts with 1.5% Constitutional Limit:**									
Poughkeepsie	98.6	102.9	96.1	100.0	99.6	99.3	100.0	100.0	99.6
Corning	99.8	79.7	95.7	89.1	91.5	98.7	99.8	99.9	94.3
Schenectady	93.8	75.4	99.9	81.0	90.6	90.7	100.0	100.0	91.4
Oneonta	104.9	100.0	94.9	75.5	84.3	82.6	86.5	85.8	89.3
Albany	84.3	77.7	81.8	87.9	88.4	95.4	95.6	99.4	88.8
Lockport	97.3	89.1	92.6	88.0	84.2	80.5	80.4	84.3	87.1
Binghamton	88.2	82.5	75.8	100.0	81.9	90.8	81.3	70.2	83.8
Beacon	84.8	65.9	98.6	69.9	80.5	83.3	82.8	94.9	82.6
Watertown	66.4	52.9	100.0	83.5	76.0	79.9	81.0	85.9	78.2
Geneva	92.0	78.3	78.4	93.2	51.4	55.1	69.5	79.0	74.6
IV. Districts with 1.25% Constitutional Limit:***									
Niagara Falls	99.9	99.0	96.0	100.0	93.2	100.0	100.9	99.9	99.8
Rensselaer	98.2	96.3	99.6	105.9	98.2	92.9	99.8	99.7	98.8
Lackawanna	95.3	100.0	100.0	100.0	95.4	93.5	97.5	94.7	97.1
Fulton	73.4	88.7	99.0	100.0	98.8	95.9	99.9	99.9	94.5
Middletown	90.5	84.5	89.5	94.3	99.9	98.2	98.9	99.9	94.5
Hudson	91.5	80.0	99.7	93.9	95.8	95.1	93.5	99.4	93.6
Oswego	99.9	99.9	93.4	83.6	92.7	92.7	84.4	67.8	89.3
Canandaigua	99.0	54.1	99.9	99.7	85.4	83.8	83.7	82.6	86.0
Auburn	66.6	56.2	97.3	99.3	98.9	77.0	91.6	92.6	84.9
Elmira	47.2	81.8	67.7	78.9	77.0	84.4	100.0	100.0	79.6

** : To solve for 2% maximum, multiply times 0.75.

*** : To solve for 2% maximum, multiply times 0.625.

Rochester, Syracuse, Yonkers, and New York City). Prior to Chapter 280, special equalization ratios were calculated only for New York City and Yonkers. Article 12-B was added requiring that special equalization rates be established for school districts coterminous with, partly within, or wholly within a city with a population less than 125,000.

The procedures, for establishing constitutional tax and debt limits are based on a five year average of full value. Because of time lags in conducting and completing market value surveys the five years used were years substantially removed from the year in which the tax was being levied. Chapters 280 revised the calculation of the tax and debt limits by requiring the computation of new ratios by projecting the known full value information forward for the years for which information had not been developed. Thus, the five years now used in the constitutional tax and debt limit calculation are the immediate year and the four prior years.

The first school year affected by this change was 1978-79. Appendix B provides a very graphic illustration of the dramatic increases in the constitutional tax and debt limits resulting from the new procedures. Only three of the 64 city school districts illustrated did not receive substantial increases.

Equally important is the response of the city school districts to the increased property tax levying power. Out of the 64 city school districts, 49 increased their property tax levies either in direct proportion or very substantially as a result of the increased taxing power. Only 15 school districts have a pattern indicating their tax levies were not affected by the higher taxing power provided them.

Combined Taxing Limits⁵

Tables 7, 8 and 9 replicate parts of Table 1 for selected cities and villages. For each component of the tables, the current Constitutional tax limit is listed along with the maximum Constitutional tax limit, if different. In the final three columns of each of these tables we display the average tax rate per \$1000 of full value for the combined taxing units, the percentage of the combined current Constitutional tax limits, and the percentage of the maximum Constitutional tax limits exhausted. All data used are the eight-year averages developed earlier in the report.

New York City, limited by Constitutional provisions to 2.5% of its five-year full value average for real property taxation purposes, must still provide the services combined in county and school district levies elsewhere. Not surprisingly, it has used almost all of the available taxing power over the past eight years. This leads to a lessened reliance upon the property tax in the City (and in the cities of Buffalo, Rochester, Syracuse, and Yonkers) and a greater need for additional revenue sources.

The upstate cities of over 125,000 population are also constrained by the Constitutional tax limits, though not to the same extent as New York City. As Table 7 indicates, substantial parts of the combined city and county real property tax limits have been utilized in the recent past, much more so in the cities than in the counties. Once again, as in New York City, the school district must be funded via city revenues. The strain on the city revenue base is evident.

⁵In presenting this section of the report, we recognize that cities and villages do not have unlimited recourse to the Constitutional tax limits of counties. Generally cities and villages in the State are required to provide services that are generally provided to unincorporated areas by counties and special districts. Examples of such services include highway operation and maintenance, police protection, sewer and water services, etc. However, there are various other services falling under the county tax limits that are provided to cities and villages outside New York City. Examples of these services include prosecutorial, health, and social services.

Table 7. Combined Constitutional Tax Limits for Cities over 125,000: 1975-1982 Averages.

CITY LEVIES	COUNTY LEVIES		AVERAGE RATE PER \$1000	PERCENT OF COMBINED CURRENT LIMITS (X%)	PERCENT OF COMBINED MAXIMUM LIMITS (X%)
	CURRENT LIMIT (X%)	MAXIMUM LIMIT (2%)			
1. New York City					
96.2% of 2.5% maximum	N/A	N/A	\$24.05	96.2% (2.5%)	same
2. Buffalo (Erie County)					
76.6% of 2% maximum	68.0% (1.5%)	51.0%	\$25.52	72.9% (3.5%)	63.8% (4%)
3. Rochester (Monroe County)					
90.5% of 2% maximum	38.4% (1.5%)	28.8%	\$23.86	68.2% (3.5%)	59.6% (4%)
4. Syracuse (Onondaga County)					
86.7% of 2% maximum	57.5% (1.5%)	43.1%	\$25.96	74.2% (3.5%)	64.9% (4%)
5. Yonkers (Westchester County)					
99.1% of 2% maximum	56.1% (1.5%)	42.1%	\$28.24	80.7% (3.5%)	70.6% (4%)

Table 8. Combined Constitutional Tax Limits for Selected Cities under 125,000: 1975-1982 Averages.

CITY LEVY TWO PERCENT LIMIT	COUNTY LEVIES		SCHOOL DISTRICT LEVIES		AVERAGE RATE PER \$1000	PERCENT OF COMBINED CURRENT LIMITS (X%)	PERCENT OF COMBINED MAXIMUM LIMITS (6%)
	CURRENT LIMIT (X%)	MAXIMUM LIMIT (2%)	CURRENT LIMIT (X%)	MAXIMUM LIMIT (2%)			
1. Newburgh, Orange County							
96.3%	67.4% (1.5%)	50.6%	88.5% (1.75%)	77.5%	\$44.88	85.5% (5.25%)	74.8%
2. Binghamton, Broome County							
93.3%	21.4% (1.5%)	16.0%	83.8% (1.5%)	62.9%	\$34.44	68.9% (5%)	57.4%
3. Beacon, Dutchess County							
90.4%	57.9% (1.5%)	43.4%	82.6% (1.5%)	61.9%	\$39.14	78.3% (5%)	65.2%
4. Rensselaer, Rensselaer County							
89.6%	51.3% (1.5%)	38.5%	98.8% (1.25%)	61.8%	\$37.98	80.0% (4.75%)	63.3%
5. Long Beach, Nassau County							
89.1%	48.1% (2%)	same	97.5% (2%)	same	\$46.94	78.2% (6%)	78.2%
6. New Rochelle, Westchester County							
89.1%	56.1% (1.5%)	42.1%	96.7% (2%)	same	\$45.58	82.9% (5.5%)	76.0%
7. Utica, Oneida County							
85.9%	78.8% (1.5%)	59.1%	74.7% (1.25%)	46.7%	\$38.34	80.7% (4.75%)	63.9%
8. Mount Vernon, Westchester County							
84.4%	56.1% (1.5%)	42.1%	99.8% (2%)	same	\$45.26	82.3% (5.5%)	75.4%
9. Salamanca, Cattaraugus County							
84.2%	43.3% (2%)	same	54.2% (1.75%)	47.5%	\$35.00	60.9% (5.75%)	58.3%
10. Peekskill, Westchester County							
83.0%	56.1% (1.5%)	42.1%	99.2% (2%)	same	\$44.86	81.6% (5.5%)	74.8%

Table 9. Combined Constitutional Tax Limits for Selected Villages: 1975-1982 Averages.

VILLAGE LEVY CONSTITUTIONAL TAX LIMIT	COUNTY LEVIES		AVERAGE RATE PER \$1000	PERCENT OF COMBINED CURRENT LIMITS (X%)	PERCENT OF COMBINED MAXIMUM LIMITS (4%)	
	CURRENT LIMIT (X%)	MAXIMUM LIMIT (2%)				
1. Village of Larchmont, Westchester County	98.2%	56.1% (1.5%)	42.1%	\$28.06	80.2% (3.5%)	70.1%
2. Village of Malone, Franklin County	96.5%	28.2% (1.5%)	21.1%	\$23.52	67.2% (3.5%)	58.8%
3. Village of Hempstead, Nassau County	95.3%	48.1% (2%)	same	\$28.68	71.7% (4%)	71.7%
4. Village of Ossining, Westchester County	93.9%	56.1% (1.5%)	42.1%	\$27.20	77.7% (3.5%)	68.0%
5. Village of Tupper Lake, Franklin County	93.3%	28.2% (1.5%)	21.1%	\$22.88	65.4% (3.5%)	57.2%
6. Village of Monticello, Sullivan County	92.3%	26.0% (1.5%)	19.5%	\$22.36	63.9% (3.5%)	55.9%
7. Village of Ilion, Herkimer County	91.6%	71.6% (1.5%)	53.7%	\$29.06	83.0% (3.5%)	72.6%
8. Village of Piermont, Rockland County	91.0%	62.8% (1.5%)	47.1%	\$27.62	78.9% (3.5%)	69.0%
9. Village of Catskill, Greene County	89.9%	29.9% (1.5%)	22.4%	\$22.46	64.2% (3.5%)	56.1%
10. Village of Saugerties, Ulster County	89.8%	30.9% (1.5%)	23.2%	\$22.60	64.6% (3.5%)	56.5%

Table 8 takes the top ten cities in terms of their utilization of the full Constitutional tax limit and expands the view of the area's reliance on the real property tax to fund local services. The column headed "Average Rate Per \$1000" displays the summed real property tax rates applied for the combined city, county, and school district purposes (excluding other special districts). For these cities, the range is from a combined tax rate of 3.5% (Salamanca) to 4.7% (Long Beach). Considerably more than the real property taxpayers must bear in the Big Five cities (Table 7).

Table 8 also illustrates the divisions of services across levels of governments in New York State. Even in cases where the city and the city school district are straining at the Constitutional limit of taxation, such as in the city of Long Beach, the county is not necessarily pressed in a similar fashion. The combined average for the city and school district in Long Beach is 93.3% of the Constitutional maximum in real property taxes. At the same time Nassau County uses only half of its taxing capacity. But the real property taxpayer may not make distinctions over where the tax bill is from, only its amount.

Table 9 replicates the combined tax bill notion of the ten most heavily taxed villages. The summed tax bill is, perhaps, a bit more misleading in this case, for it ignores the levies imposed by towns and school districts. These additional levies, along with other special districts, may be as high or higher than the combined village/county taxes.

Legal questions on the inclusion/exclusion of specific budget items in the Constitutional tax limits recur, along with a tangle of state aid questions concerning the financing of schools, revenue sharing, unrestricted aid to cities, and other financial problems (see Appendix A). Many of these continuing aspects of the relationship between the State and its local governments and schools are inescapable, given the uneven distribution of revenue resources across municipalities and school districts. Yet others, as depicted in this report, might stem from the uneven burden upon the generation of local revenues derived from Constitutional tax limitations.

APPENDIX A:

Constitutional Tax Limits and State Aid Adjustments to Cities

In recognition of some of the problems caused by Constitutional tax limitations imposed on cities, several adjustments in State aid to cities have taken place over the past several years. New York City, with its fiscal crisis of the mid-1970's, is a special case. Consequently, the set of adjustments made to its financial status will not be considered in this appendix. The remaining cities over 125,000 — Buffalo, Rochester, Syracuse and Yonkers — are treated separately due to their dependent school districts. The remaining 57 cities, 40 of which have received additional State aid payments since the 1979-80 school year, are then considered.

Cities with Dependent School Districts

The four cities over 125,000 mentioned above have received at least three forms of State aid in recognition of Constitutional tax limit problems. These aid forms are conventionally termed "overburden aid," "special overburden aid," and an additional unrestricted aid program initiated in the 1981-82 State fiscal year. These amounts have been disbursed in addition to per capita revenue sharing aid to all local governments. Table A-1 details the payments made to these four cities for State fiscal years ending in 1977 through 1982. At the time of this report, State aid payments for the fiscal year ending March 31, 1983 had not been made for special overburden aid or for the additional unrestricted aid.

In addition to these State aid payments to cities with dependent school districts, some minor modifications were made to State aid to education formulas which resulted in additional aid going to large cities.

Table A-1: State Aid Payments to Cities over 125,000 (except New York City) during State Fiscal Years 1976-77 through 1981-82: Three Aid Categories.

CITY	AID CATEGORY	STATE FISCAL YEARS					TOTAL AID DISBURSED*	
		1976-77	1977-78	1978-79	1979-80	1980-81		1981-82
BUFFALO	Overburden	\$ 14.0	\$ 14.0	\$ 14.0	\$ 13.9	\$ 13.7	\$ 13.7	\$ 83.2
	Spec. Overburden	...	...	...	\$ 11.8	\$ 11.8	\$ 11.8	\$ 35.4
	Unrestricted	...	...	...	...	...	\$ 11.5	\$ 11.5
	Total	\$ 14.0	\$ 14.0	\$ 14.0	\$ 25.7	\$ 25.5	\$ 37.0	\$ 130.1
ROCHESTER	Overburden	\$ 6.0	\$ 6.0	\$ 6.0	\$ 6.1	\$ 5.9	\$ 5.8	\$ 35.7
	Spec. Overburden	...	...	...	...	\$ 3.0	\$ 3.0	\$ 6.0
	Unrestricted	...	...	...	...	...	\$ 5.7	\$ 5.7
	Total	\$ 6.0	\$ 6.0	\$ 6.0	\$ 6.1	\$ 8.9	\$ 14.5	\$ 47.4
SYRACUSE	Overburden	\$ 3.3	\$ 3.3	\$ 3.3	\$ 3.3	\$ 3.3	\$ 3.3	\$ 19.8
	Spec. Overburden	...	...	...	...	\$ 3.0	\$ 3.0	\$ 6.0
	Unrestricted	...	...	...	...	...	\$ 4.0	\$ 4.0
	Total	\$ 3.3	\$ 3.3	\$ 3.3	\$ 3.3	\$ 6.3	\$ 10.3	\$ 29.8
YONKERS	Overburden	\$ 3.3	\$ 3.3	\$ 3.3	\$ 3.3	\$ 3.3	\$ 3.3	\$ 19.8
	Spec. Overburden	...	...	...	\$ 4.8	\$ 4.7	\$ 4.7	\$ 14.3
	Unrestricted	...	...	...	...	...	\$ 6.4	\$ 6.4
	Total	\$3.3	\$ 3.3	\$ 3.3	\$ 8.1	\$ 8.0	\$ 14.4	\$ 40.5

*: Numbers may not sum to totals due to rounding.
Source: Department of Audit and Control, Bureau of Municipal Research and Statistics.

The total distribution of the "extra unrestricted" aid shown in Table A-1 for cities with dependent school districts is, additionally:

Four cities listed	\$27.6 m.
All other cities	\$23.8 m.
Counties	\$ 5.0 m.
Towns	\$10.0 m.
Villages	<u>\$ 13.5 m.</u>
Total	\$79.9 m.

These amounts for different classes of municipalities correspond, in rough measure, to the limitations shown in this report being imposed on New York State municipalities by Constitutional tax limits.

Cities with Independent School Districts

The remaining 57 cities show 40 having received a special category of grants. These grants stem from the Hurd decision (Hurd v. City of Buffalo, 34 NY2d 628) and several related New York State Court of Appeals decisions which applied the Constitutional tax limits to budget items which had been excluded from the limits previously. Therefore, the grant program has been conventionally referred to as "Hurd aid."

The grant program authorized by Chapter 288 of the Laws of 1979 began as a disbursement of \$9.8 million in the 1979-80 school year and has grown since to a total of \$49.2 million (1982-83 school year). The 40 small city school districts receiving this aid are shown in Table A-2.

Almost three-fourths of the total Hurd aid disbursed over the past four State fiscal years has gone to ten small city school districts. A total of \$88.35 million has been distributed to Mount Vernon, Newburgh, Long Beach, New Rochelle, Lackawanna, Poughkeepsie, Peekskill, Kingston, Auburn and Middletown. The four pie charts in Figure A-1 show the chronology of this aid with respect to property taxes levied (excludes other formula aid to education).

Table A-2. Small City School Districts Receiving Hurd Aid, 1979-80 to 1982-83.

CITY SCHOOL DISTRICT	SCHOOL YEAR GRANT PROGRAM				TOTAL \$ TO DATE
	1979-80	1980-81	1981-82	1982-83	
	(Thousands)				
Mount Vernon	\$ 2,200	\$ 4,900	\$ 5,900	\$ 5,900	\$18,900
Newburgh	500	3,700	3,800	4,300	12,300
Long Beach	650	2,300	3,300	4,300	10,500
New Rochelle	450	...	4,200	4,500	9,150
Lackawanna	1,100	2,000	2,500	2,100	7,700
Poughkeepsie	1,000	2,000	2,500	2,100	7,700
Peekskill	75	1,900	2,000	3,150	7,125
Kingston	300	200	2,900	3,000	6,400
Auburn	50	1,300	1,750	1,325	4,425
Middletown	400	1,000	1,300	1,500	4,200
Niagara Falls	800	300	950	2,235	3,565
Glen Cove	300	1,000	1,000	1,100	3,400
Schenectady	100	...	945	2,000	3,045
Troy	250	...	850	1,500	2,600
Fulton	...	300	680	1,200	2,180
Rensselaer	300	800	800	100	2,000
Tonawanda	600	400	400	400	1,800
Hudson	...	500	500	500	1,500
Binghamton	320	300	300	300	1,220
White Plains	...	...	...	1,200	1,200
Plattsburgh	150	300	350	300	1,100
Oneonta	...	300	300	250	850
Jamestown	50	100	225	350	725
Albany	100	100	250	250	700
Port Jervis	...	...	300	400	700
Utica	...	...	350	350	700
Olean	50	100	225	300	675
Beacon	...	...	...	650	650
Corning	...	...	100	400	500
Elmira	...	...	100	400	500
Salamanca	50	100	150	150	450
North Tonawanda	...	50	150	150	350
Cohoes	...	...	310	...	310
Rome	...	...	150	150	300
Lockport	...	...	100	100	200
Watervliet	...	...	...	200	200
Ithaca	...	...	75	100	175
Glens Falls	...	...	...	150	150
Mechanicville	...	...	...	150	150
Hornell	...	...	50	75	125
Total	\$ 9,795	\$23,050	\$40,260	\$49,189	\$122,294

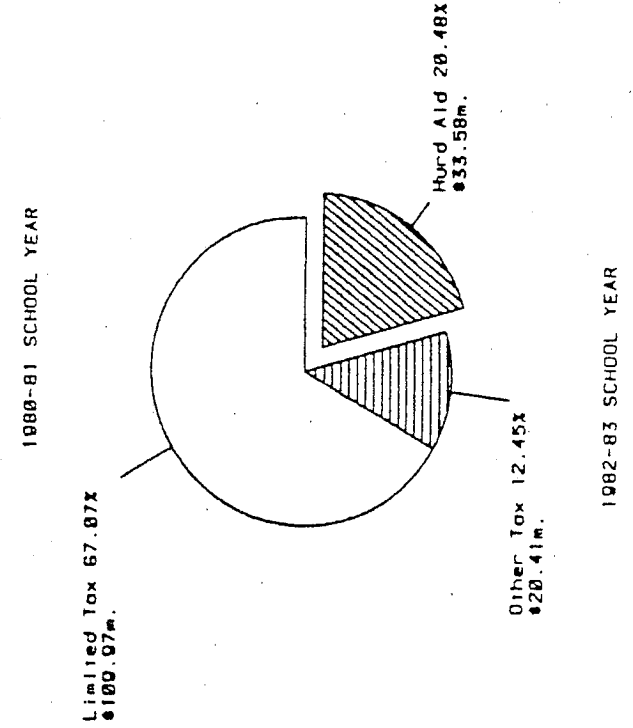
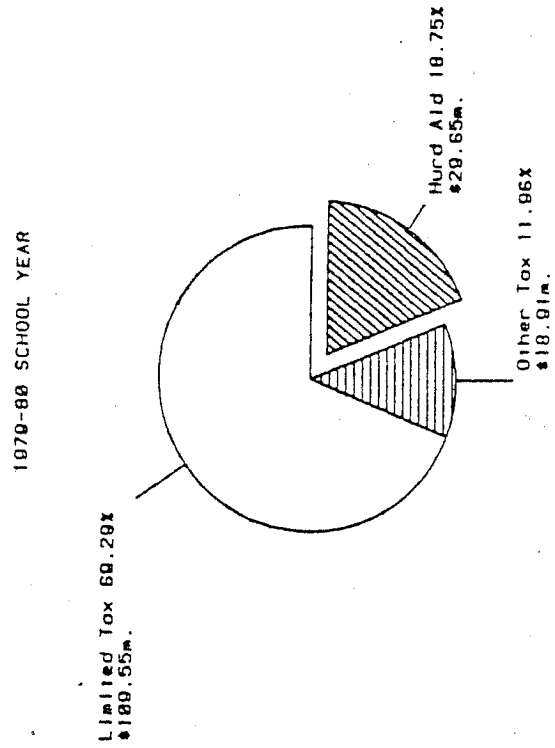
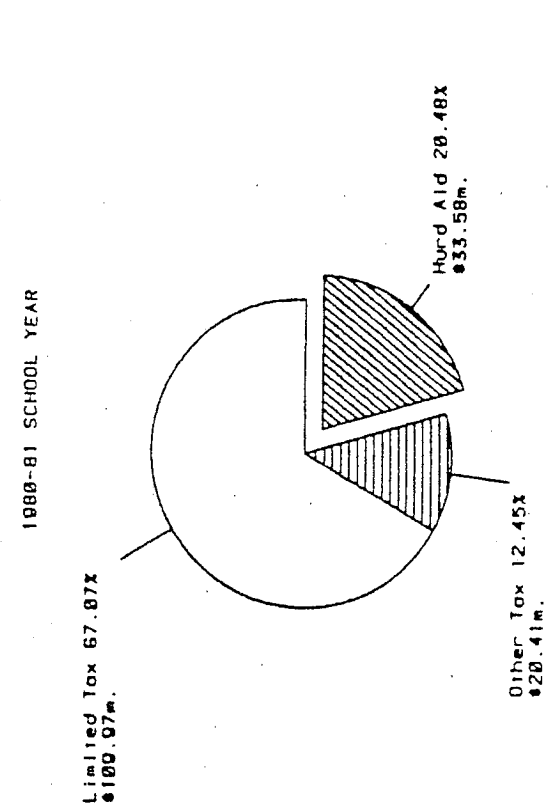
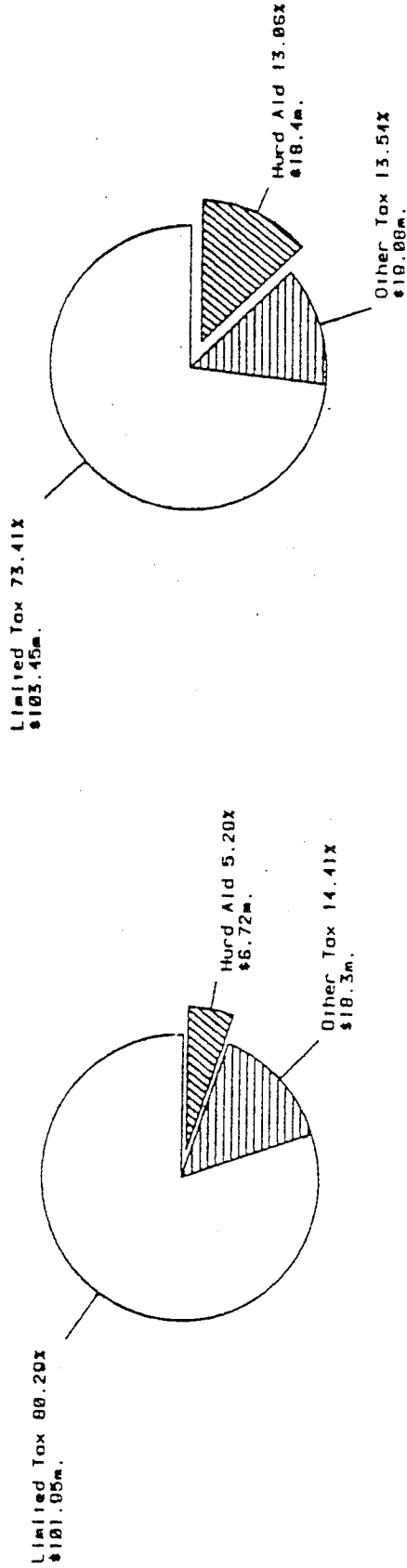
Source: Division of the Budget, Education Unit.

The real property tax limited via the Constitutional provision falls from close to 80% of the total in the 1979-80 school year to only 67% in the 1982-83 school year. At the same time, State aid in the form of Hurd grants rises from 5.5% to 20.5% of the total for these ten cities.

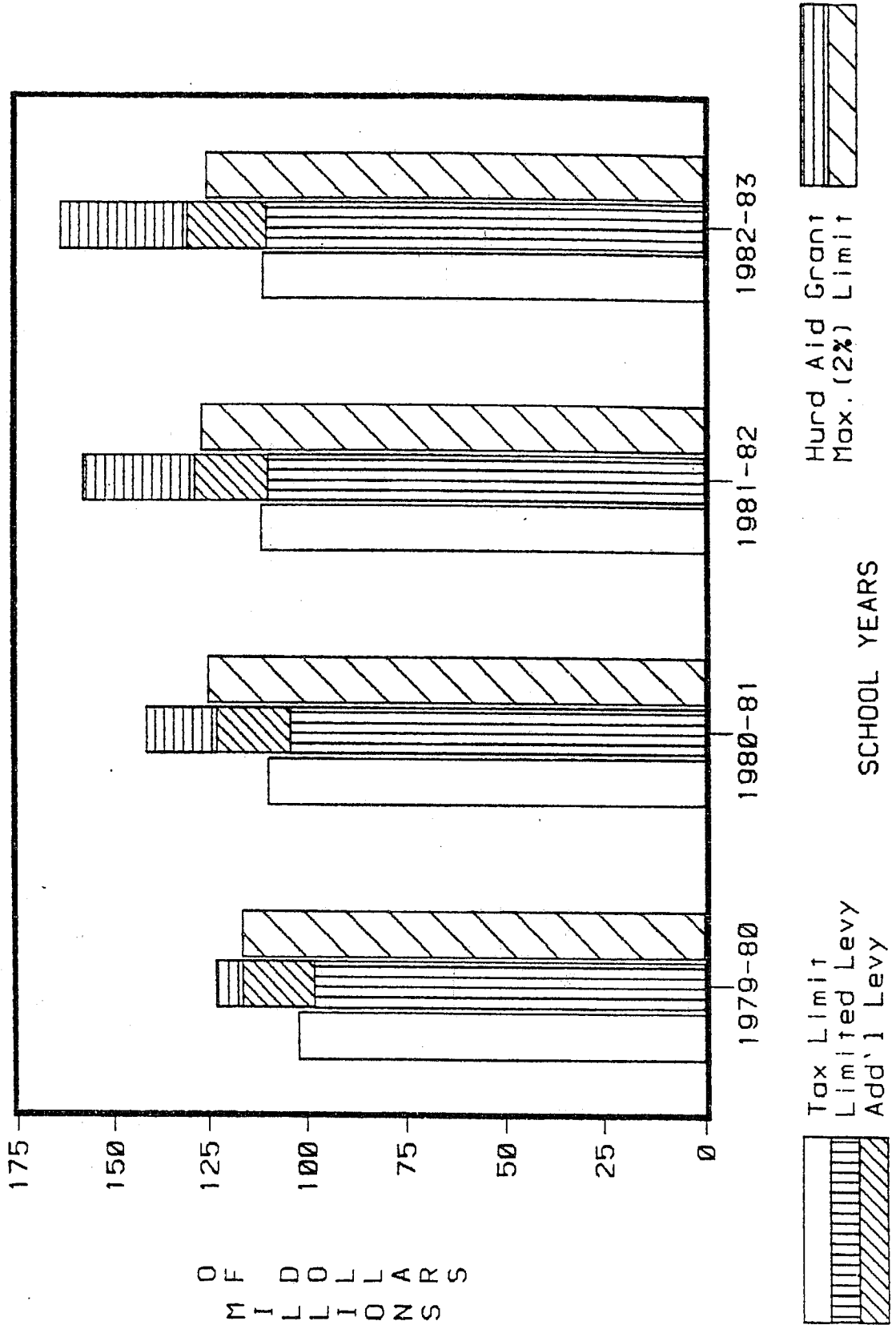
A caveat must be attached to the separation of tax levy subject to the Constitutional limitations and that part of the levy excluded from such limits. At present the procedure followed by the Department of ~~Audit and Control~~ is to examine all claims for exclusion from the Constitutional limit. In cases where school budgets remain over the limit after claimed exclusions, assistance is provided in the search for additional "excludables." For all city school districts exclusions are verified if listed. But additional exclusions might also be in some budgets which appear within the Constitutionally limited part of the tax levy in this report. Hence the total real property taxes levied ("Limited Tax" plus "Other Tax" in the pie charts) is an accurate figure, while the two components may be slightly misleading.

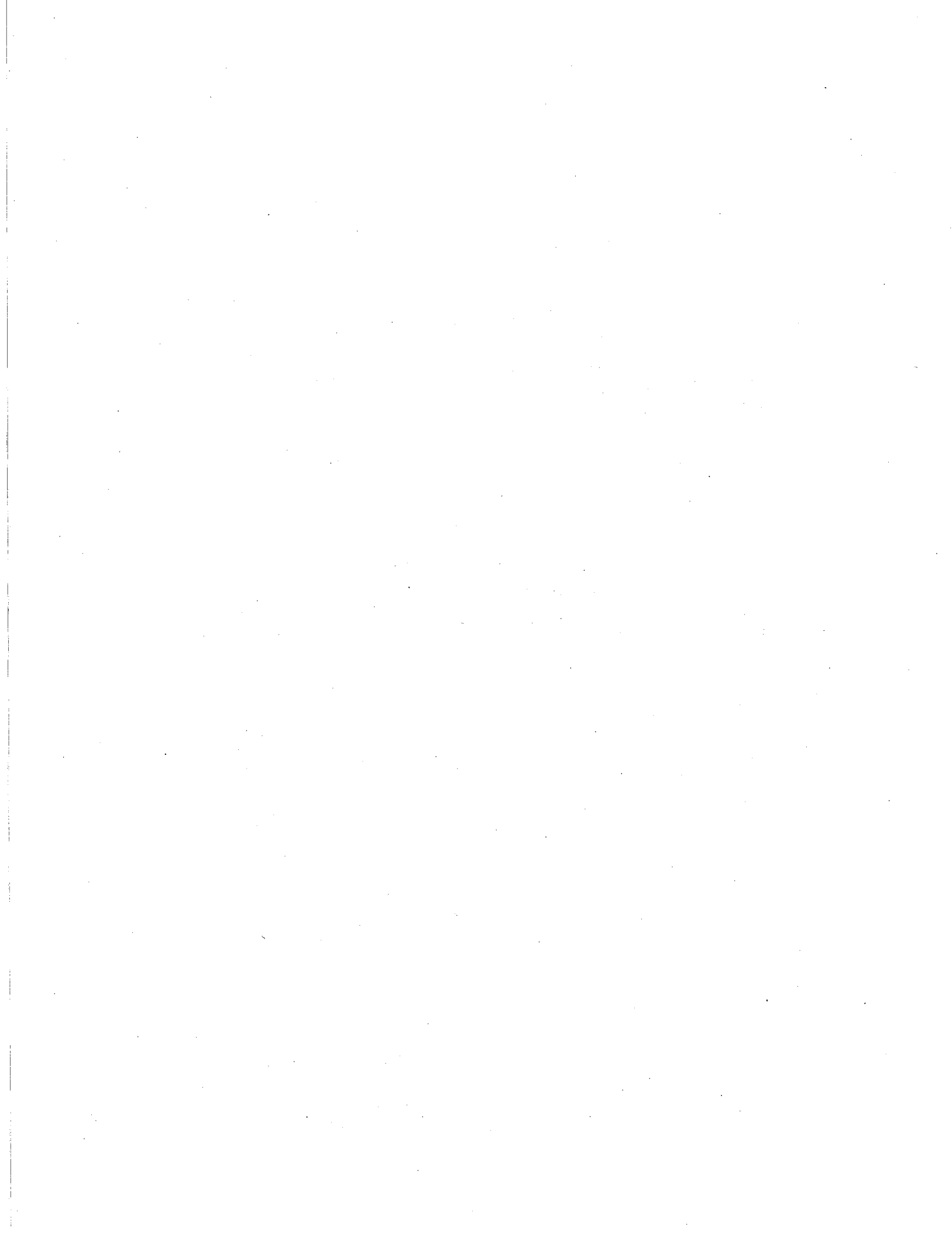
The bar chart following the four pie charts summarizes the additional taxes and State aid payments shown here with respect to current Constitutional tax limits and the limits which would apply if all school districts were at the 2% maximum. This tabulation is for the ten school districts receiving the most Hurd aid over the past four years.

Figure A-1. Ten Largest Recipients of Hurd Aid Grants:
Small City School Districts



Real Property Tax plus Hurd Grants to Small City School Districts:
 Top Ten Hurd Aid Recipients, 1979-80 through 1982-83





APPENDIX B:

Real Property Tax and Constitutional Limit Trends: 64 City School Districts

The following figures show each of the 64 small city school districts over the past eight school years. Represented in the figures are:

Limited Levy:	Operating levy subject to the Constitutional tax limit in the school year depicted. The label at the top of the page shows the current Constitutional limit as a percent of the five year full value average.
Current Limit:	The expression in dollars of the Constitutional tax limit at the current percent of the full value average.
Total Levy:	Operating levy subject to the Constitutional tax limit plus additional real property taxes excluded from that limit.
Maximum Limit:	The Constitutional tax limit if it were raised to the full 2% of the full value average. This line is not shown separately for the ten small city school districts already at the 2% maximum.

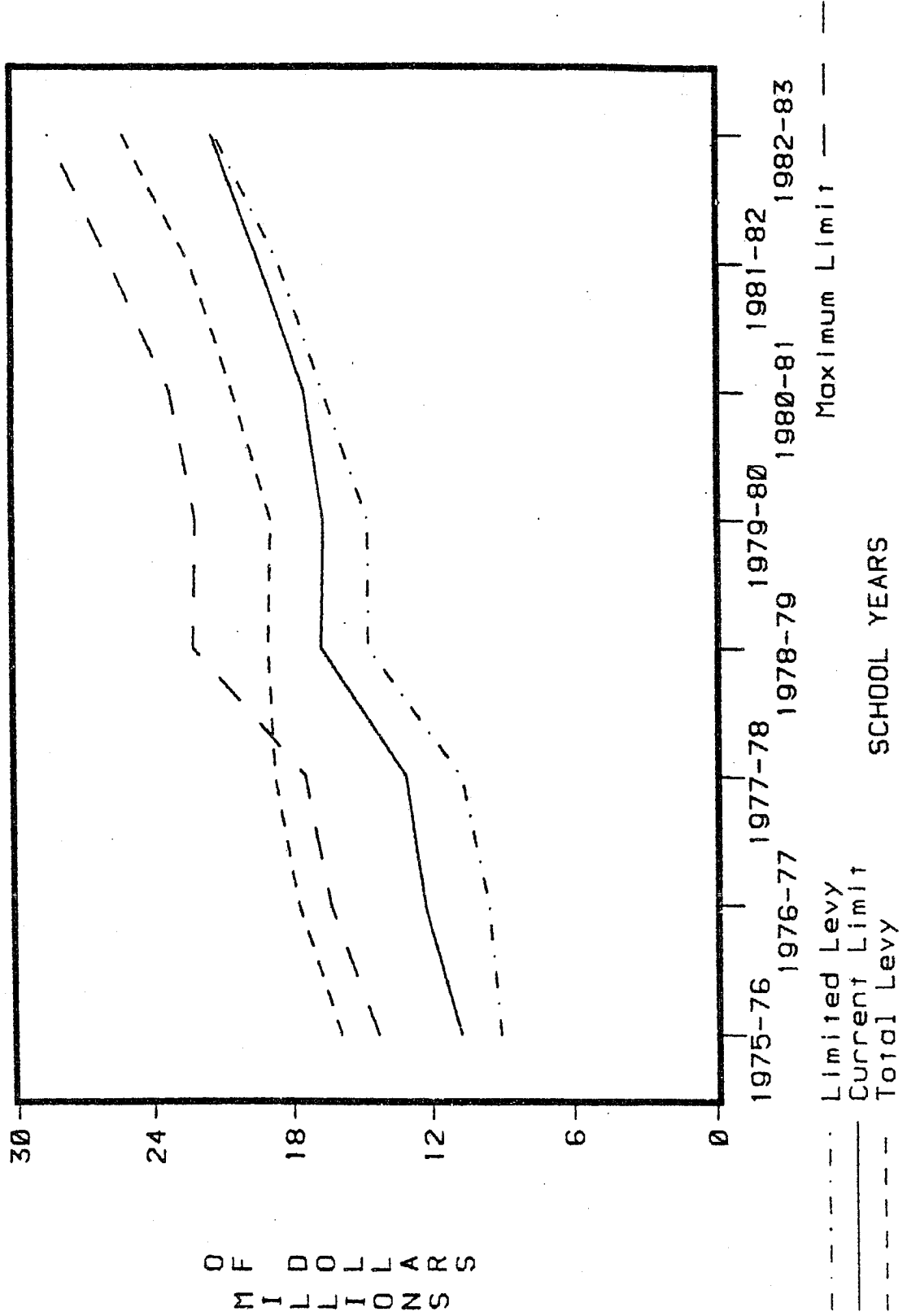
A major item of interest appearing in Appendix B is the shift in the method of calculating Constitutional limits between the 1977-78 and 1978-79 school years. This increase and the direct response of over three-fourths of the school districts to sharply increase their property tax levies in 1978-79 is vividly demonstrated.

Another item of interest is the potential for the Constitutionally limited real property tax levy to appear as a zero. Eight school districts show zero as the amount of their real property tax levy subject to the Constitutional limit during the period covered: Ogdensburg (5 years), Stockbridge Central and Westmoreland Central (3 years each), Hornell (2 years), and Cortland, Johnstown, Oriskany Central, and Watervliet (once each). This occurs whenever the dollar amount excluded from the operating tax levy reaches or exceeds the calculated Constitutional tax limit. The operating tax levy is defined as the total tax levy less budgetary appropriations excludable from the tax limit. Excludable items consist of appropriations for debt service on bonds, bond anticipation notes and capital notes, and for

the cost of an object or purpose for which a period of probable usefulness has been determined by law.

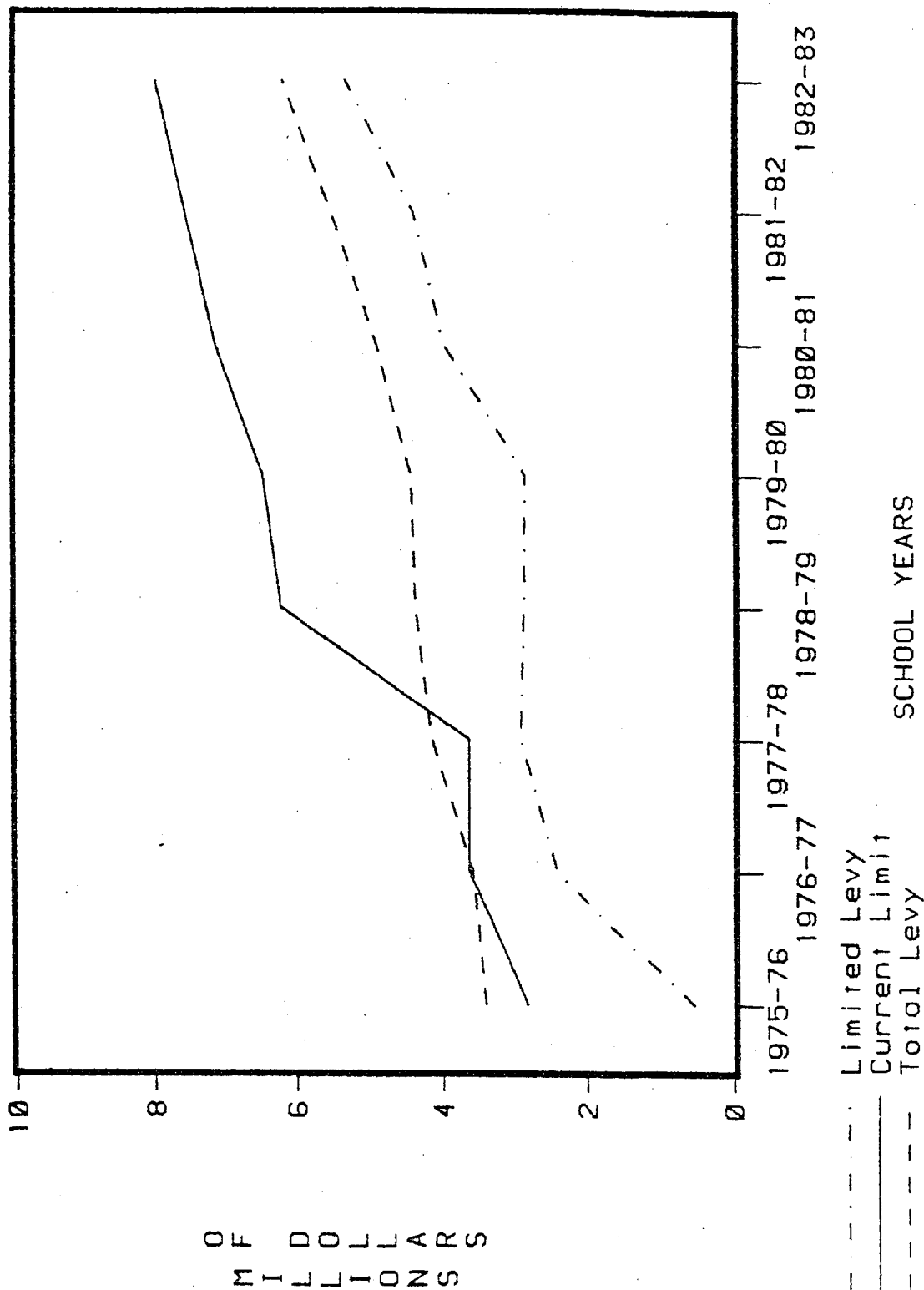
For example, Ogdensburg shows a total tax levy of \$1.57 million in the 1982-83 school year, with none of it subject to the Constitutional limit. This is due to debt service (excludable) in the amount of \$2.43 million in a total school district budget of \$10.44 million. Beyond the property tax in the amount listed, the Ogdensburg school district began the school year with a fund balance of almost one million dollars, received State aid of almost \$7.5 million, and obtained other revenues from interest, sales, tuition charges, and "in lieu of taxes" payments. Because the debt service amount exceeded the amount levied, the Constitutionally limited amount for some years appears as zero (page B.41).

Constitutional Tax Limits in City School Districts, 1975-76 to 1982-83.
Albany City School District, Current Limit of 1.5%



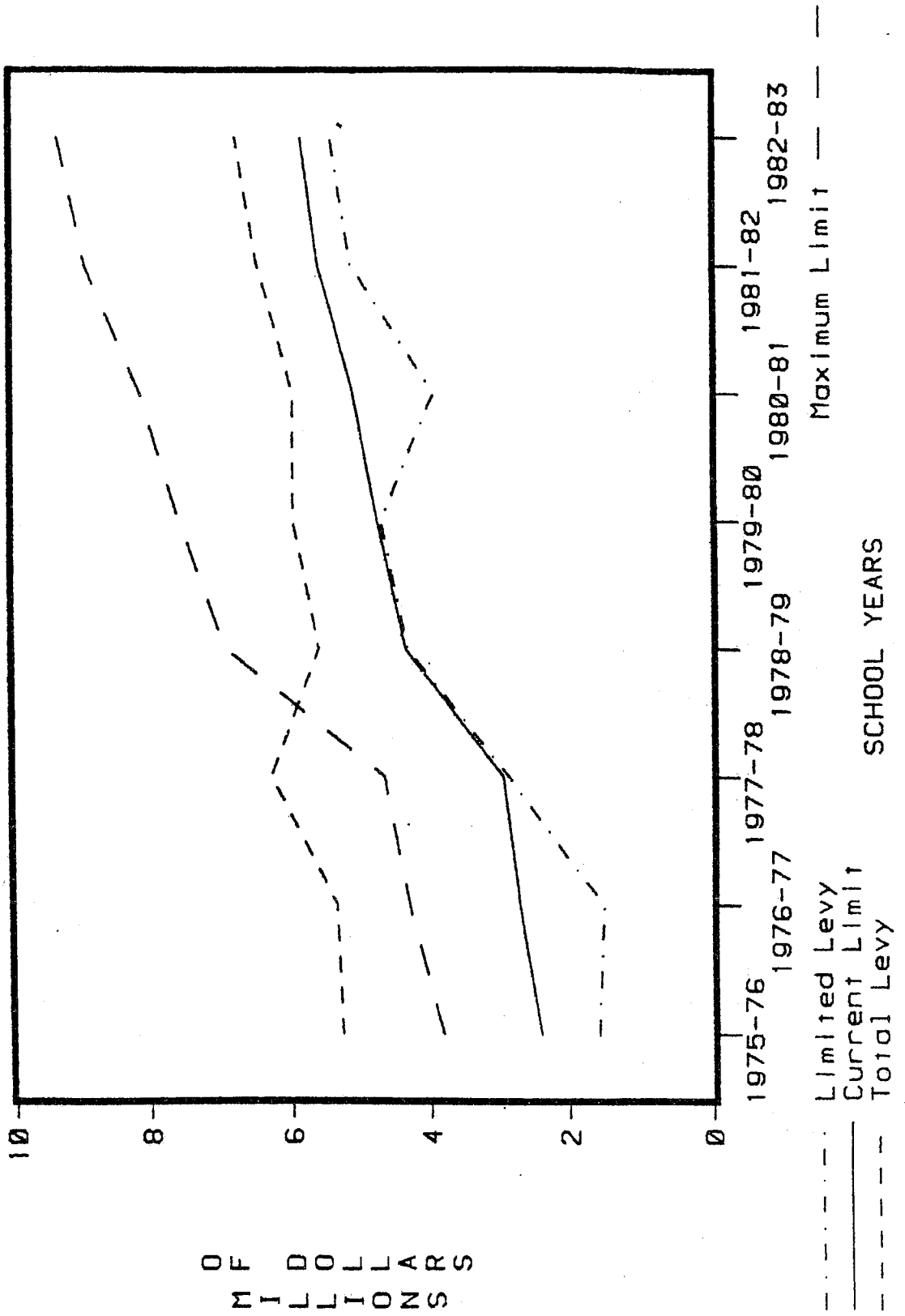
Constitutional Tax Limits in City School Districts, 1975-76 to 1982-83:

Amsterdam City School District, Current Limit of 2%

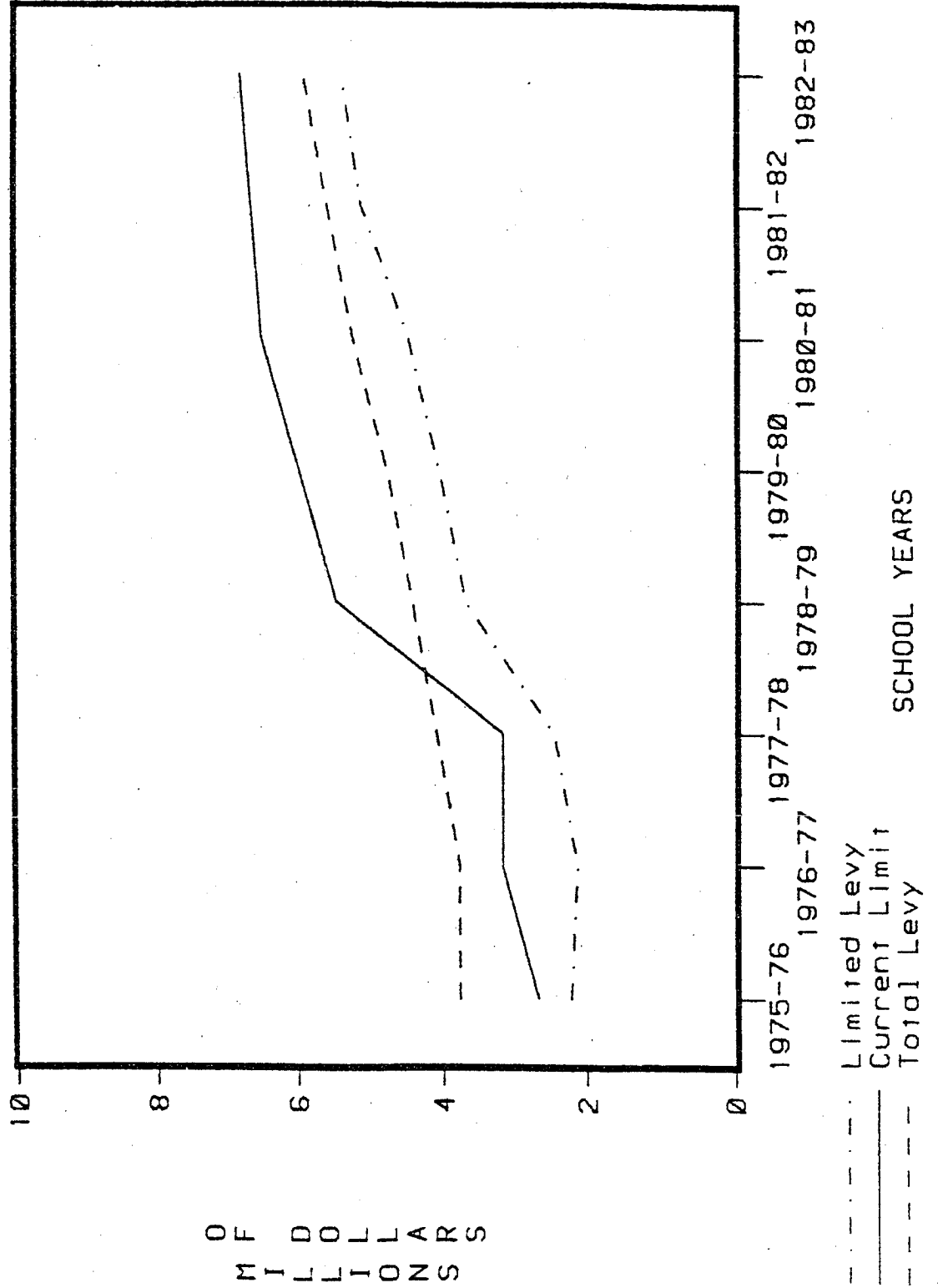


Constitutional Tax Limits in City School Districts, 1975-76 to 1982-83:

Auburn City School District, Current Limit of 1.25%

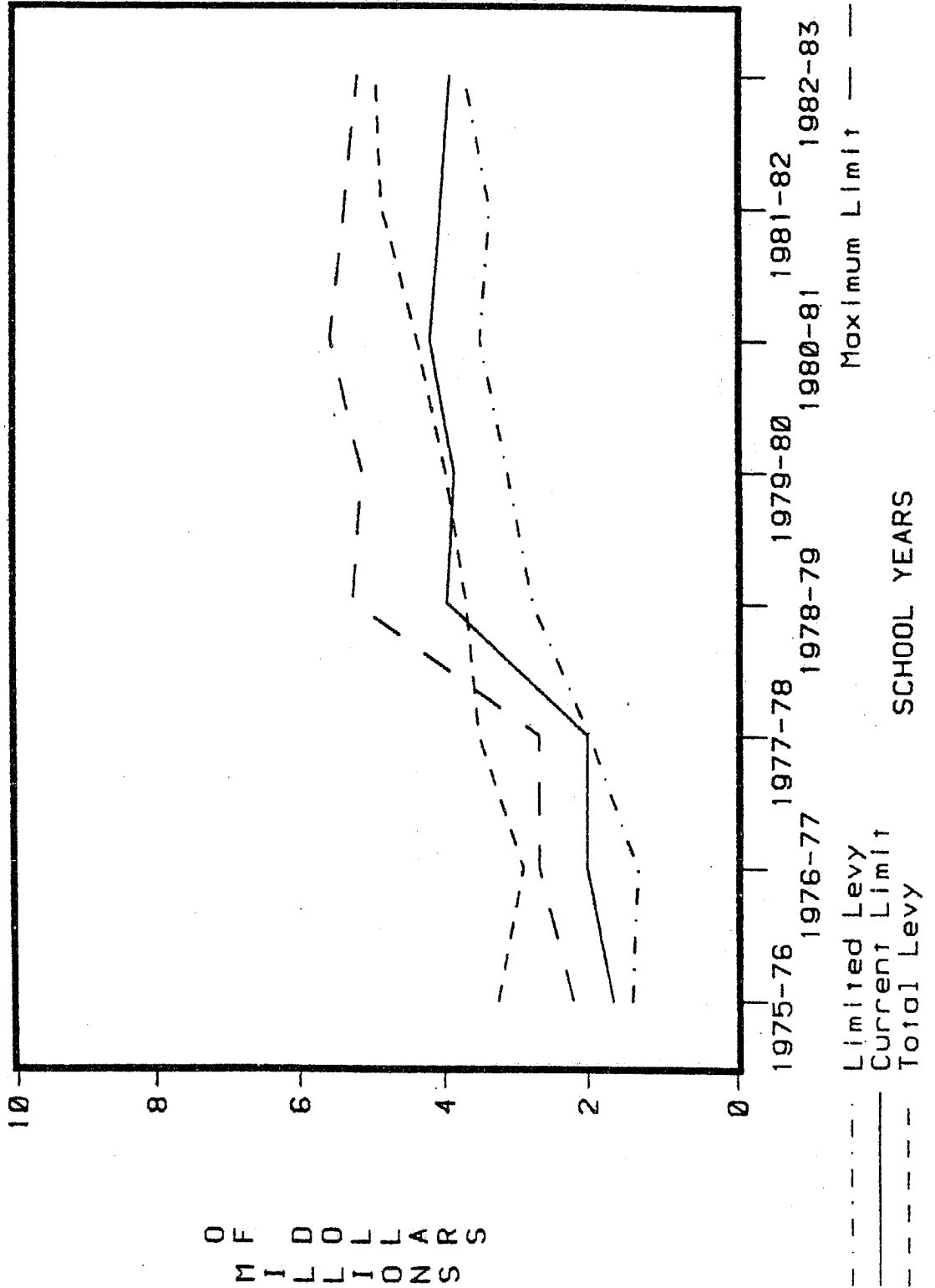


Constitutional Tax Limits in City School Districts, 1975-76 to 1982-83,
Batavia City School District, Current Limit of 2%



Constitutional Tax Limits in City School Districts, 1975-76 to 1982-83:

Beacon City School District, Current Limit of 1.5%



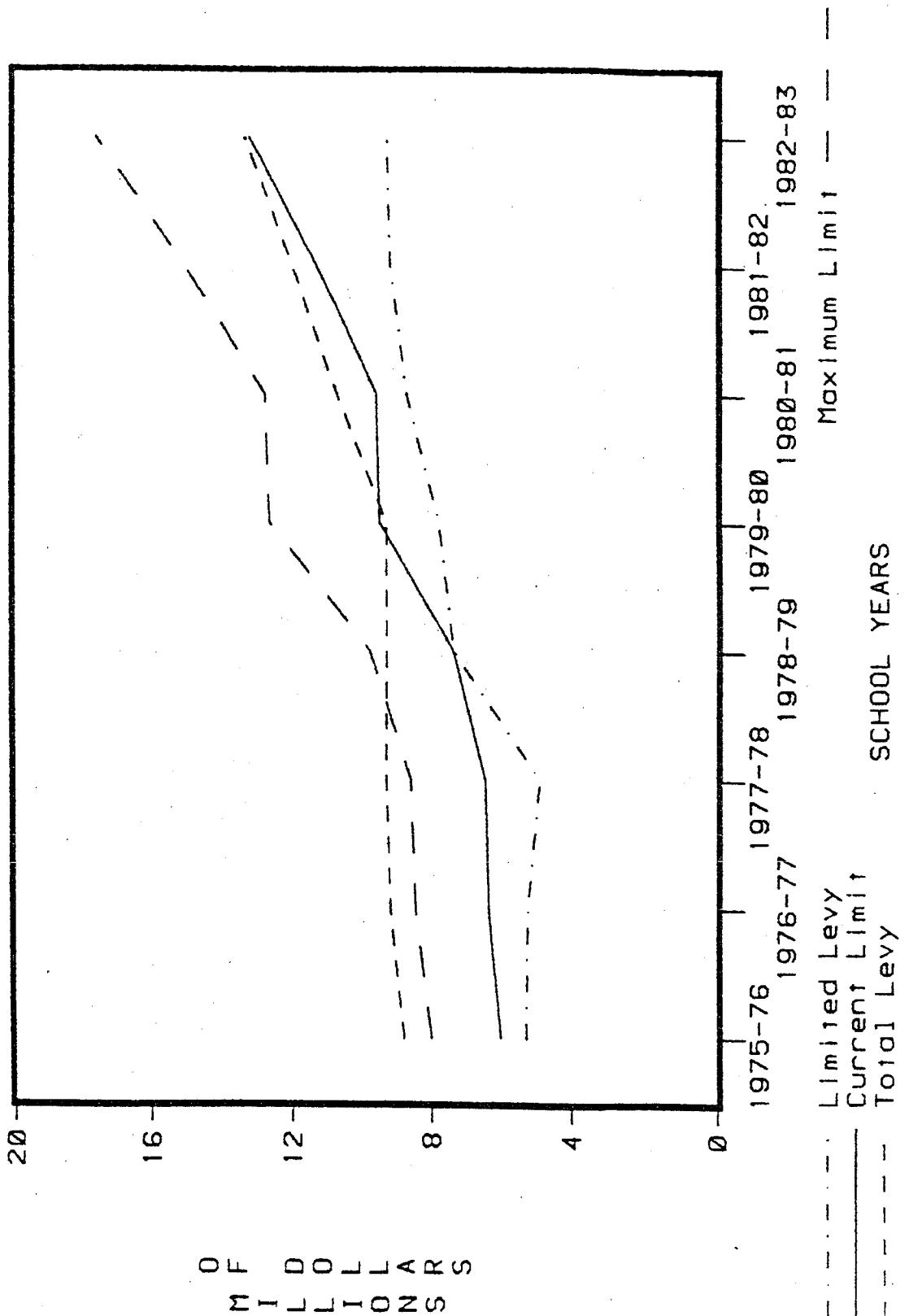
MILLIONS OF DOLLARS

Legend:
- - - - - Limited Levy
_____ Current Limit
- . - . - Total Levy

SCHOOL YEARS

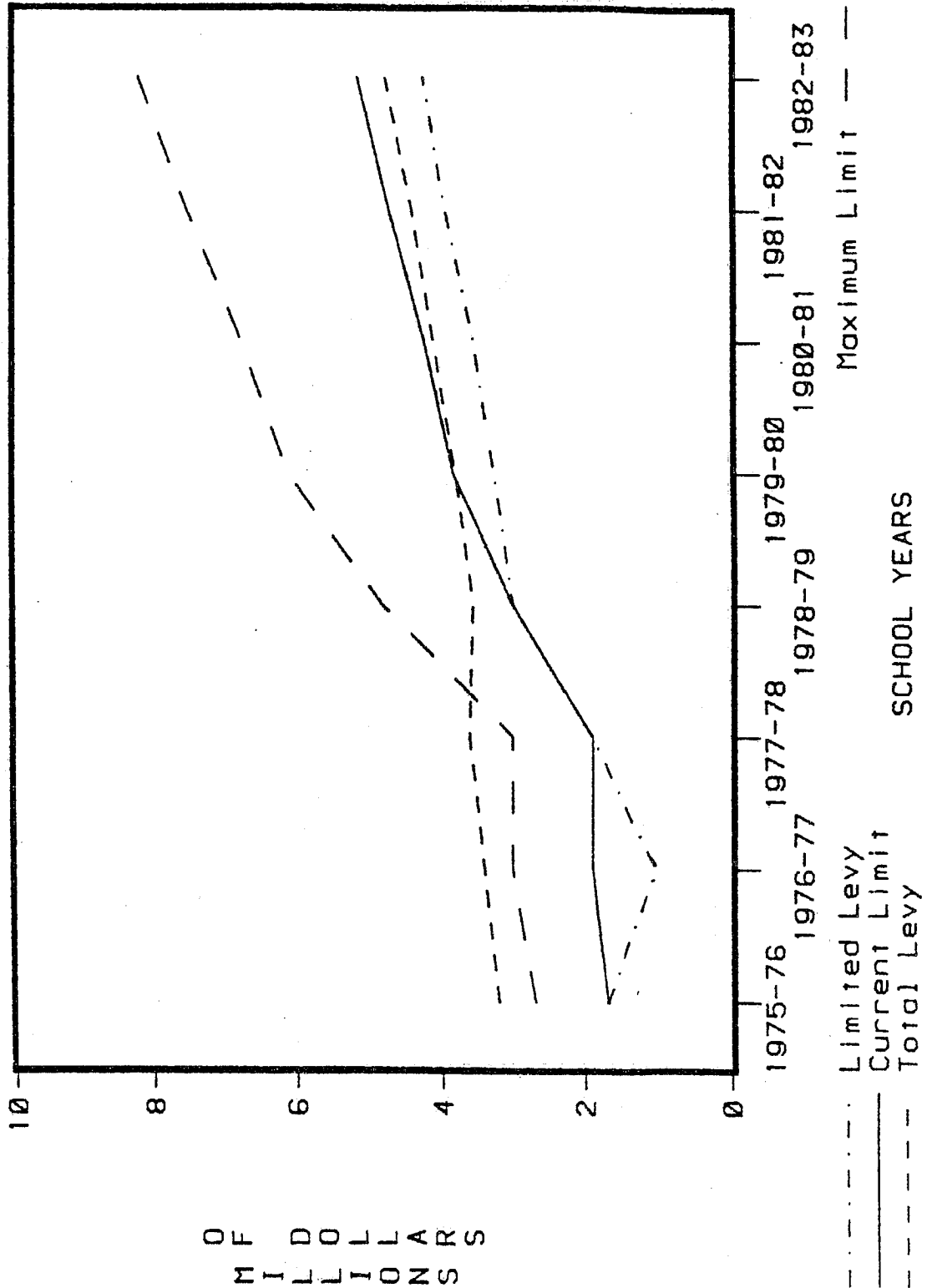
Maximum Limit

Constitutional Tax Limits In City School Districts, 1975-76 to 1982-83:
Binghamton City School District, Current Limit of 1.5%

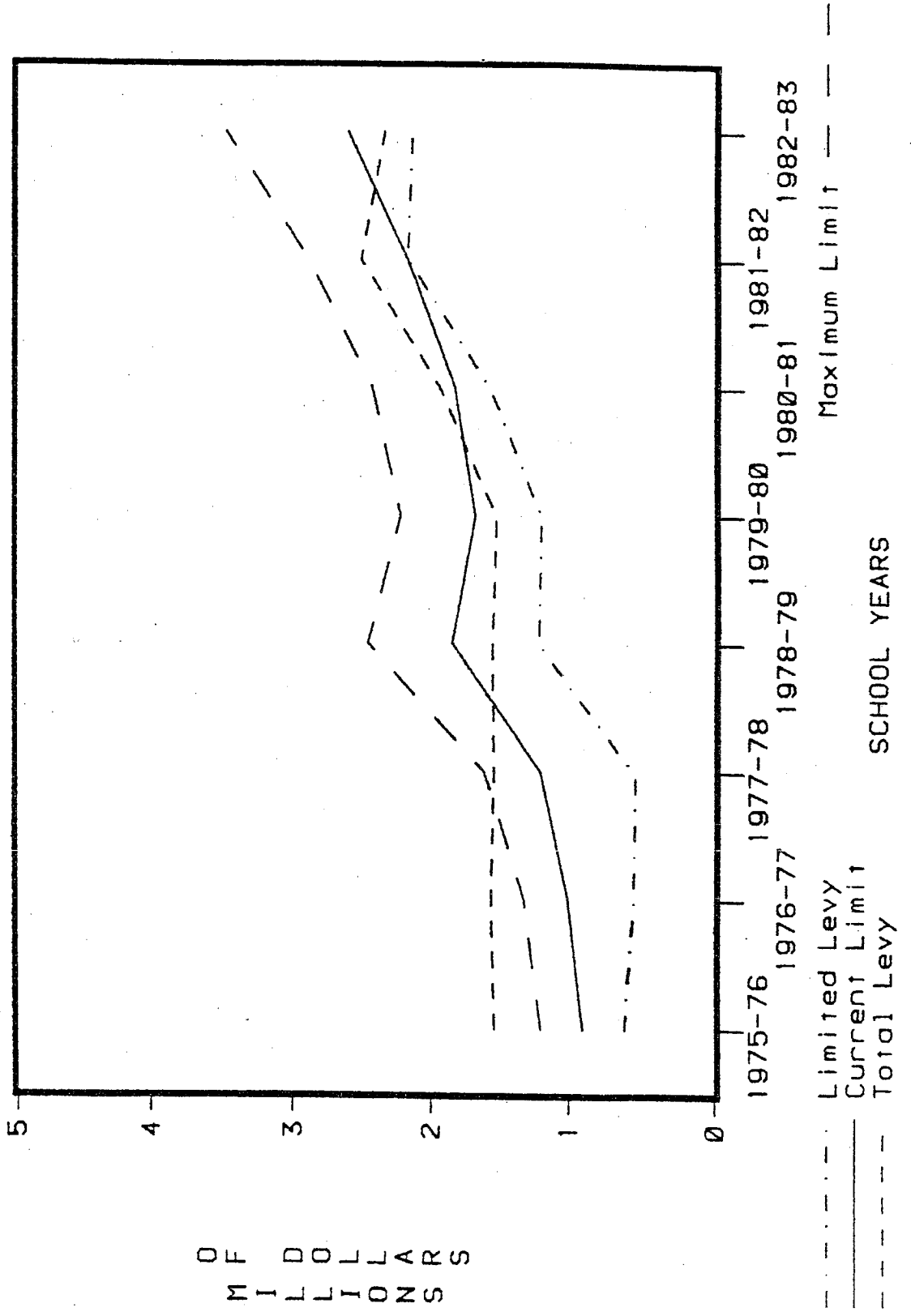


Constitutional Tax Limits in City School Districts, 1975-76 to 1982-83

Canandalgua City School District, Current Limit of 1.25%

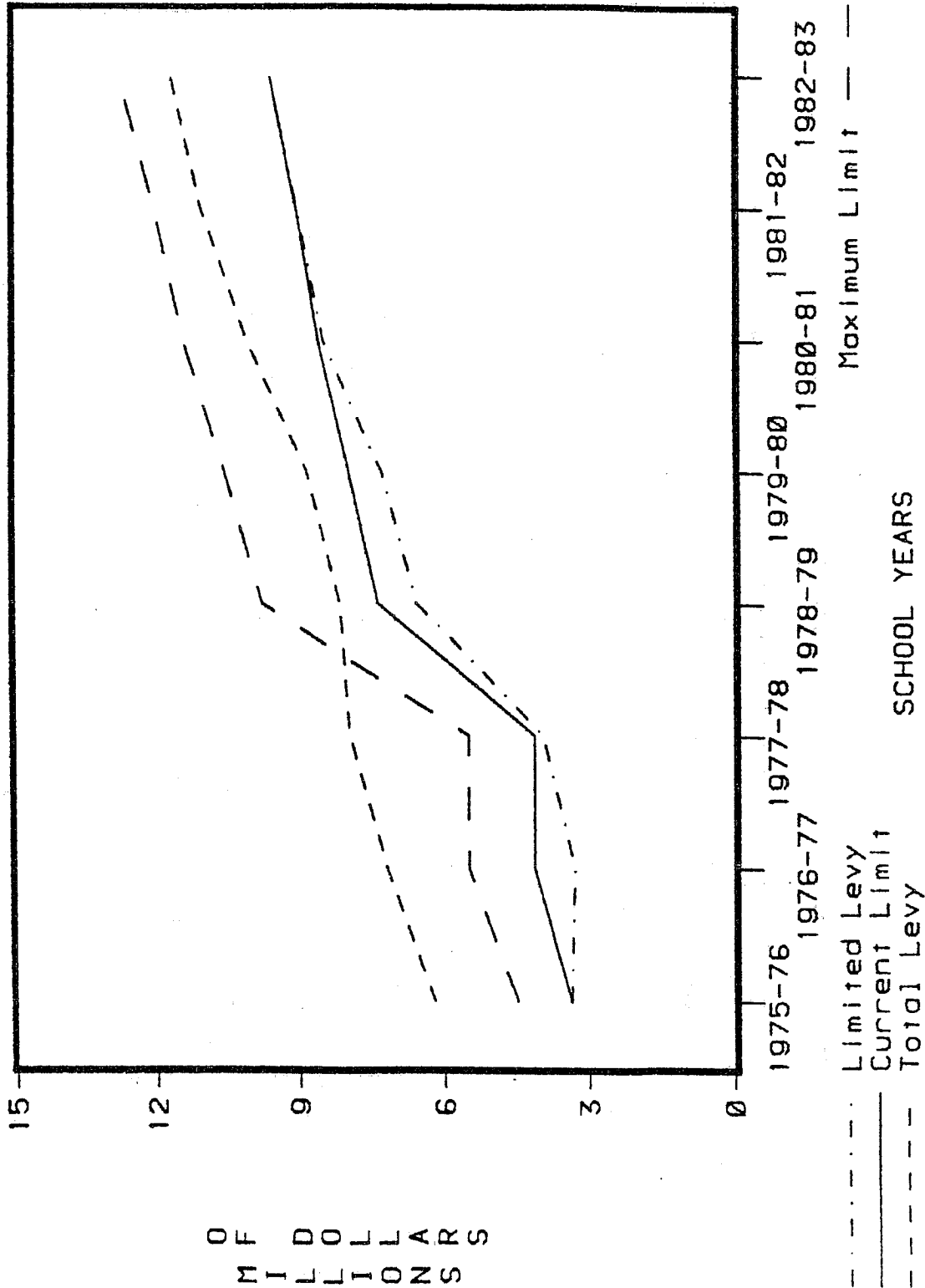


Constitutional Tax Limits in City School Districts, 1975-76 to 1982-83;
Cohoes City School District, Current Limit of 1.5%



Constitutional Tax Limits in City School Districts, 1975-76 to 1982-83

Corning City School District, Current Limit of 1.50%

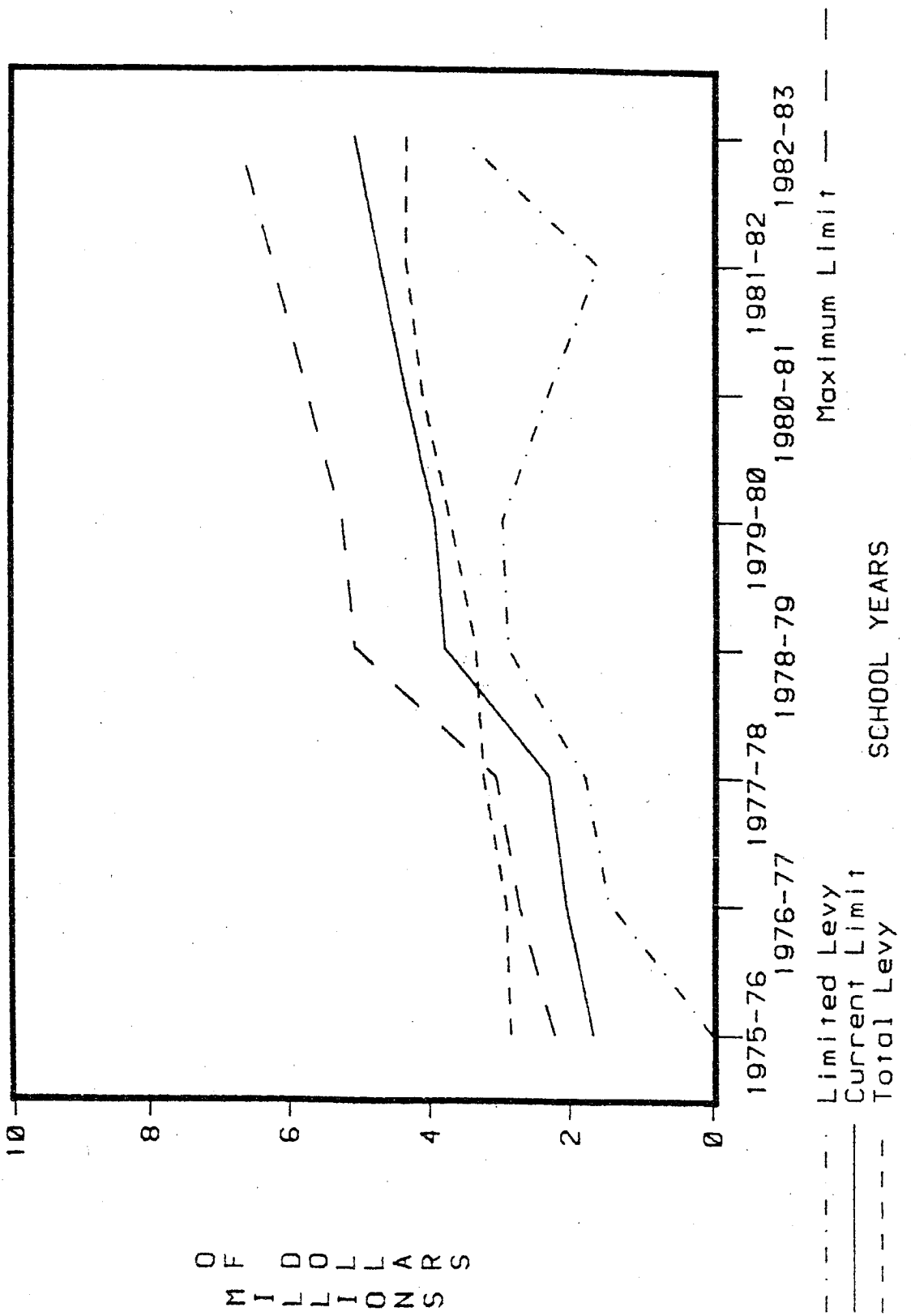


MILLIONS OF DOLLARS

Legend:
- - - - - Limited Levy
————— Current Limit
- - - - - Total Levy
- - - - - Maximum Limit

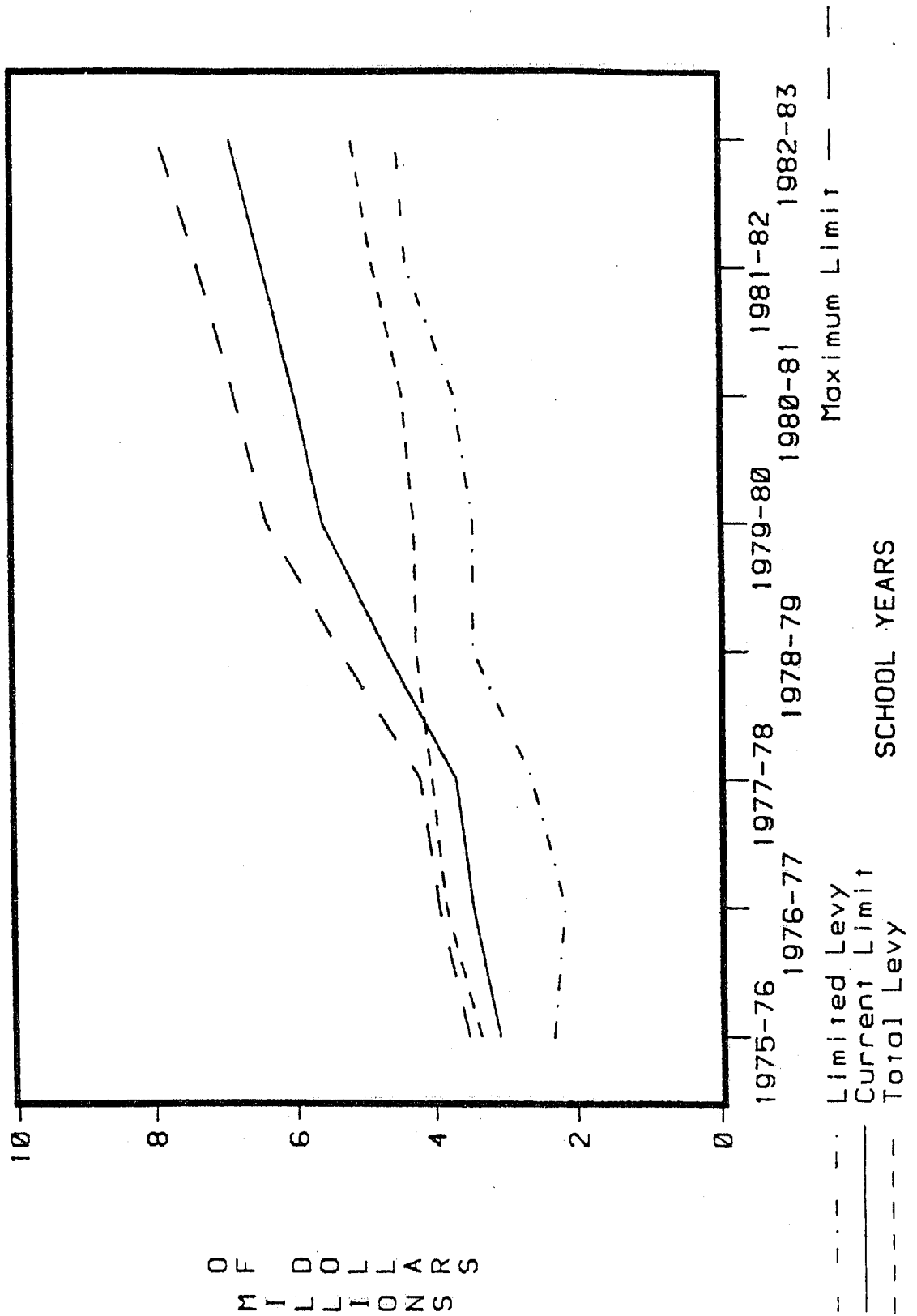
SCHOOL YEARS

Constitutional Tax Limits in City School Districts, 1975-76 to 1982-83:
Cortland City School District, Current Limit of 1.50%



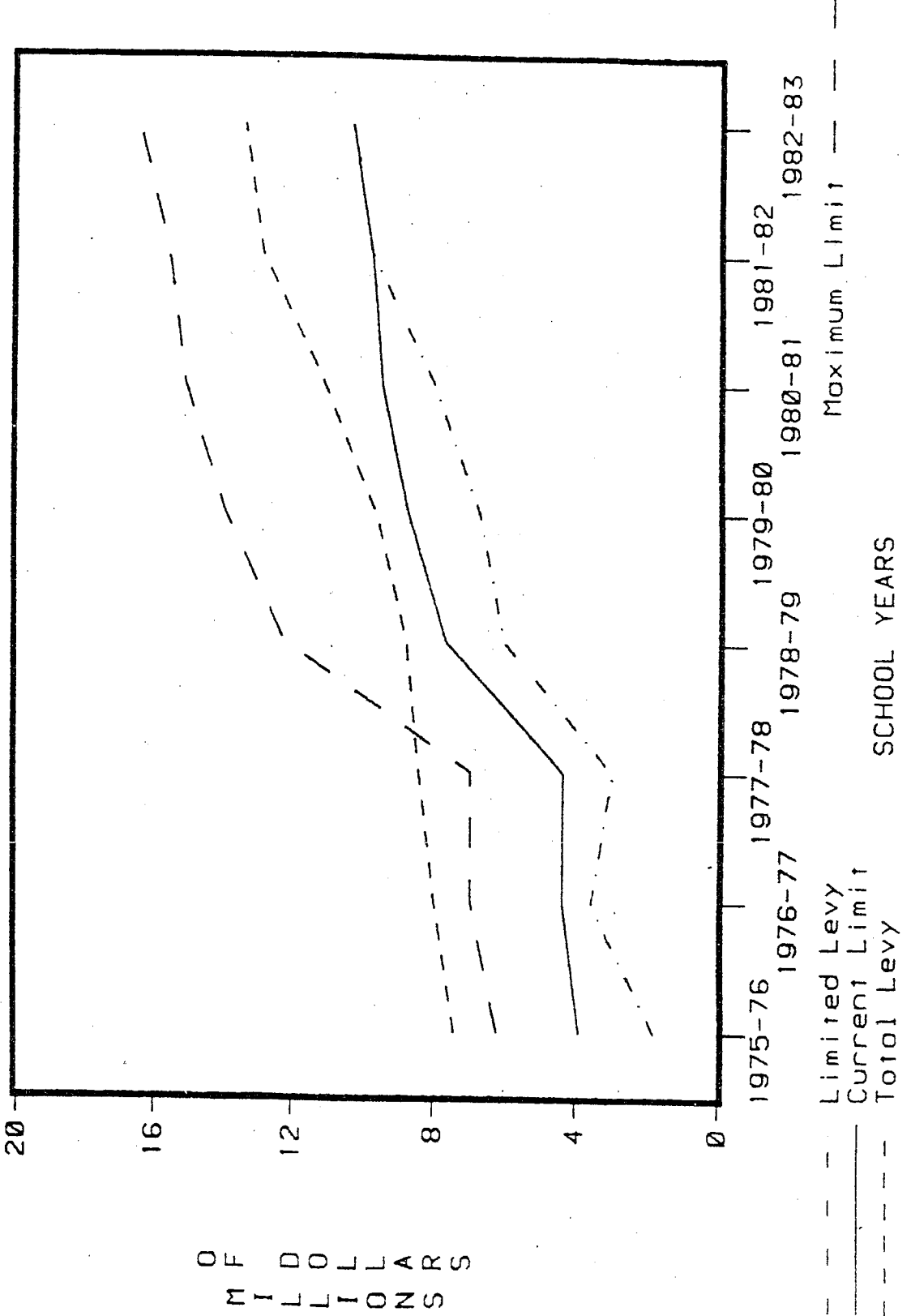
Constitutional Tax Limits in City School Districts, 1975-76 to 1982-83:

Dunkirk City School District, Current Limit of 1.75%



Constitutional Tax Limits in City School Districts, 1975-76 to 1982-83:

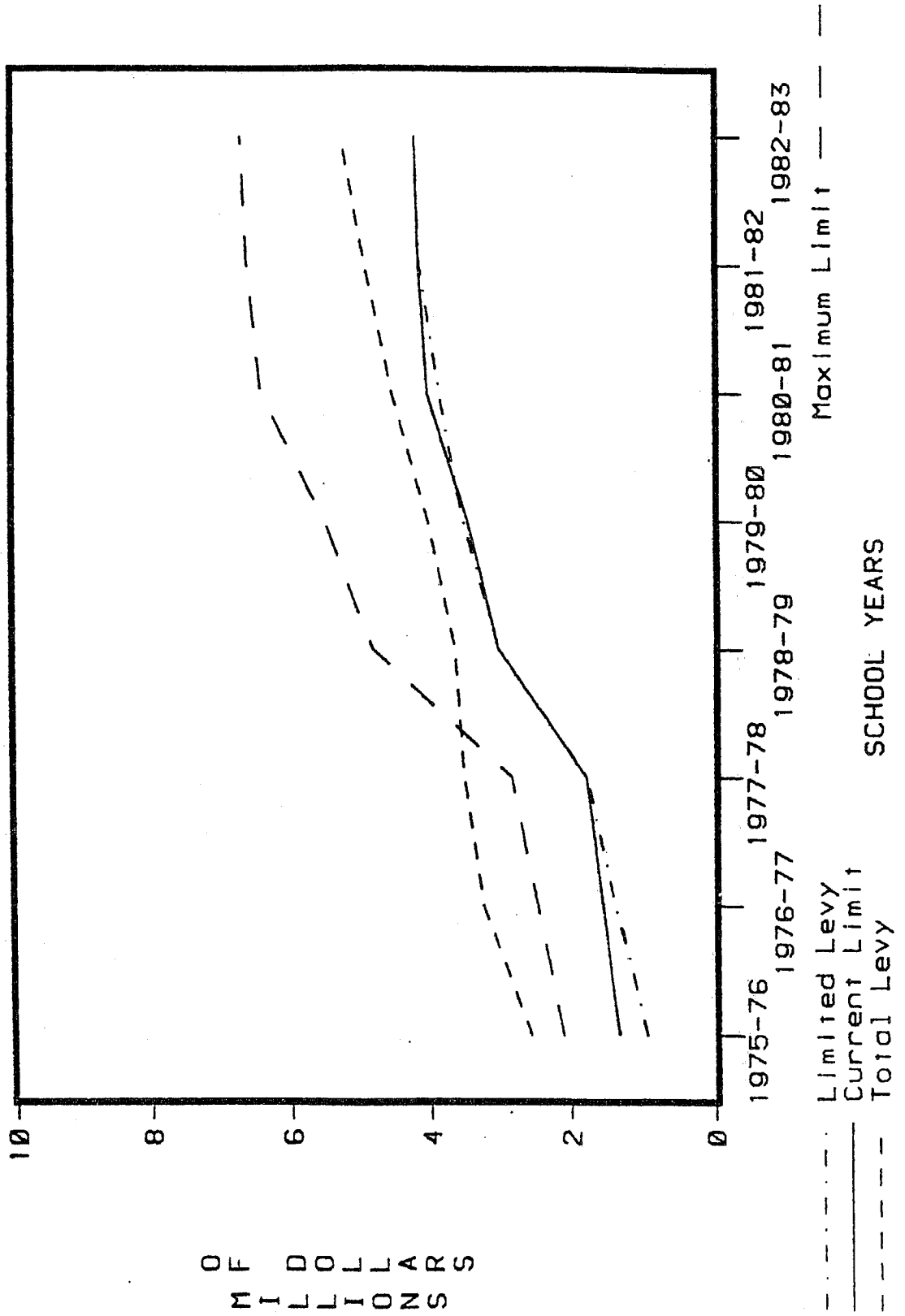
Elmira City School District, Current Limit of 1.25%



OF DOLLARS
MILLIONS

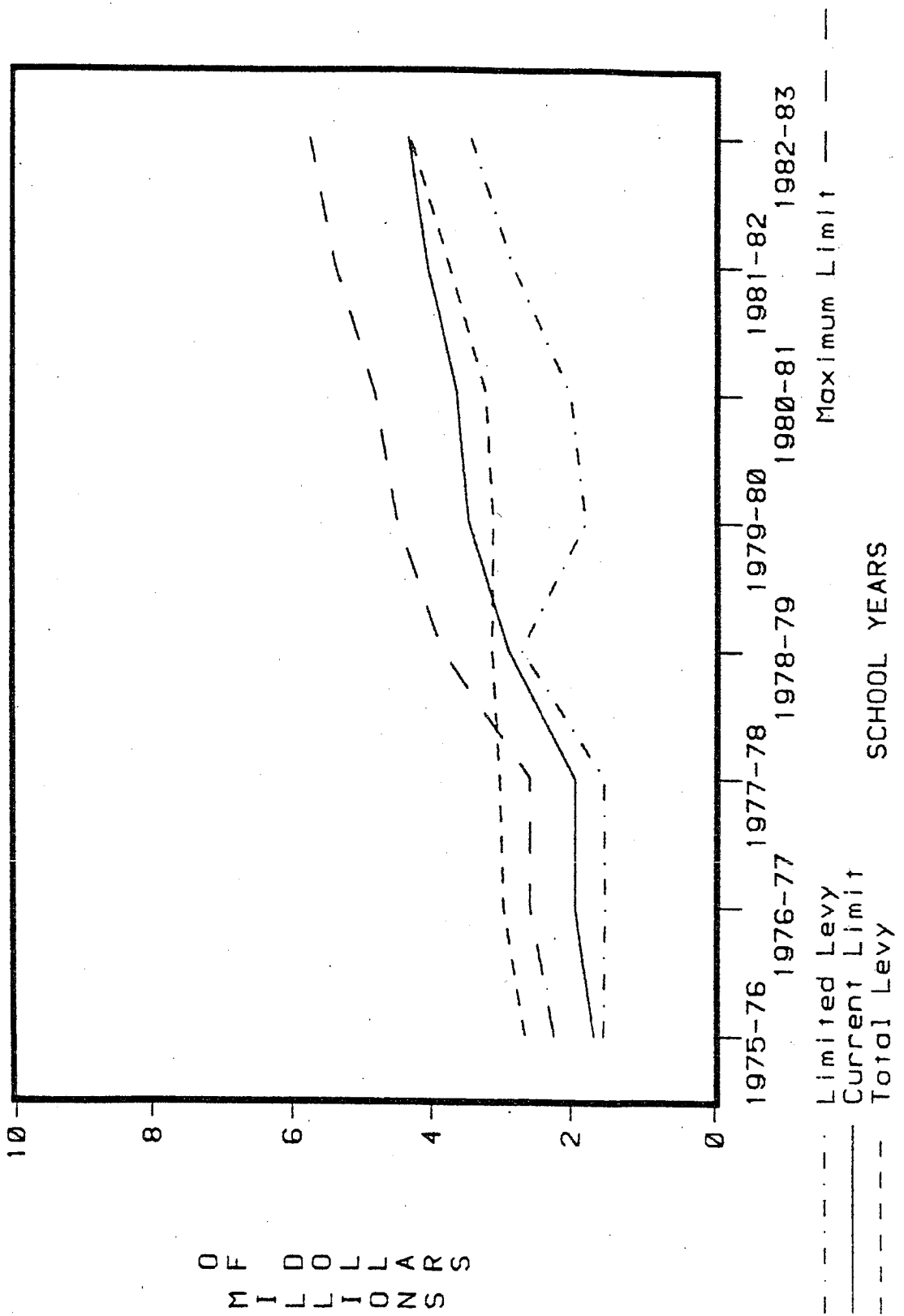
Constitutional Tax Limits in City School Districts, 1975-76 to 1982-83:

Fulton City School District, Current Limit of 1.25%

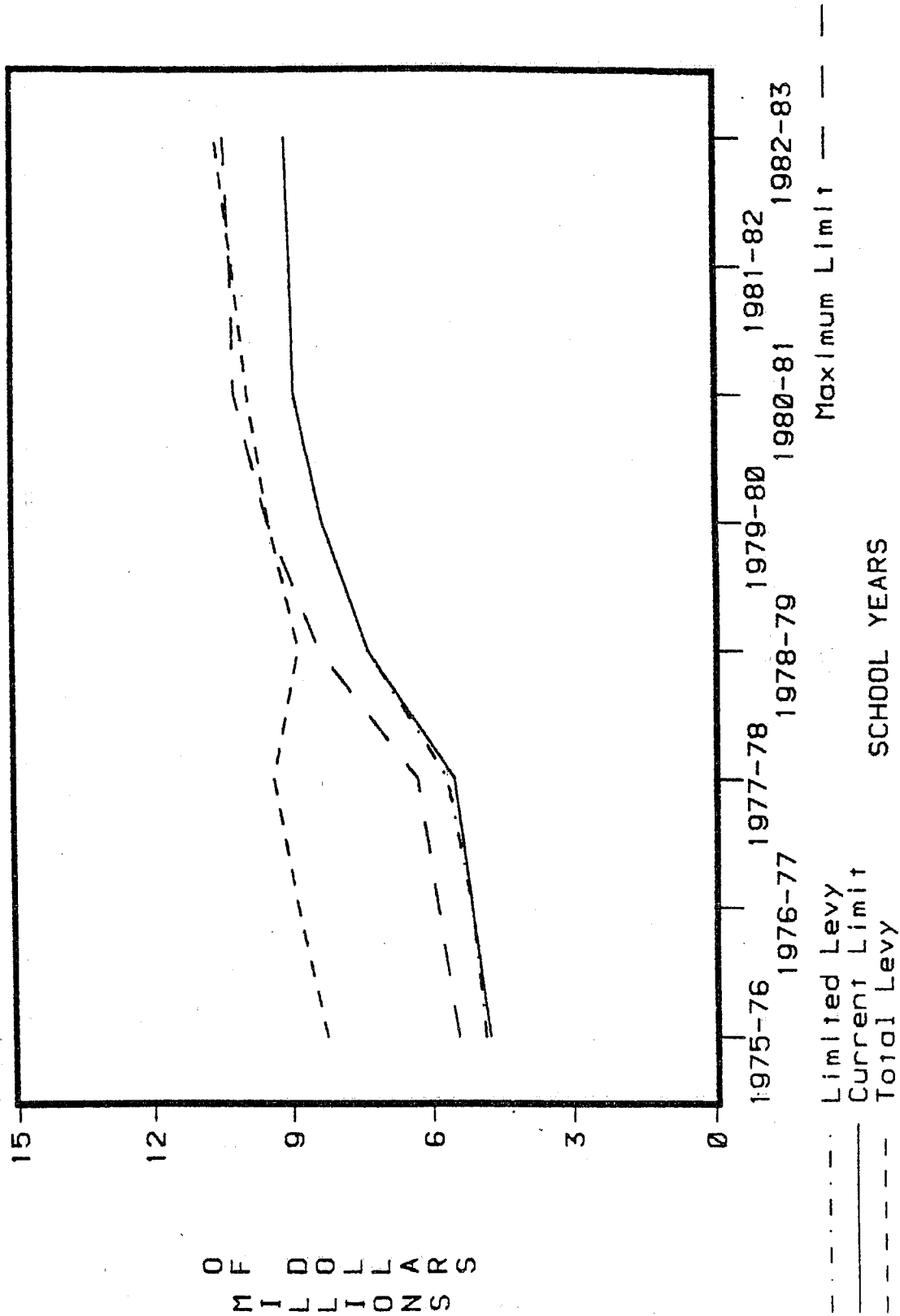


Constitutional Tax Limits in City School Districts, 1975-76 to 1982-83:

Geneva City School District, Current Limit of 1.50%

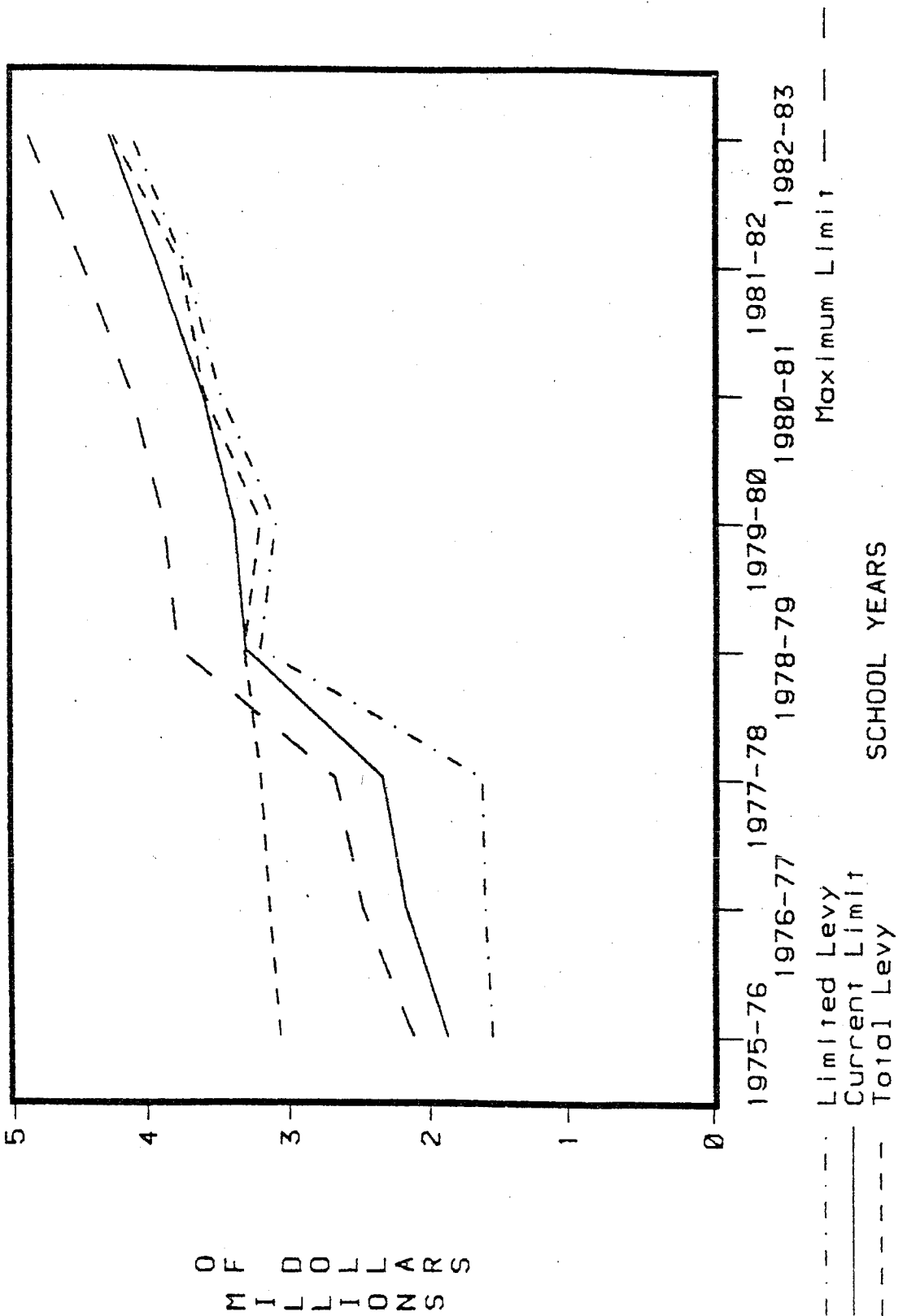


Constitutional Tax Limits In City School Districts, 1975-76 to 1982-83;
Glen Cove City School District, Current Limit of 1.75%

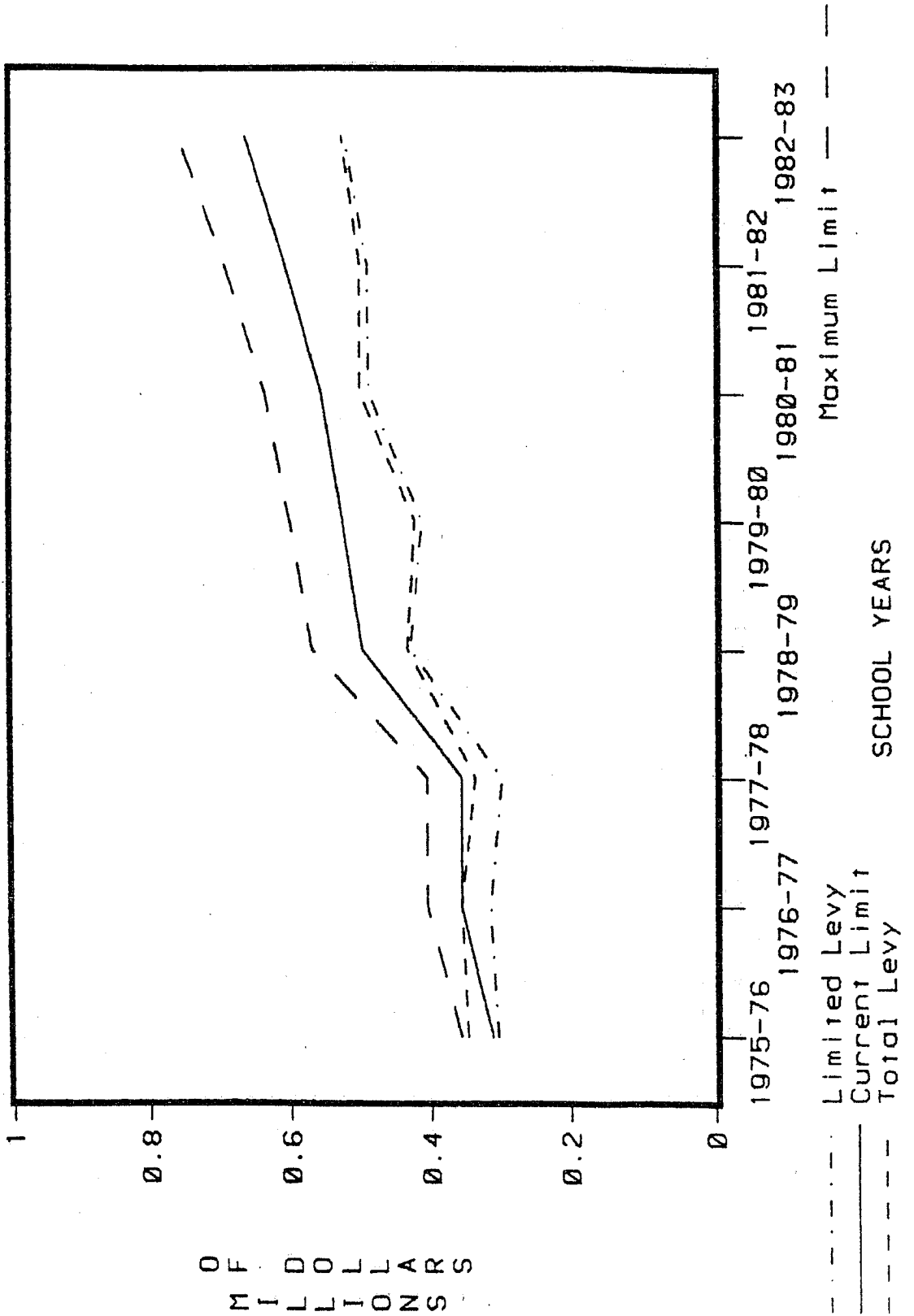


Constitutional Tax Limits In City School Districts, 1975-76 to 1982-83:

Glens Falls City School District, Current Limit of 1.75%

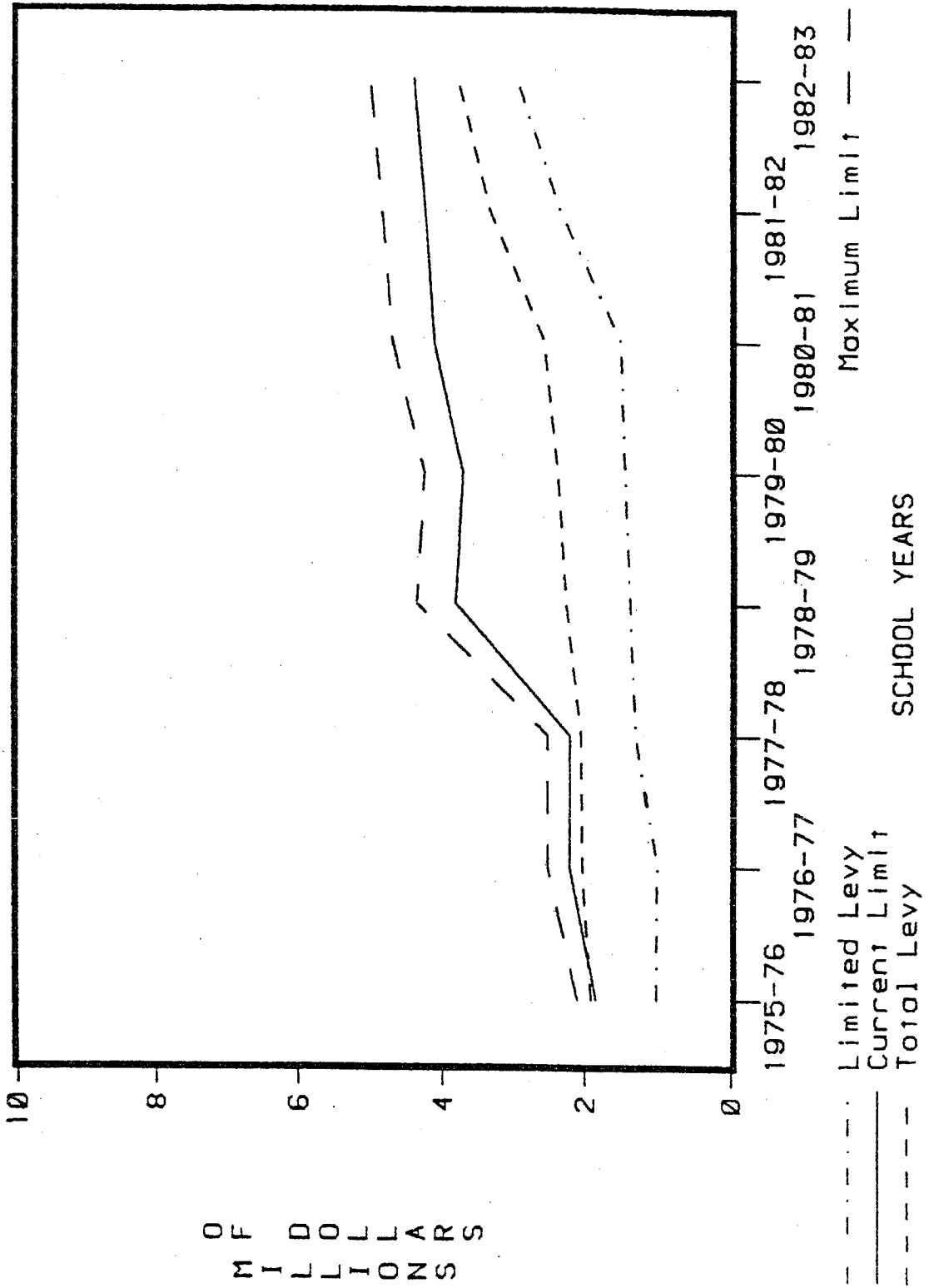


Constitutional Tax Limits in City School Districts, 1975-76 to 1982-83
Glens Falls Common School District, Current Limit of 1.75%

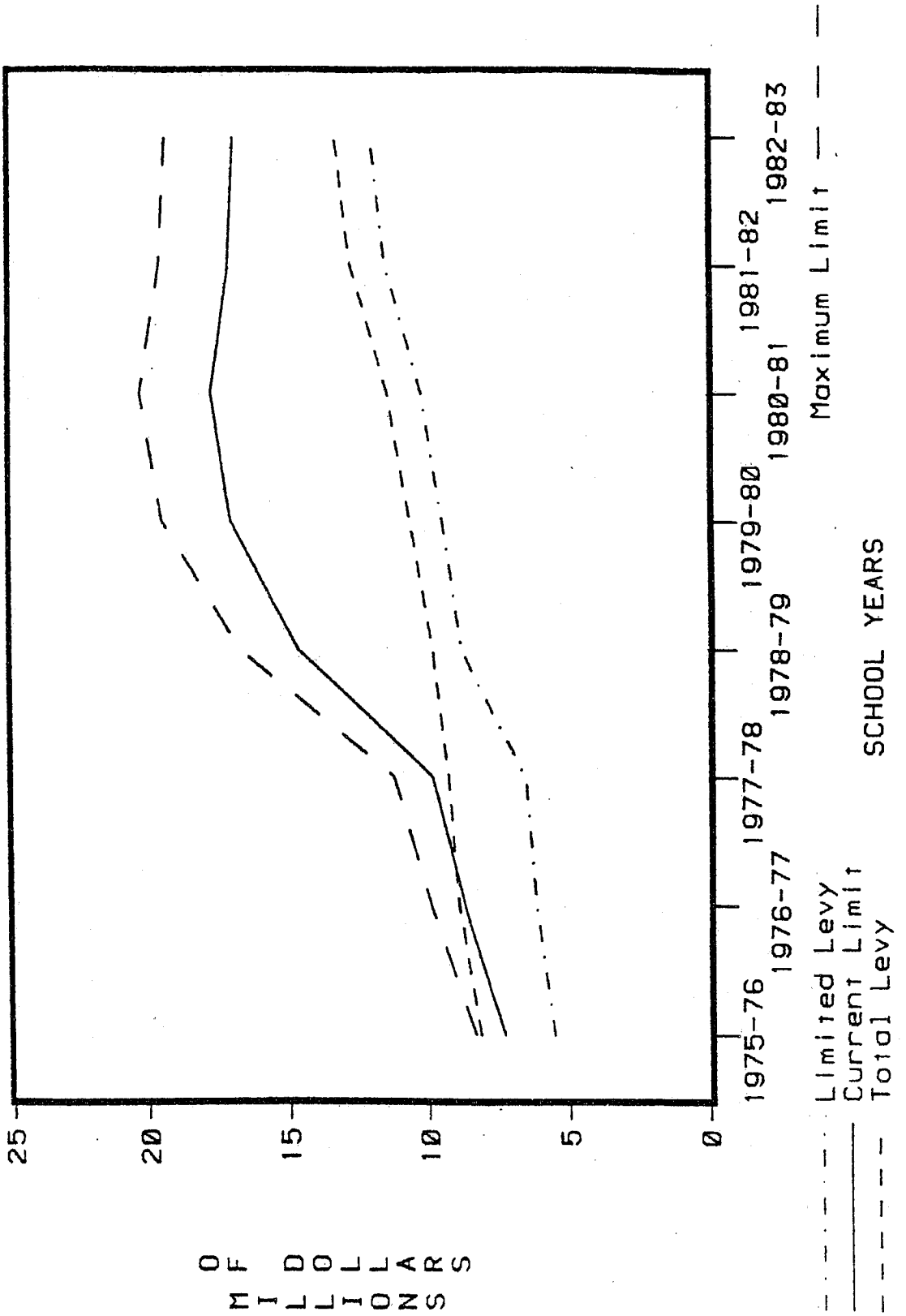


Constitutional Tax Limits in City School Districts, 1975-76 to 1982-83:

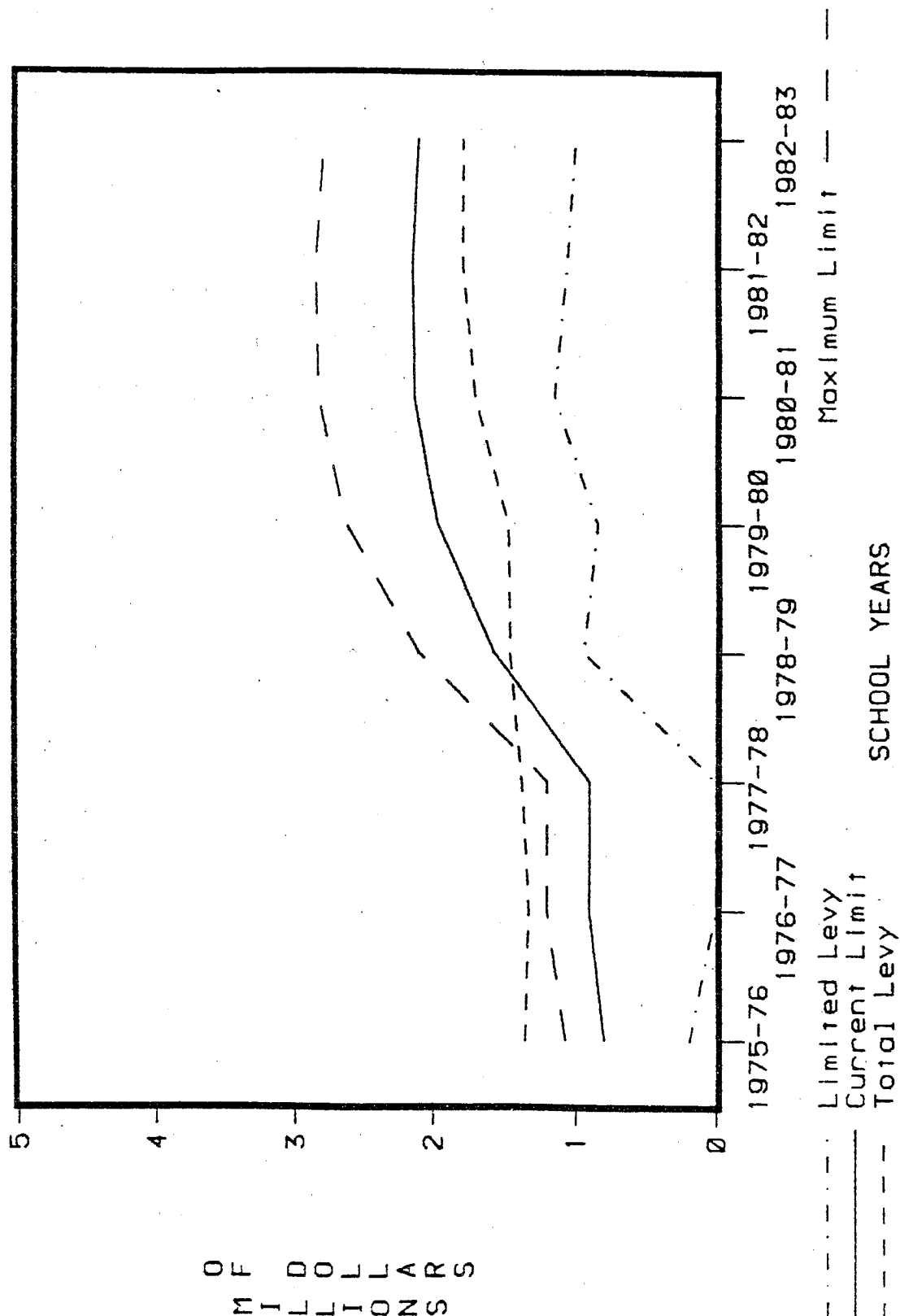
Groversville City School District, Current Limit of 1.75%



Constitutional Tax Limits in City School Districts, 1975-76 to 1982-83:
Hendrick-Hudson Central School District, Current Limit of 1.75%

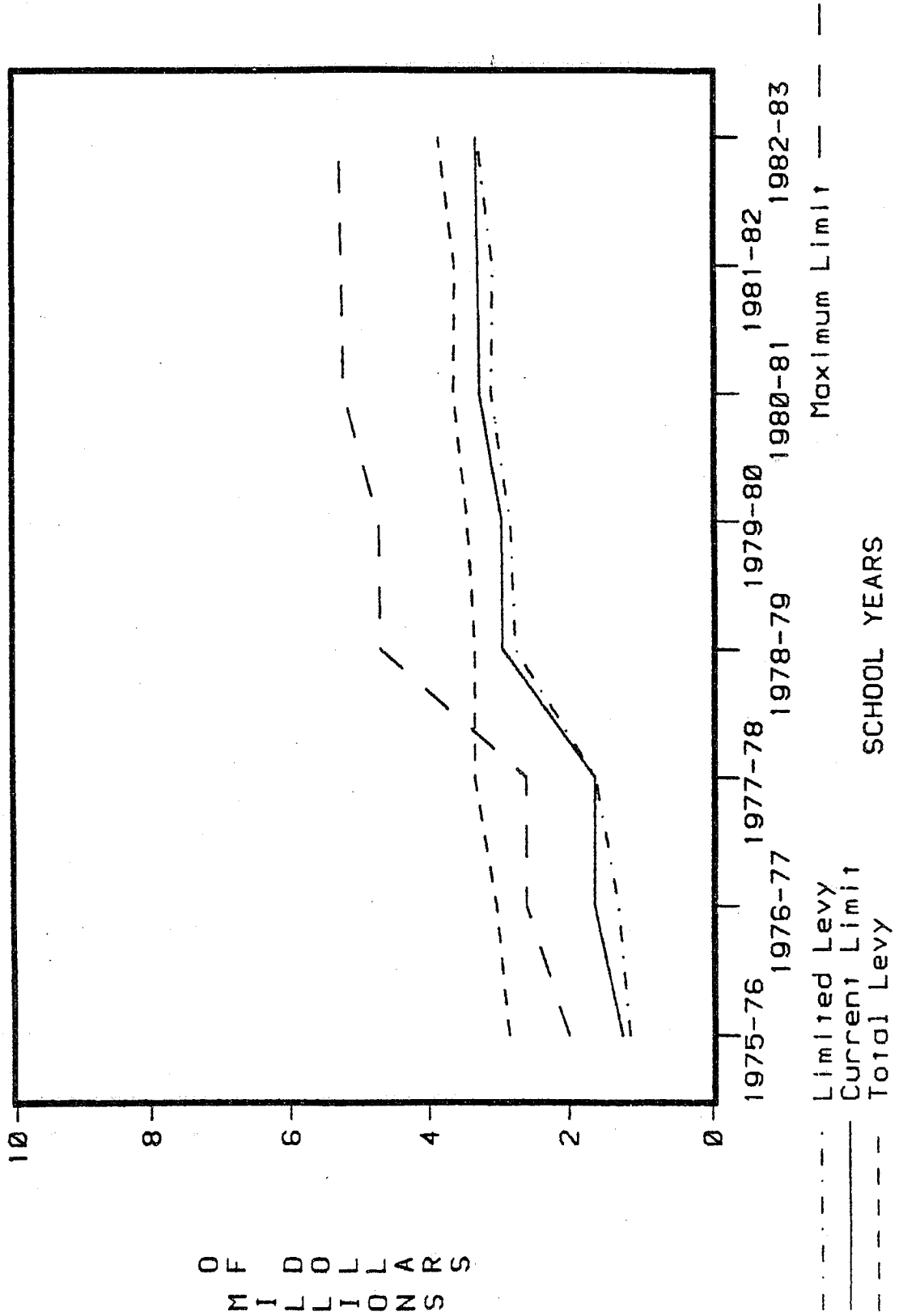


Constitutional Tax Limits in City School Districts, 1975-76 to 1982-83;
Hornell City School District, Current Limit of 1.50%

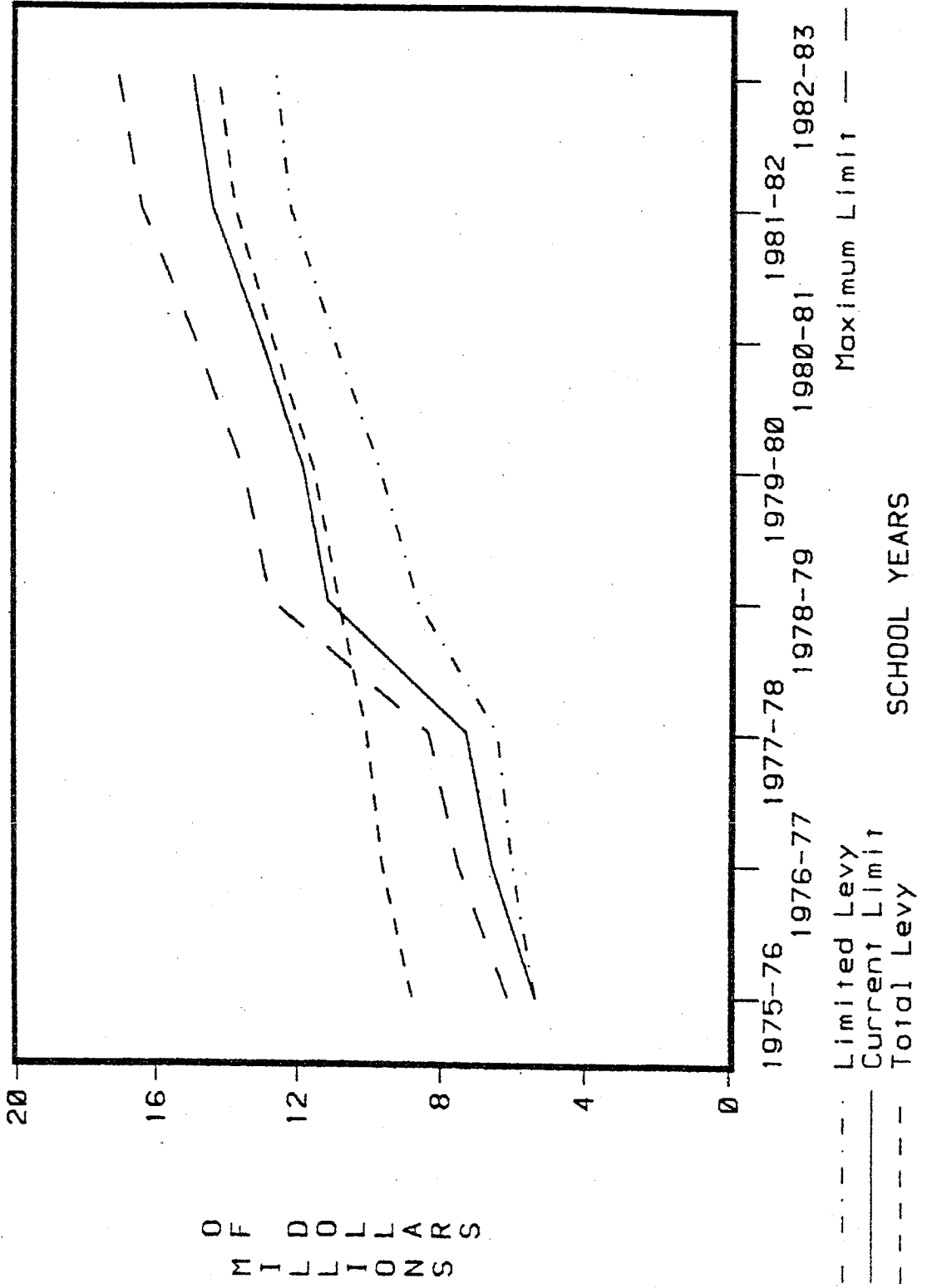


Constitutional Tax Limits in City School Districts, 1975-76 to 1982-83

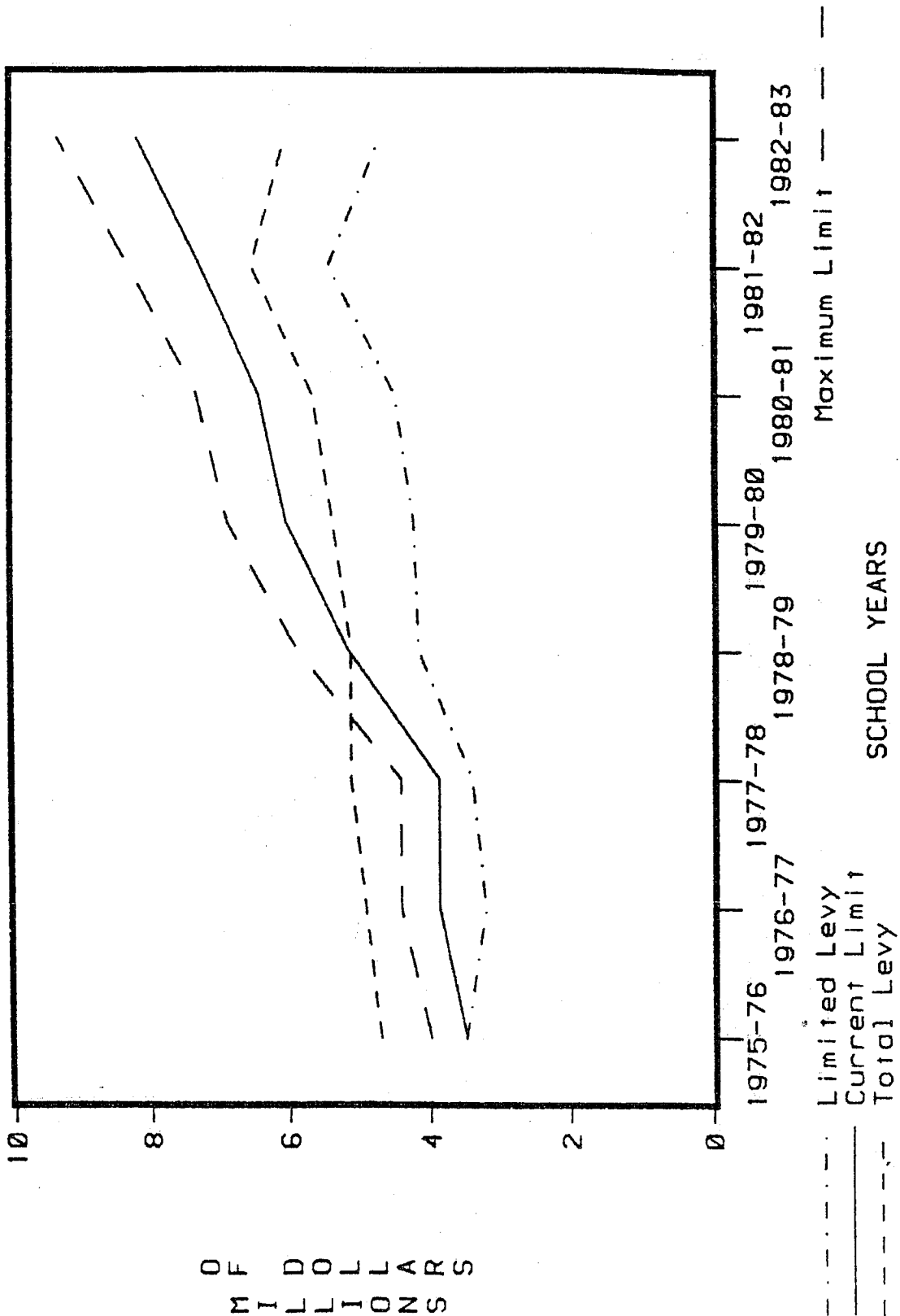
Hudson City School District, Current Limit of 1.25%



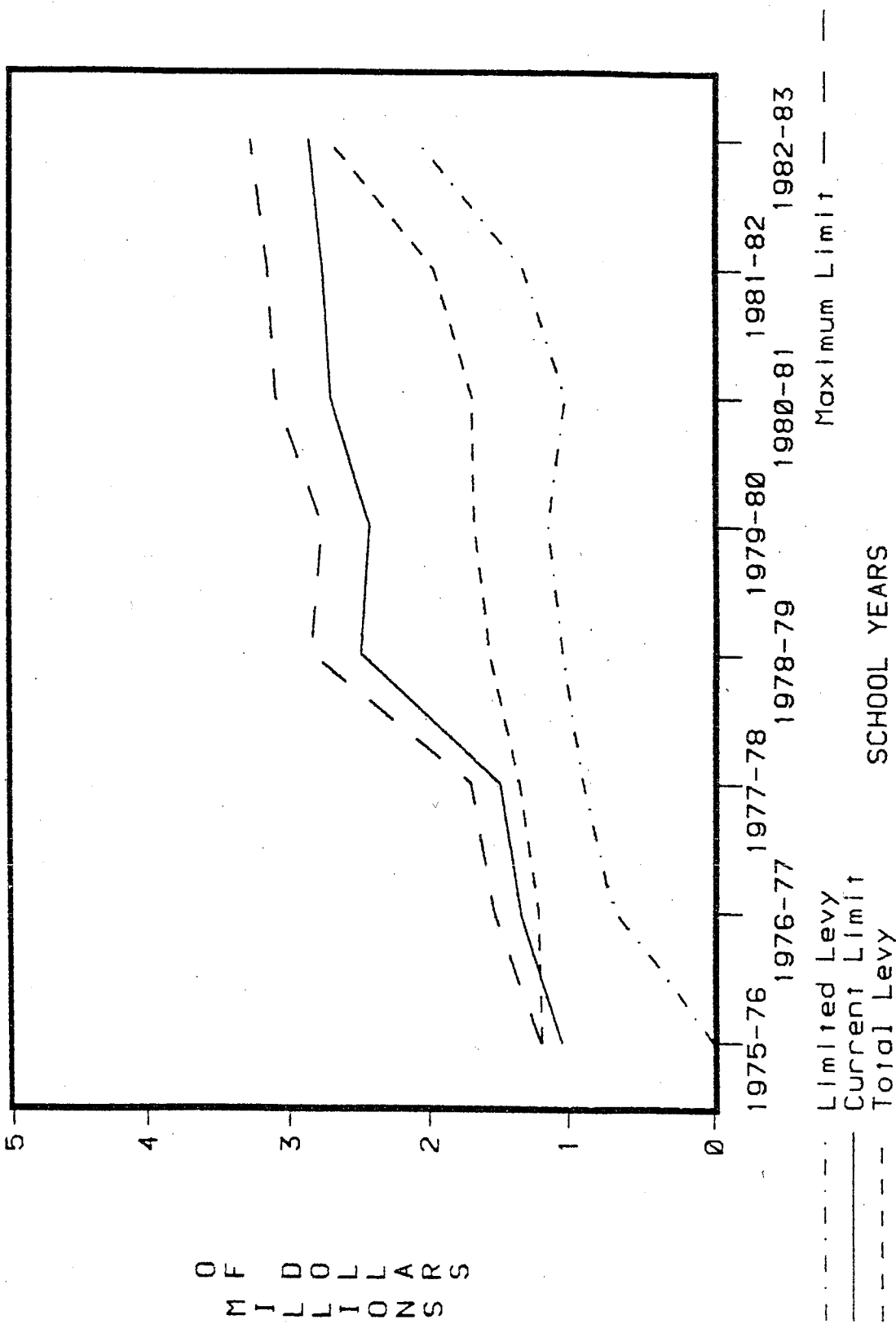
Constitutional Tax Limits in City School Districts, 1975-76 to 1982-83,
Ithaca City School District, Current Limit of 1.75%



Constitutional Tax Limits in City School Districts, 1975-76 to 1982-83:
Jamestown City School District, Current Limit of 1.75%

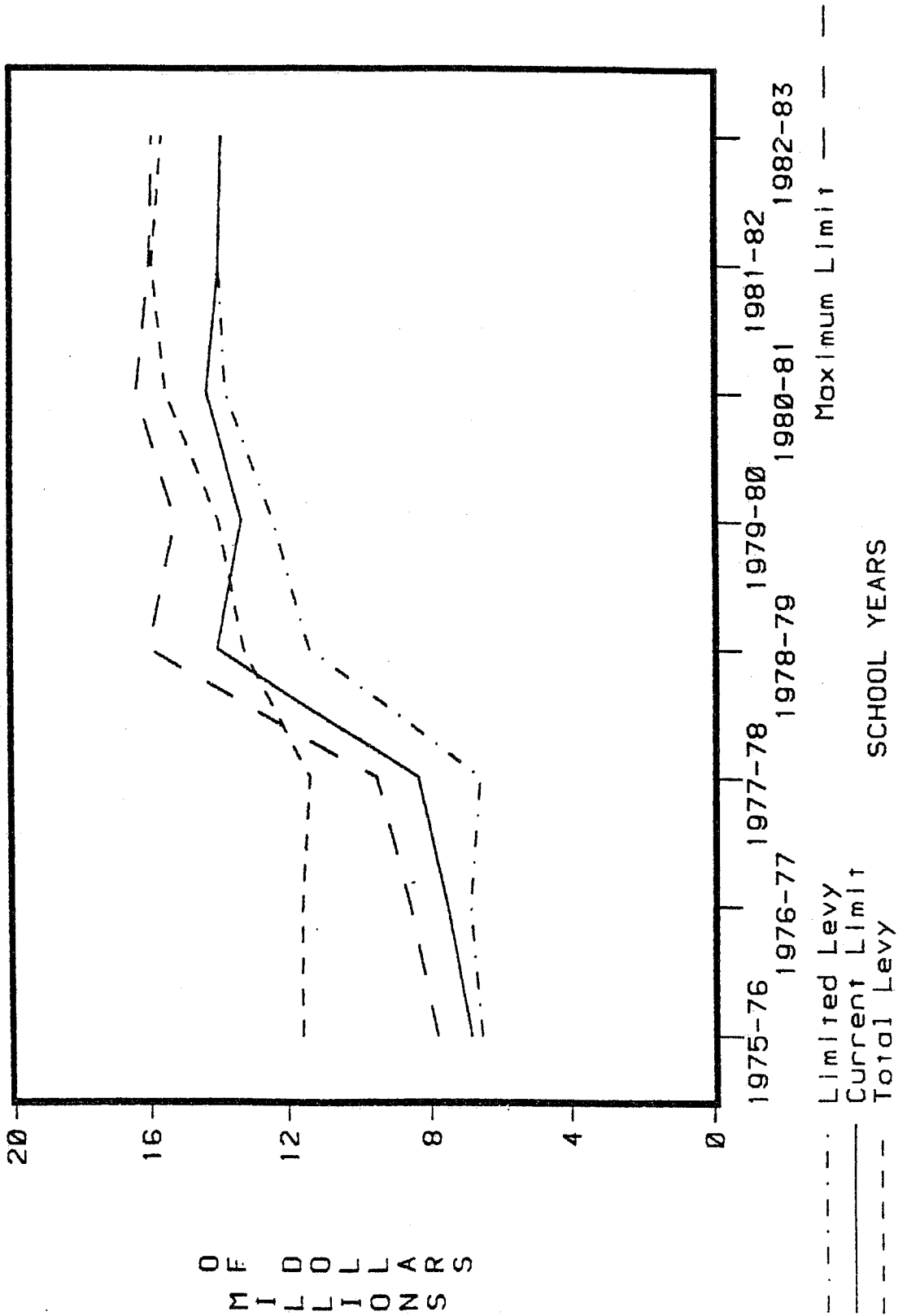


Constitutional Tax Limits in City School Districts, 1975-76 to 1982-83:
Johnstown City School District, Current Limit of 1.75%



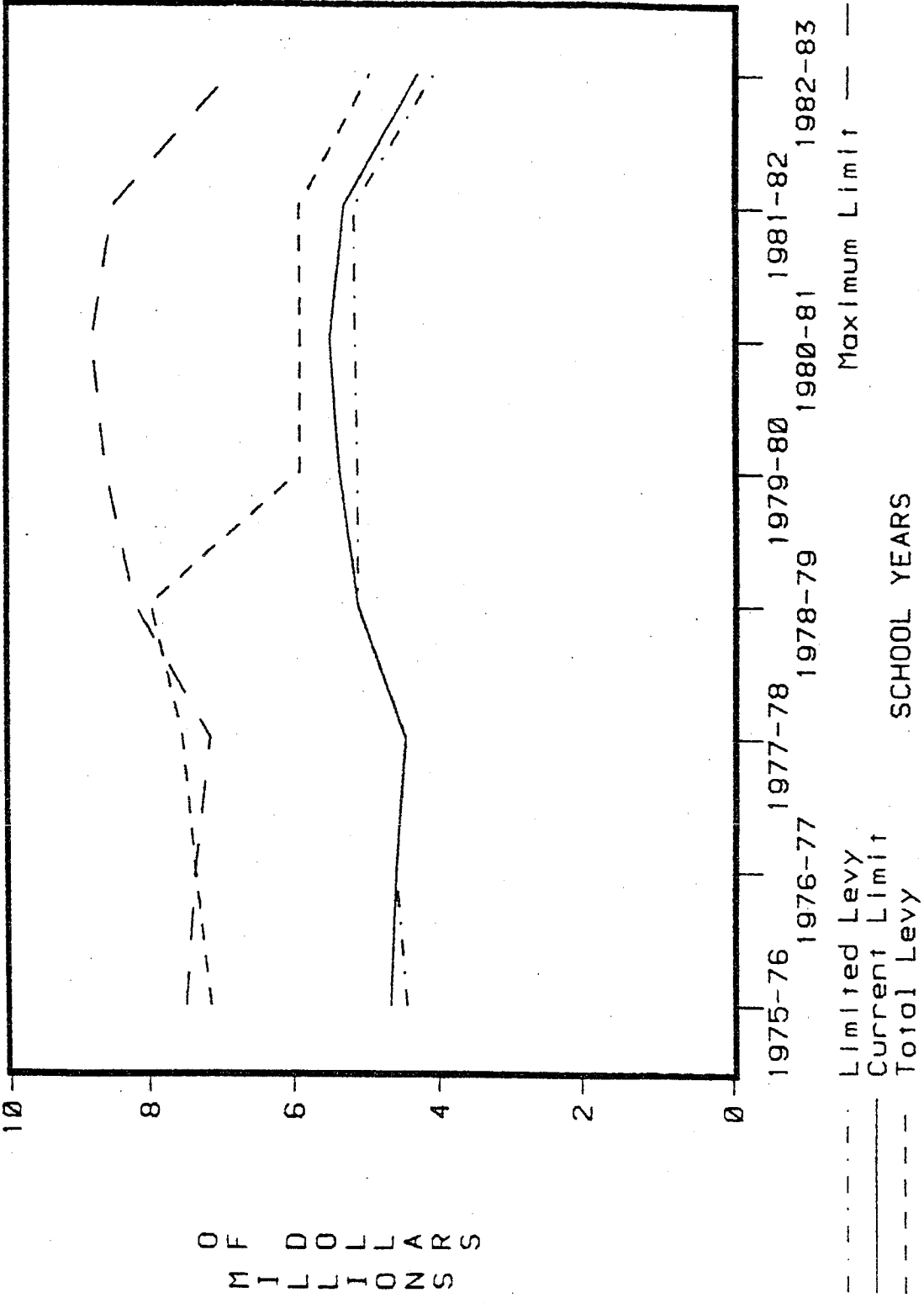
Constitutional Tax Limits in City School Districts, 1975-76 to 1982-83:

Kingston City School District, Current Limit of 1.75%

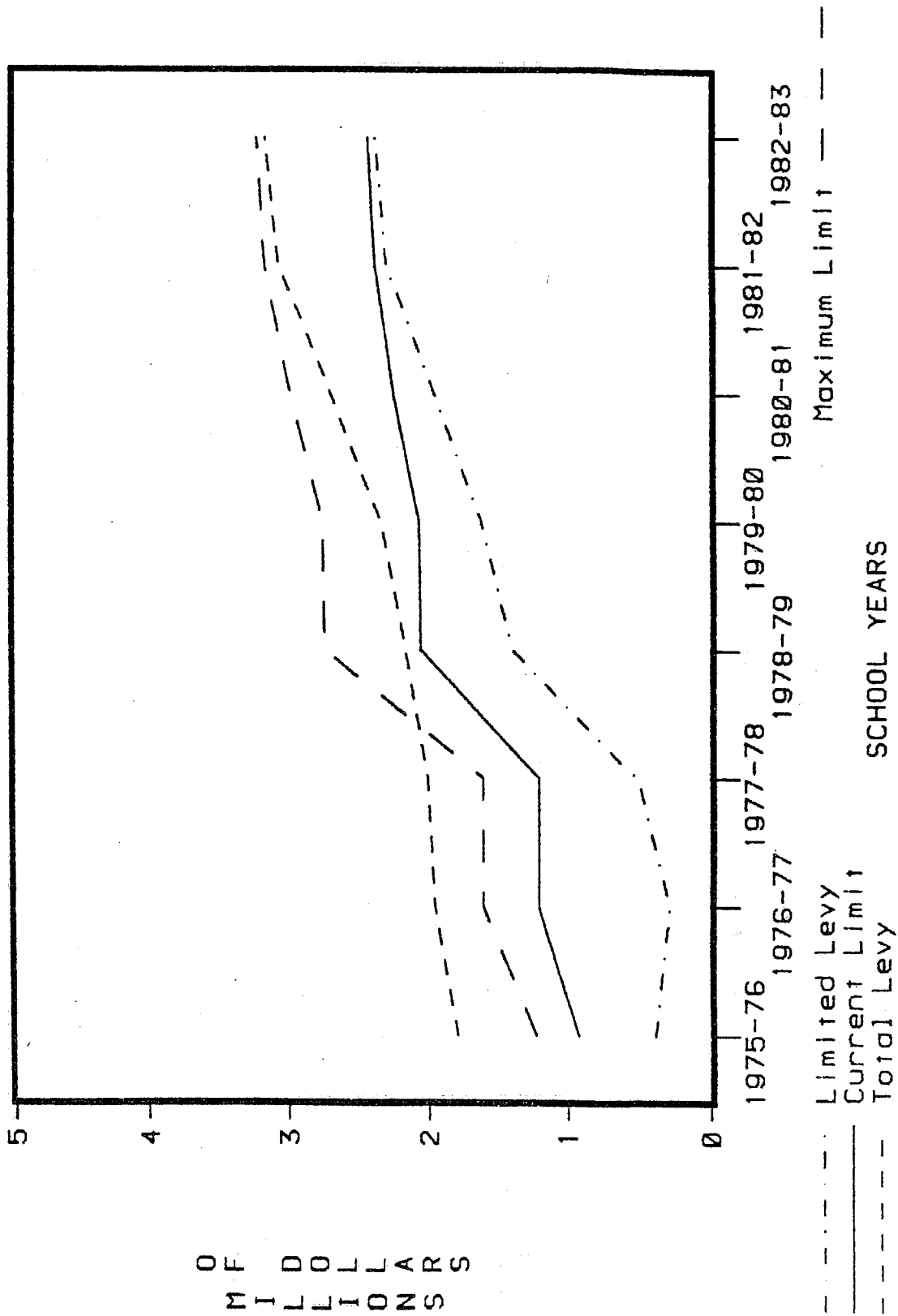


Constitutional Tax Limits in City School Districts, 1975-76 to 1982-83:

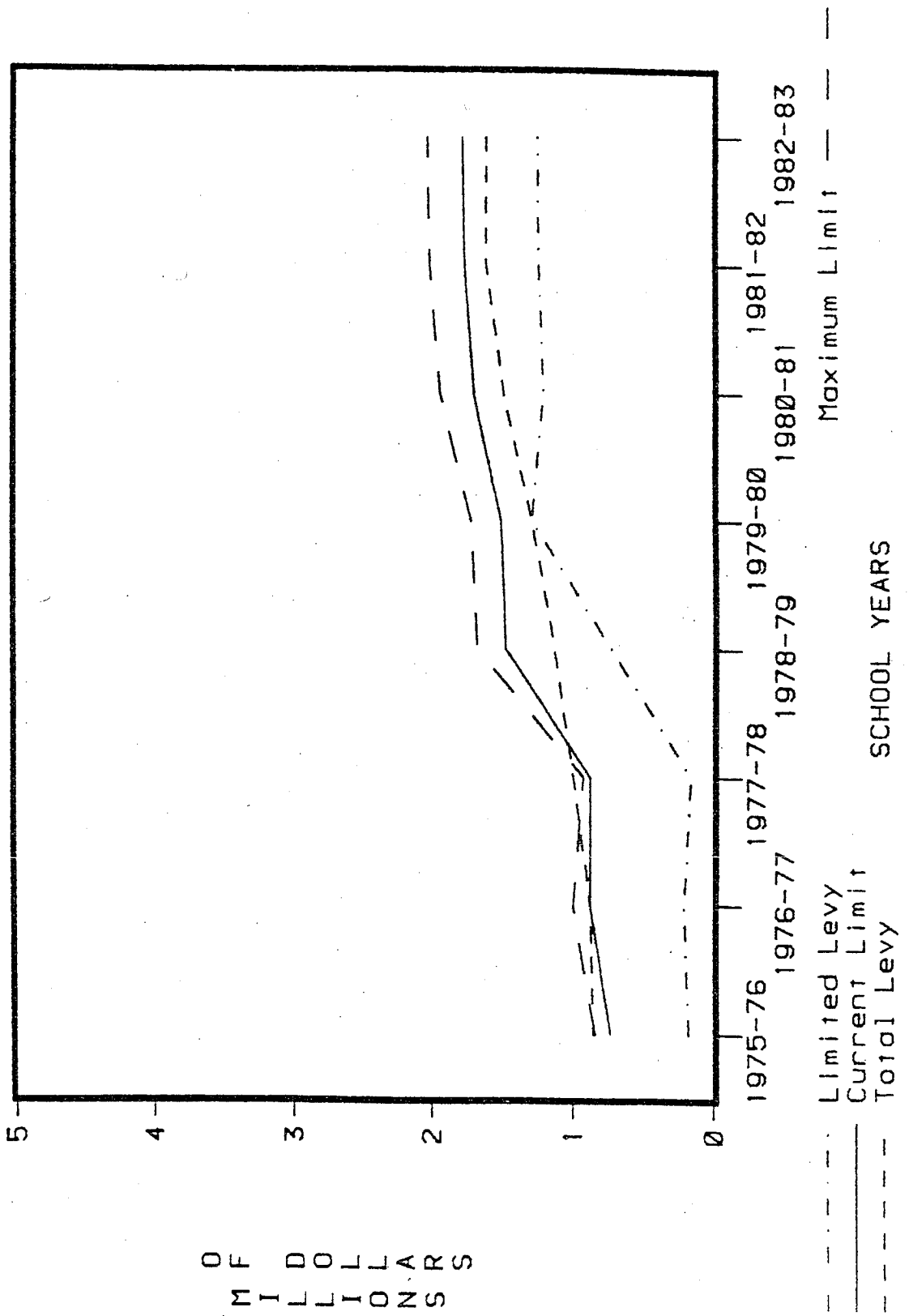
Lackawanna City School District, Current Limit of 1.25%



Constitutional Tax Limits in City School Districts, 1975-76 to 1982-83:
Lansingburgh Central School District, Current Limit of 1.5%

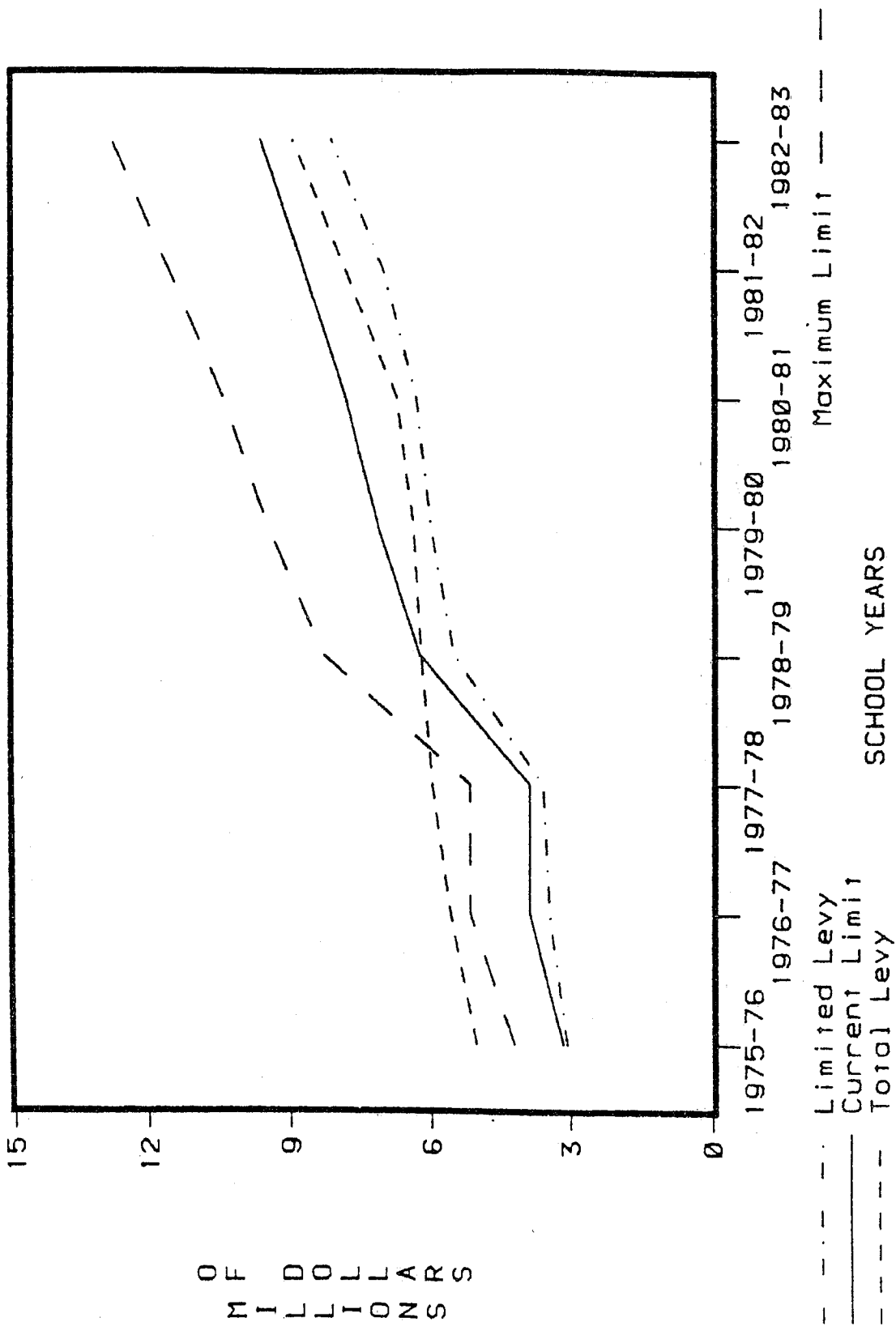


Constitutional Tax Limits in City School Districts, 1975-76 to 1982-83:
Little Falls City School District, Current Limit of 1.75%



Constitutional Tax Limits in City School Districts, 1975-76 to 1982-83:

Lockport City School District, Current Limit of 1.50%



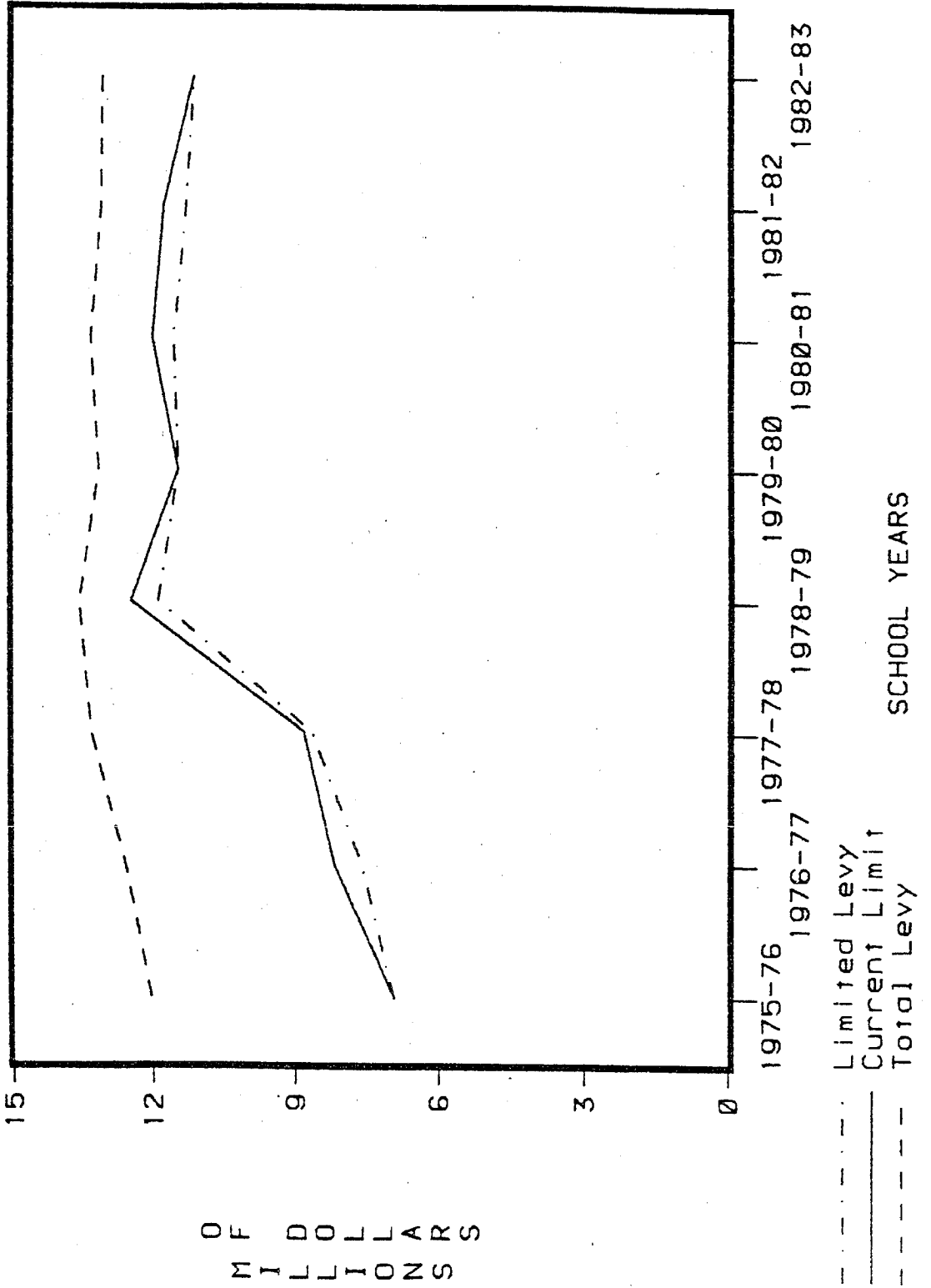
MILLIONS OF DOLLARS

--- Limited Levy
— Current Limit
- - - - Total Levy

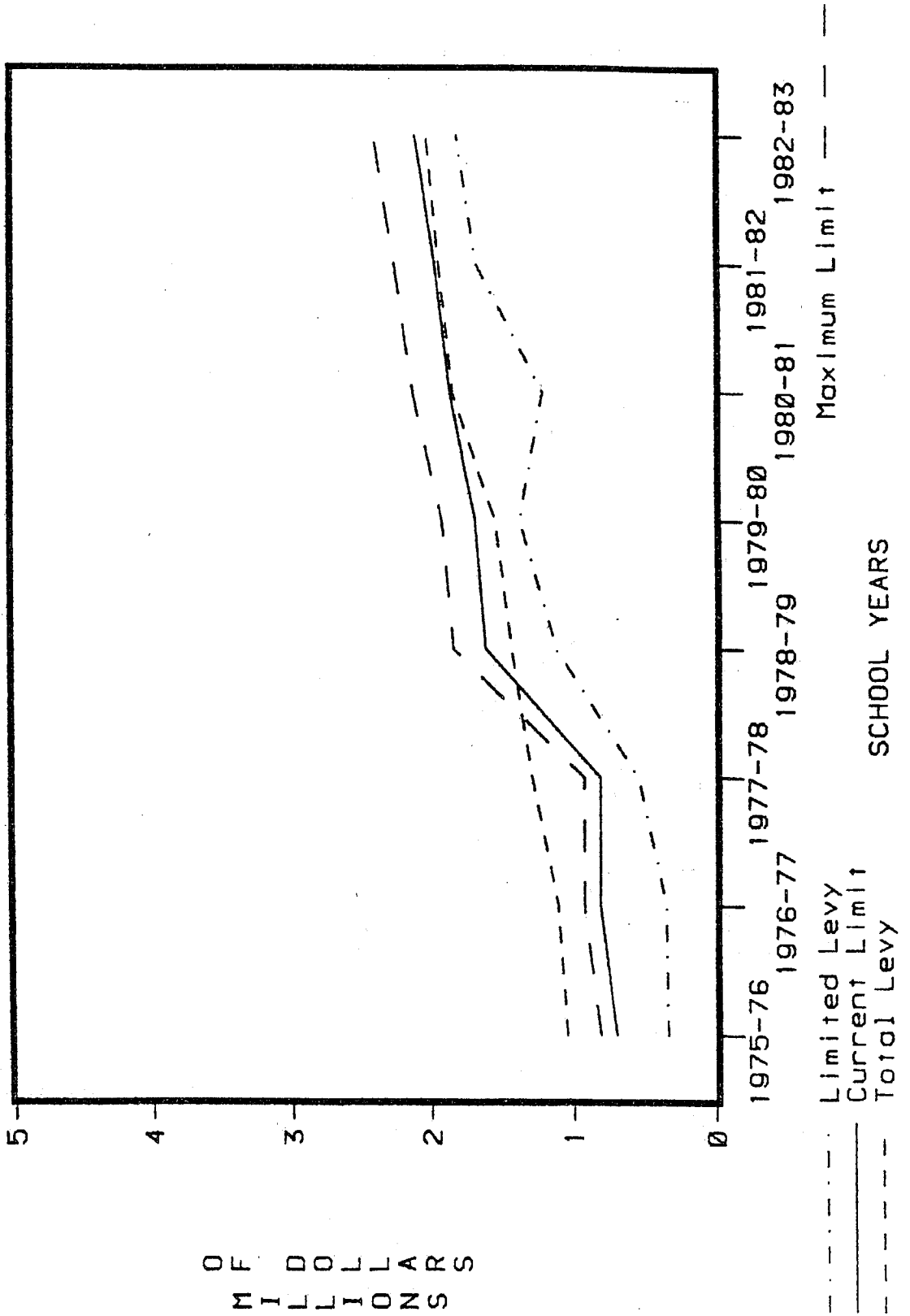
SCHOOL YEARS

Constitutional Tax Limits In City School Districts, 1975-76 to 1982-83:

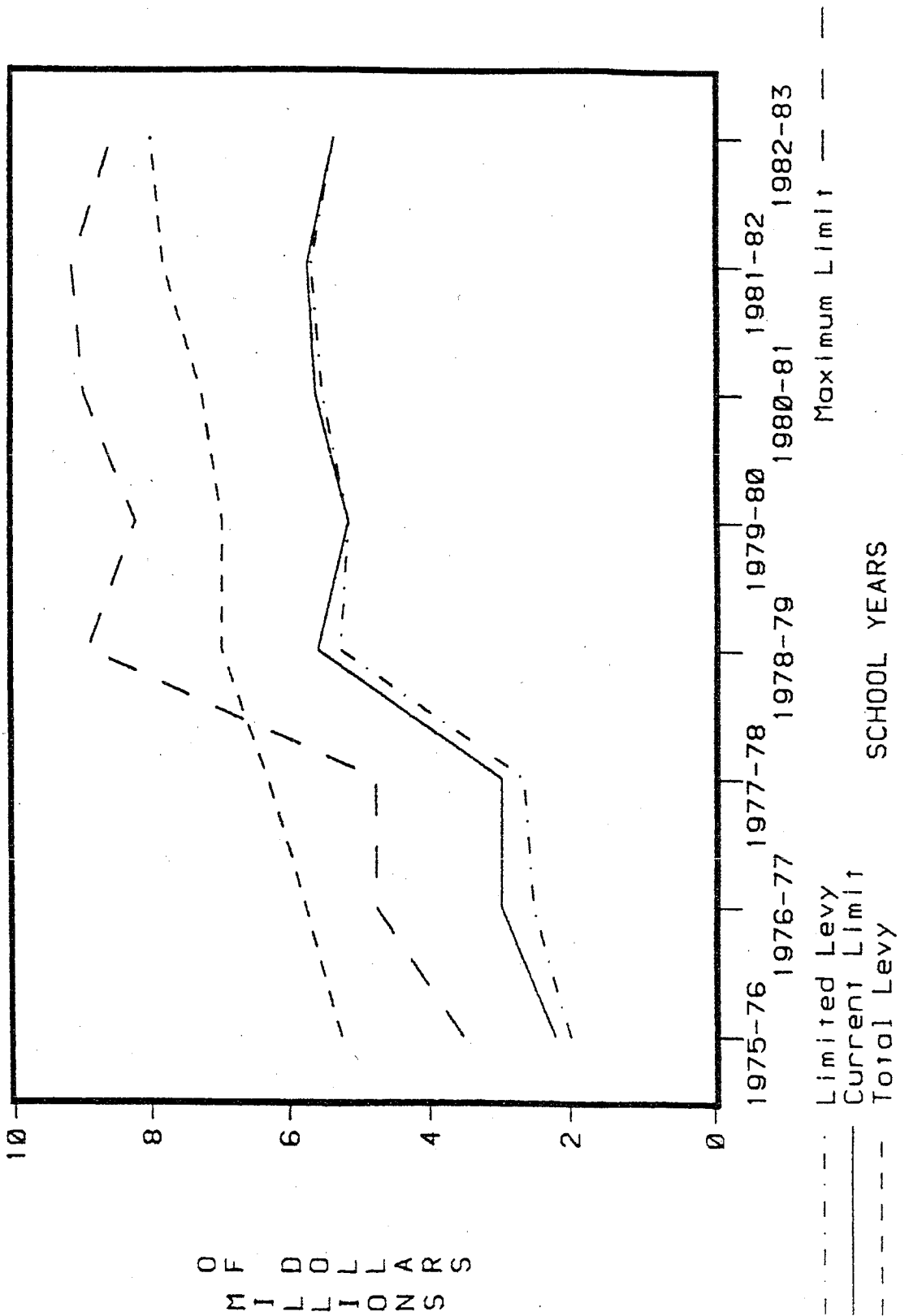
Long Beach City School District, Current Limit of 2%



Constitutional Tax Limits in City School Districts, 1975-76 to 1982-83:
Mechanicsville City School District, Current Limit of 1.75%

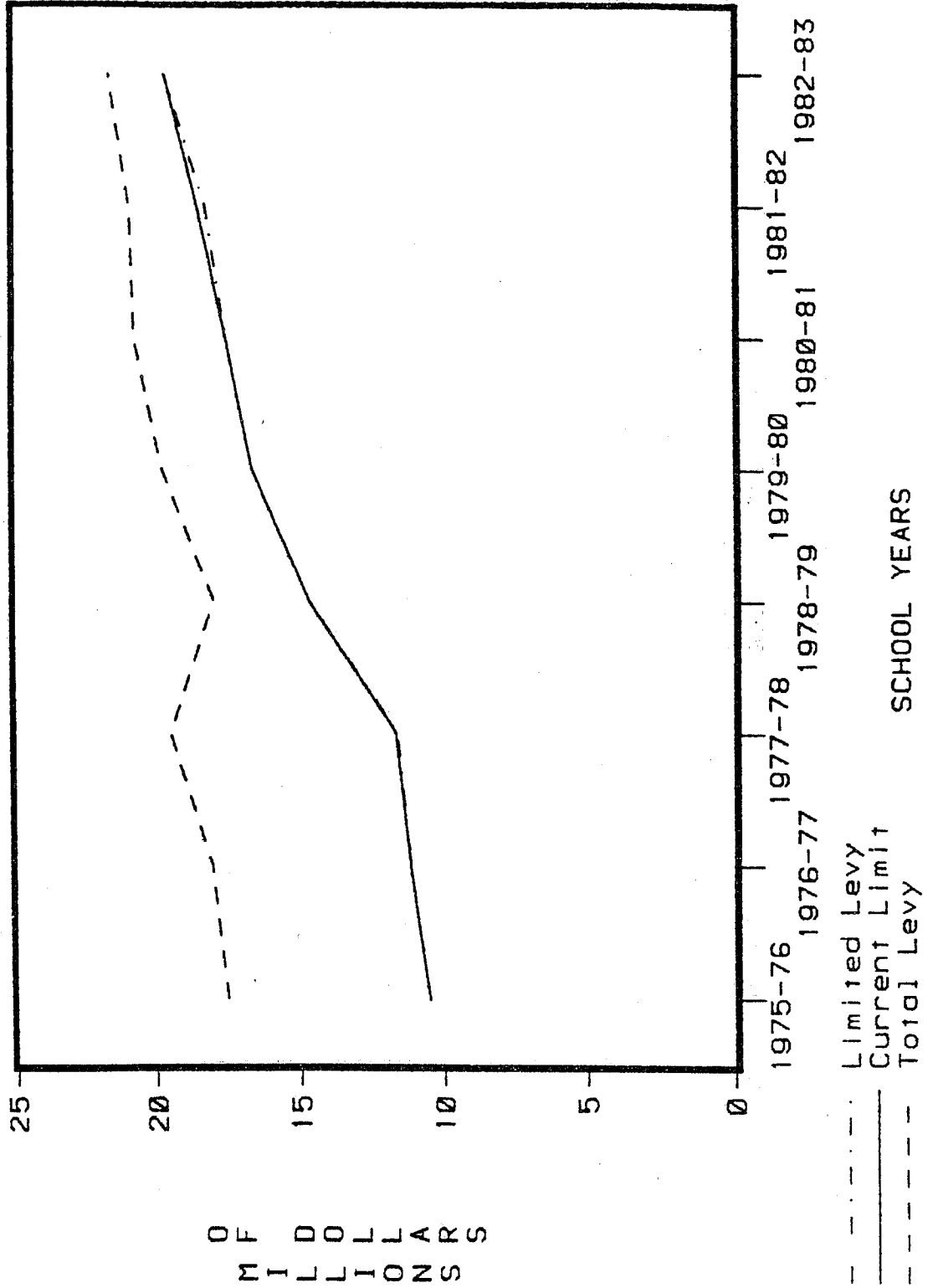


Constitutional Tax Limits in City School Districts, 1975-76 to 1982-83:
Middletown City School District, Current Limit of 1.25%

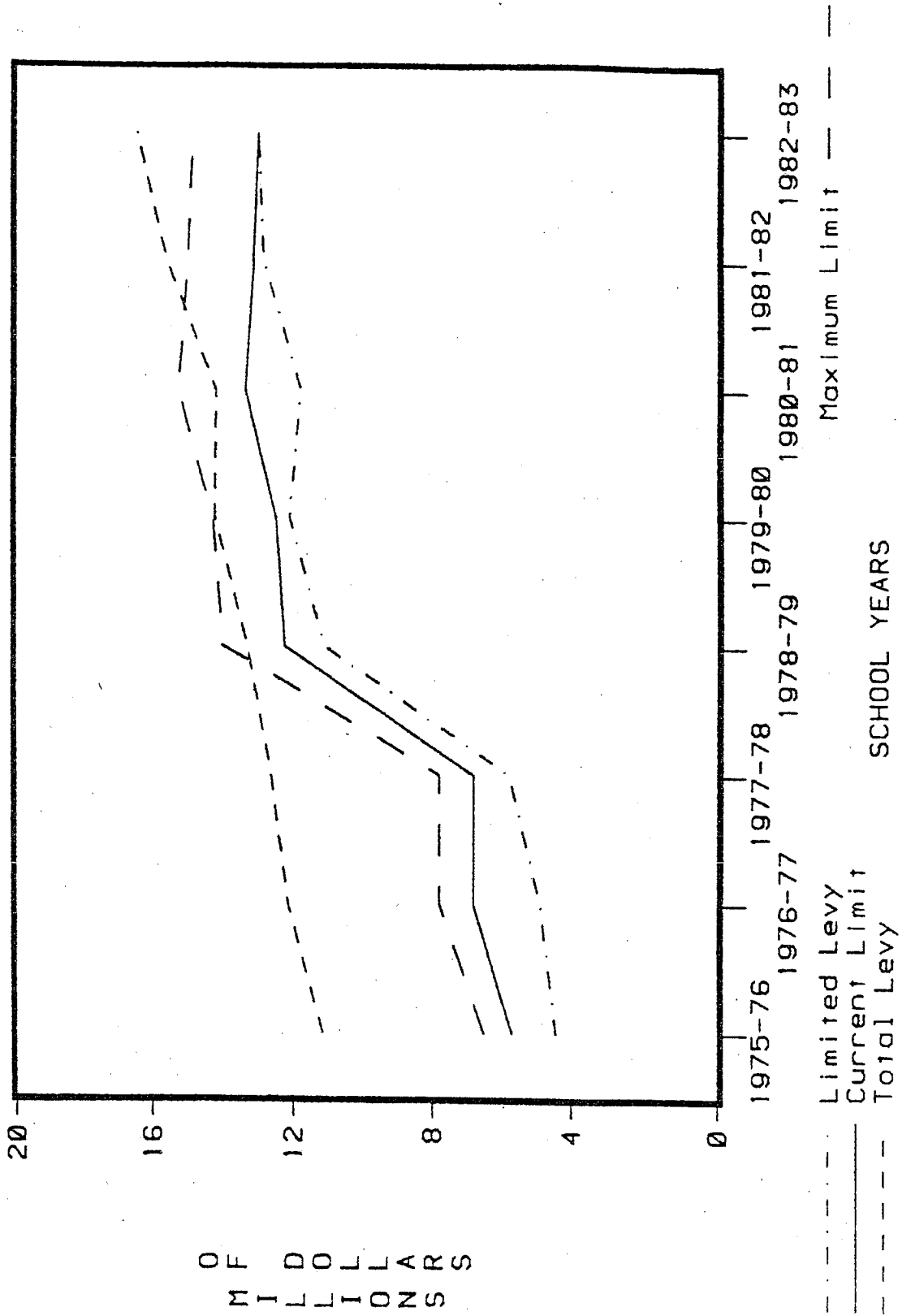


Constitutional Tax Limits in City School Districts, 1975-76 to 1982-83:

Mount Vernon City School District, Current Limit of 2%

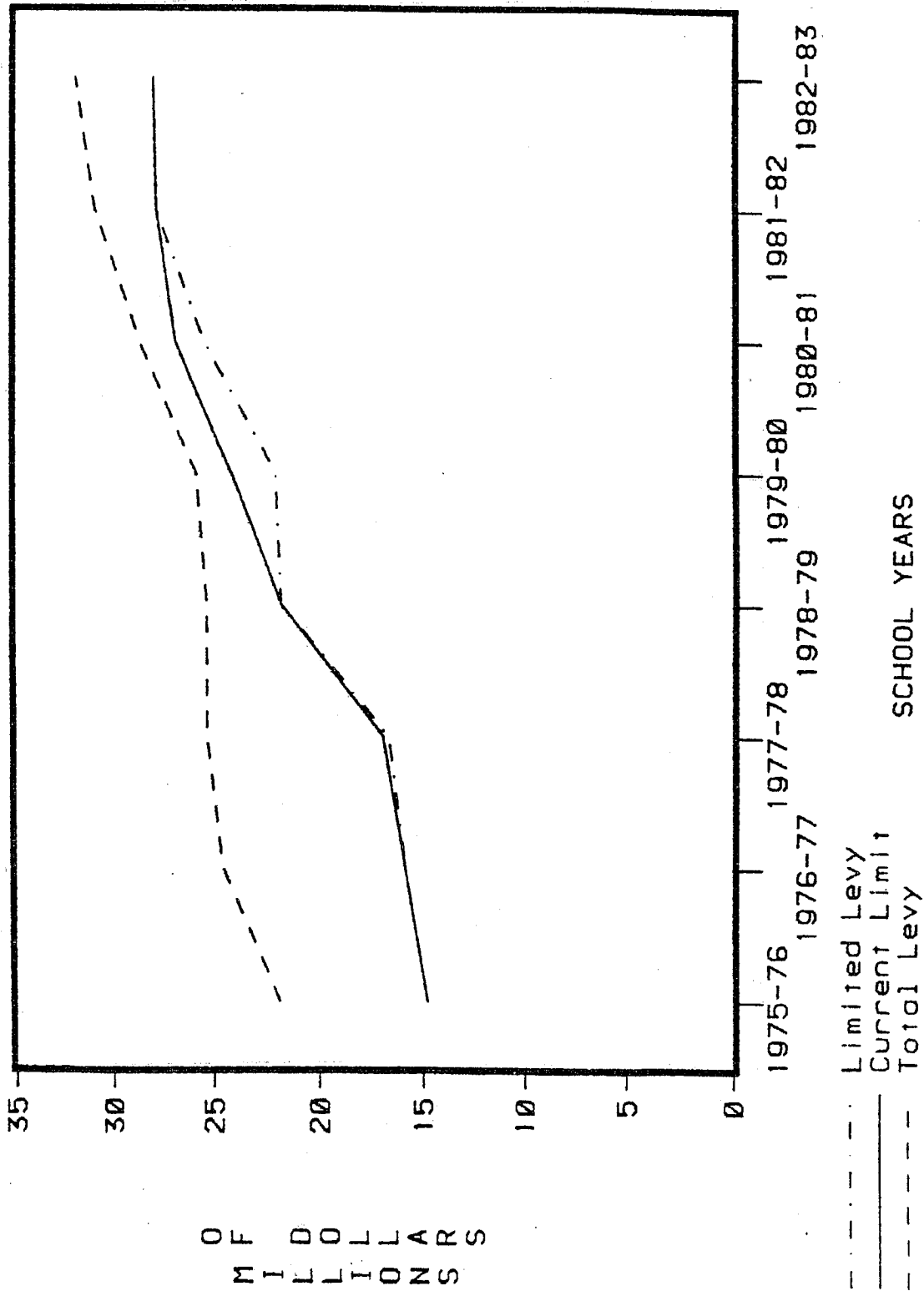


Constitutional Tax Limits In City School Districts, 1975-76 to 1982-83;
Newburgh City School District, Current Limit of 1.75%



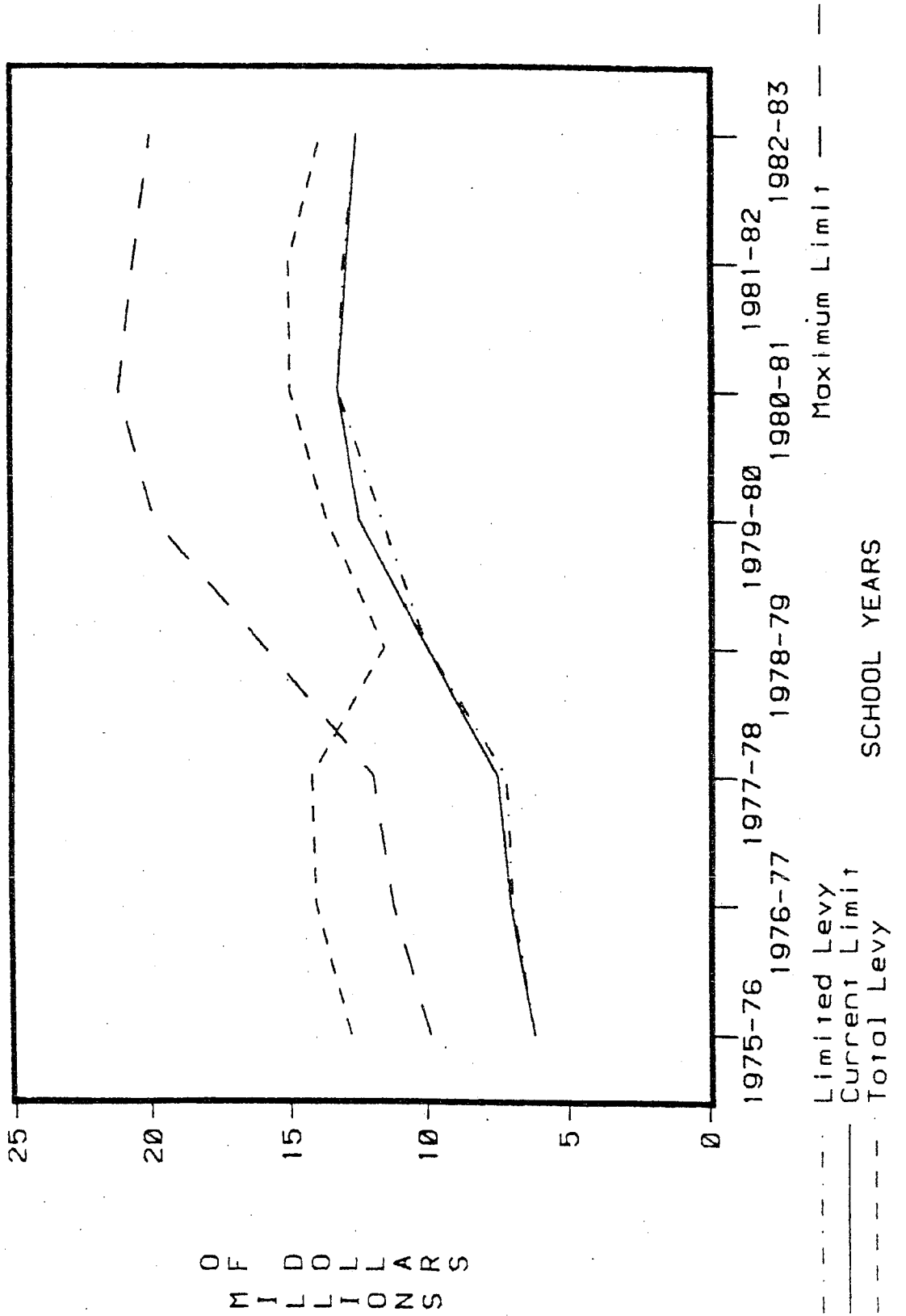
Constitutional Tax Limits In City School Districts, 1975-76 to 1982-83:

New Rochelle City School District, Current Limit of .2%



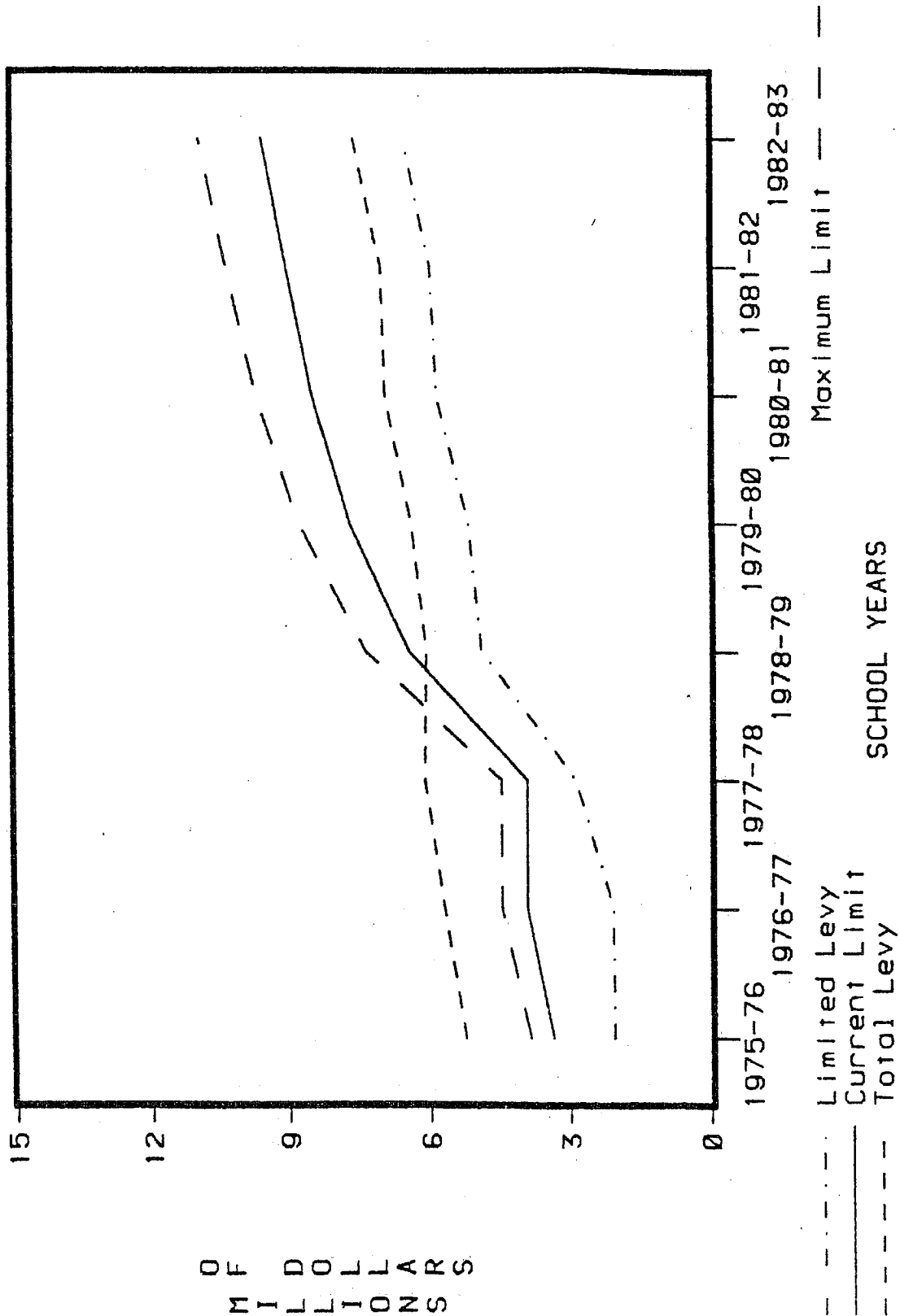
Constitutional Tax Limits in City School Districts, 1975-76 to 1982-83:

Niagara Falls City School District, Current Limit of 1.25%



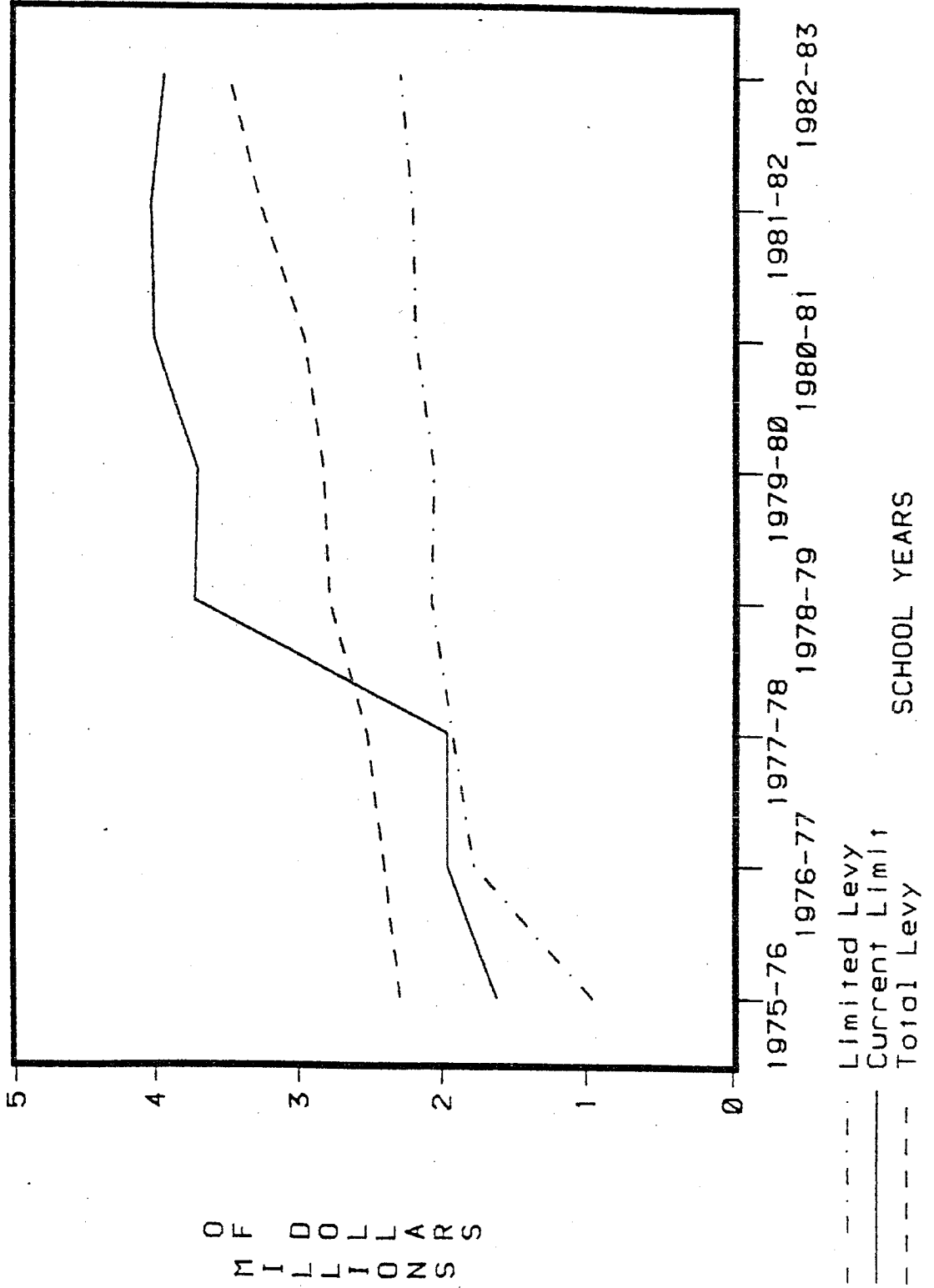
Constitutional Tax Limits in City School Districts, 1975-76 to 1982-83:

North Tonawanda City School District, Current Limit of 1.75%

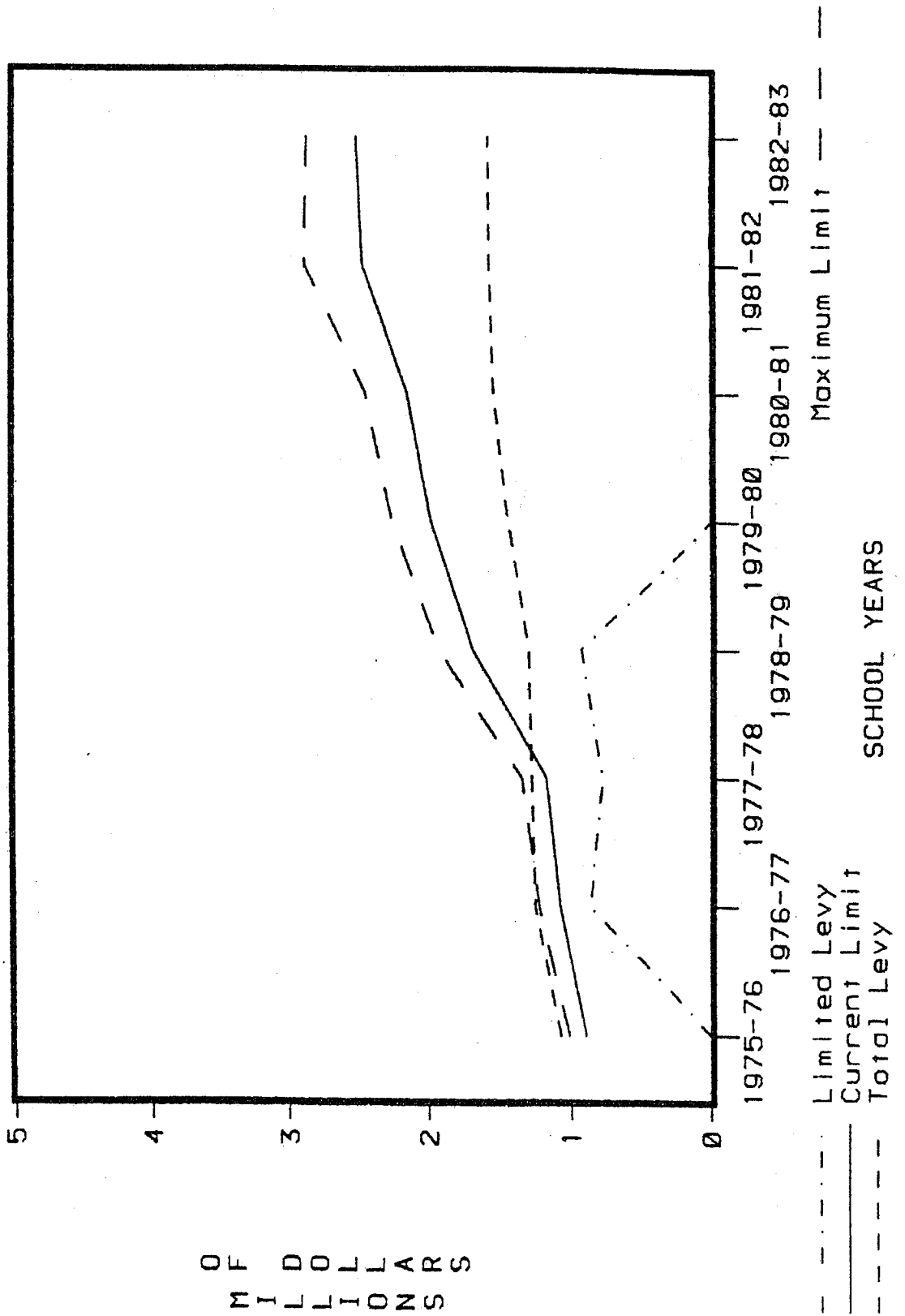


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Constitutional Tax Limits In City School Districts, 1975-76 to 1982-83:
Norwich City School District, Current Limit of 2%

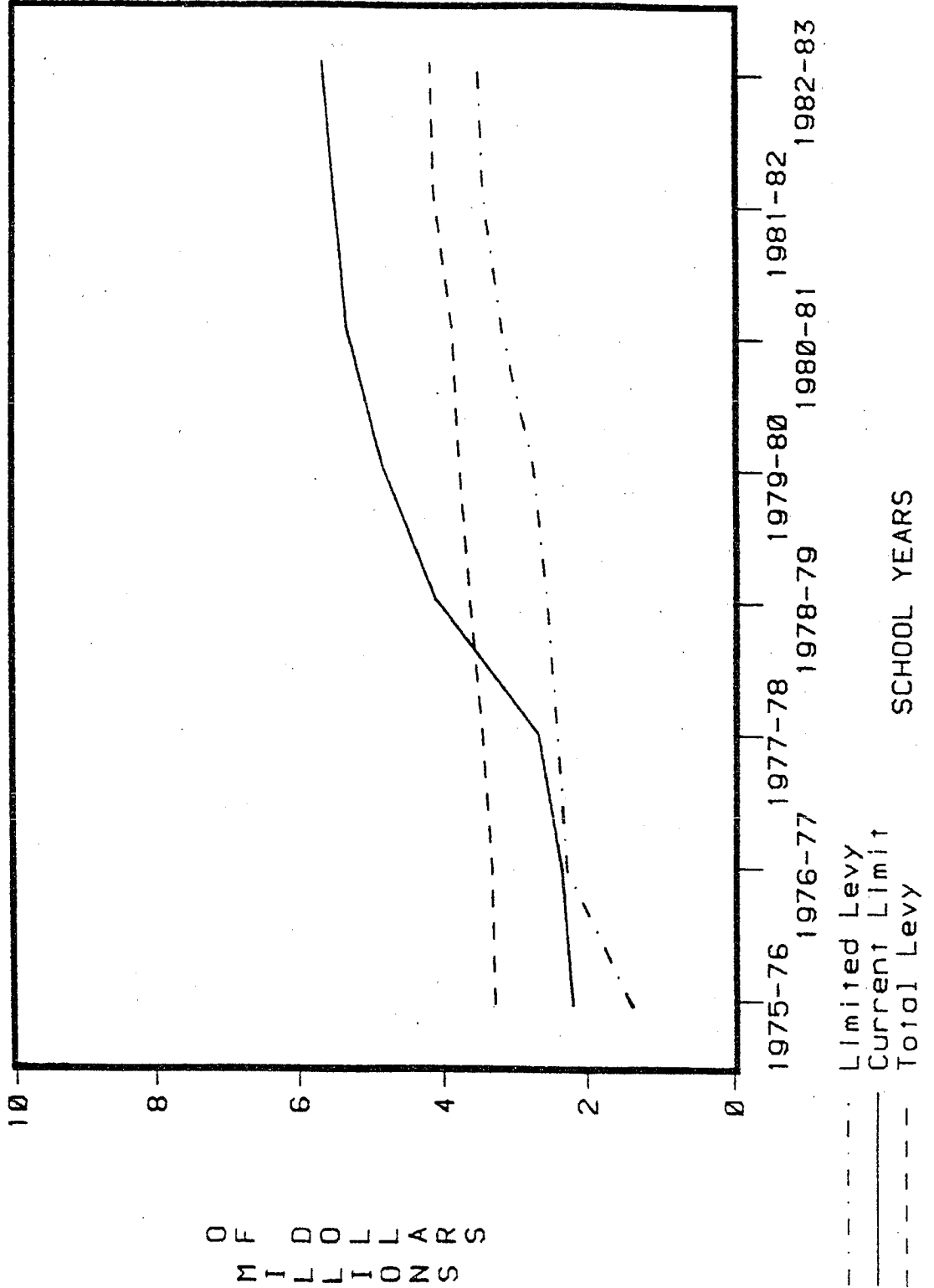


Constitutional Tax Limits in City School Districts, 1975-76 to 1982-83;
Ogdensburg City School District, Current Limit of 1.75%



Constitutional Tax Limits in City School Districts, 1975-76 to 1982-83:

Olean City School District, Current Limit of 2%



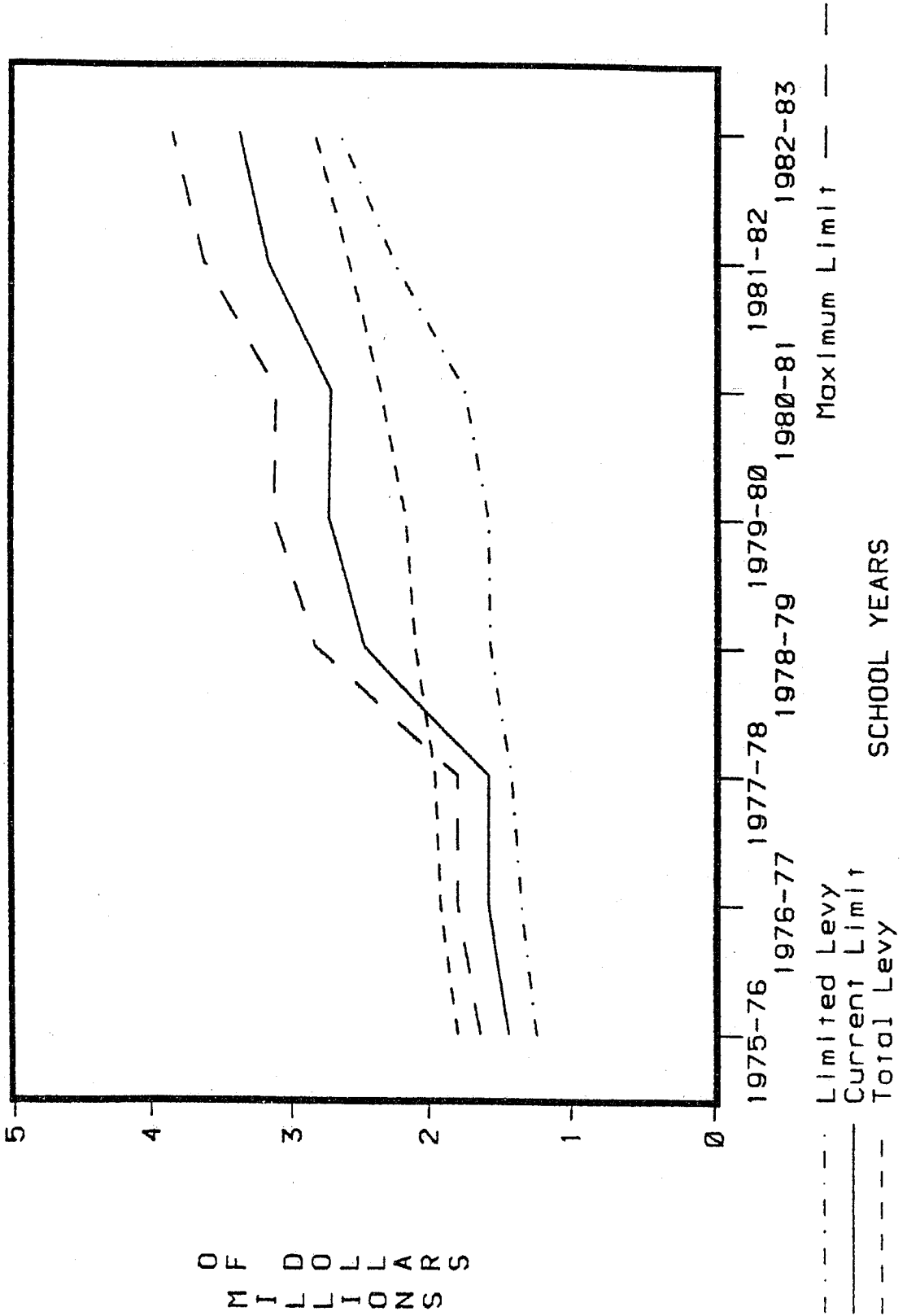
OF DOLLARS
MILLIONS

..... Limited Levy
———— Current Limit
----- Total Levy

SCHOOL YEARS

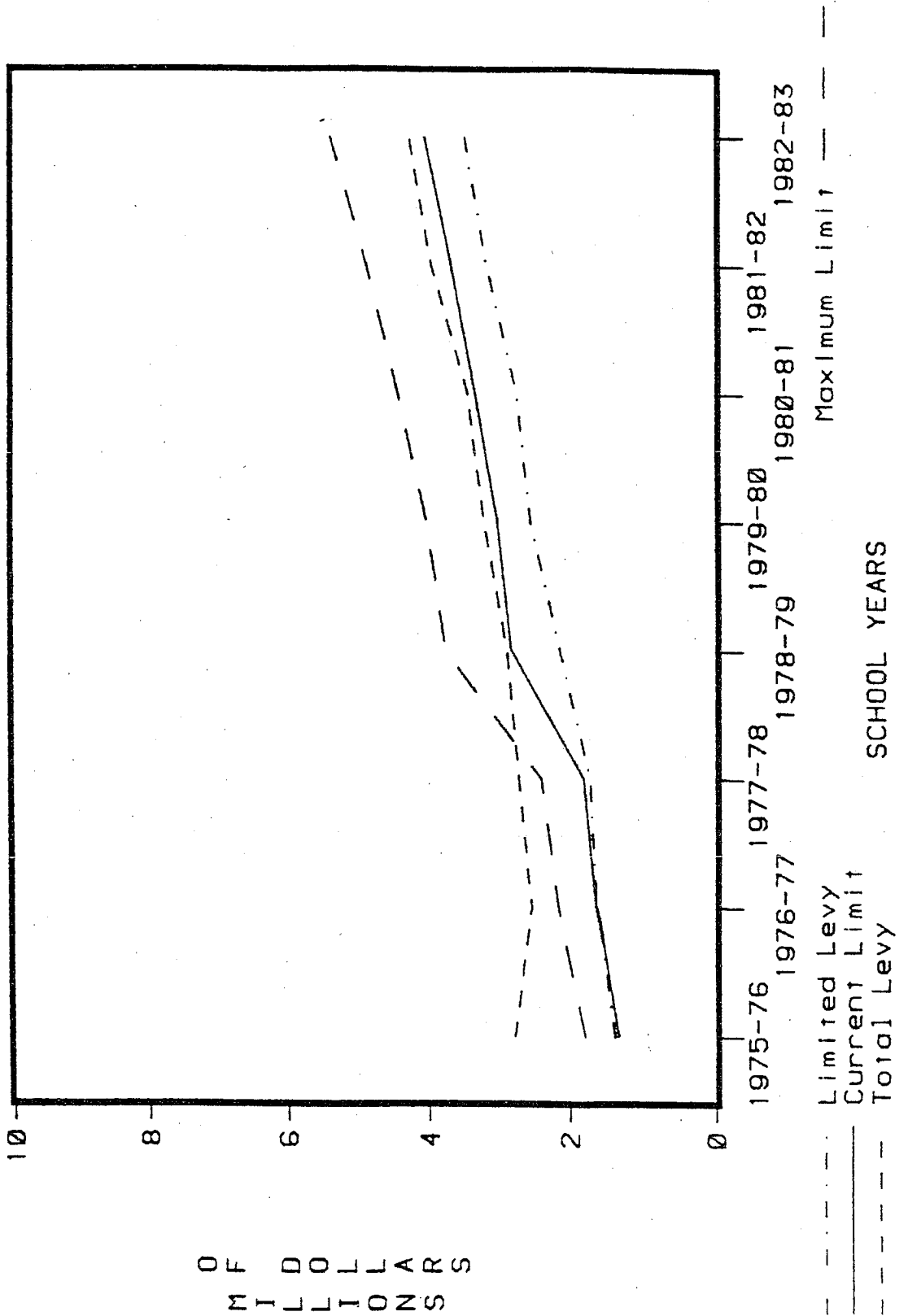
Constitutional Tax Limits in City School Districts, 1975-76 to 1982-83:

Onelda City School District, Current Limit of 1.75%

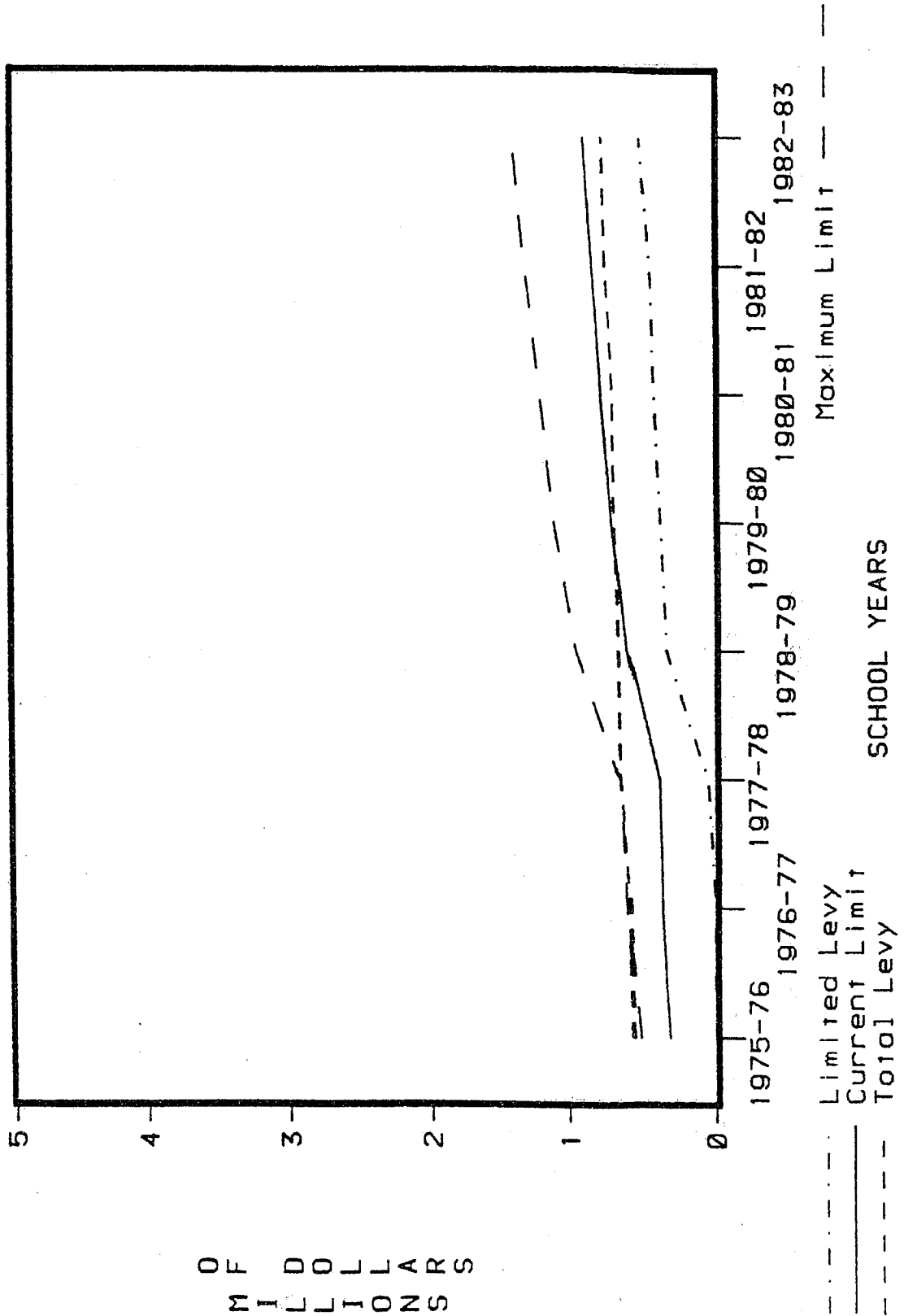


Constitutional Tax Limits in City School Districts, 1975-76 to 1982-83:

Oneonta City School District, Current Limit of 1.5%

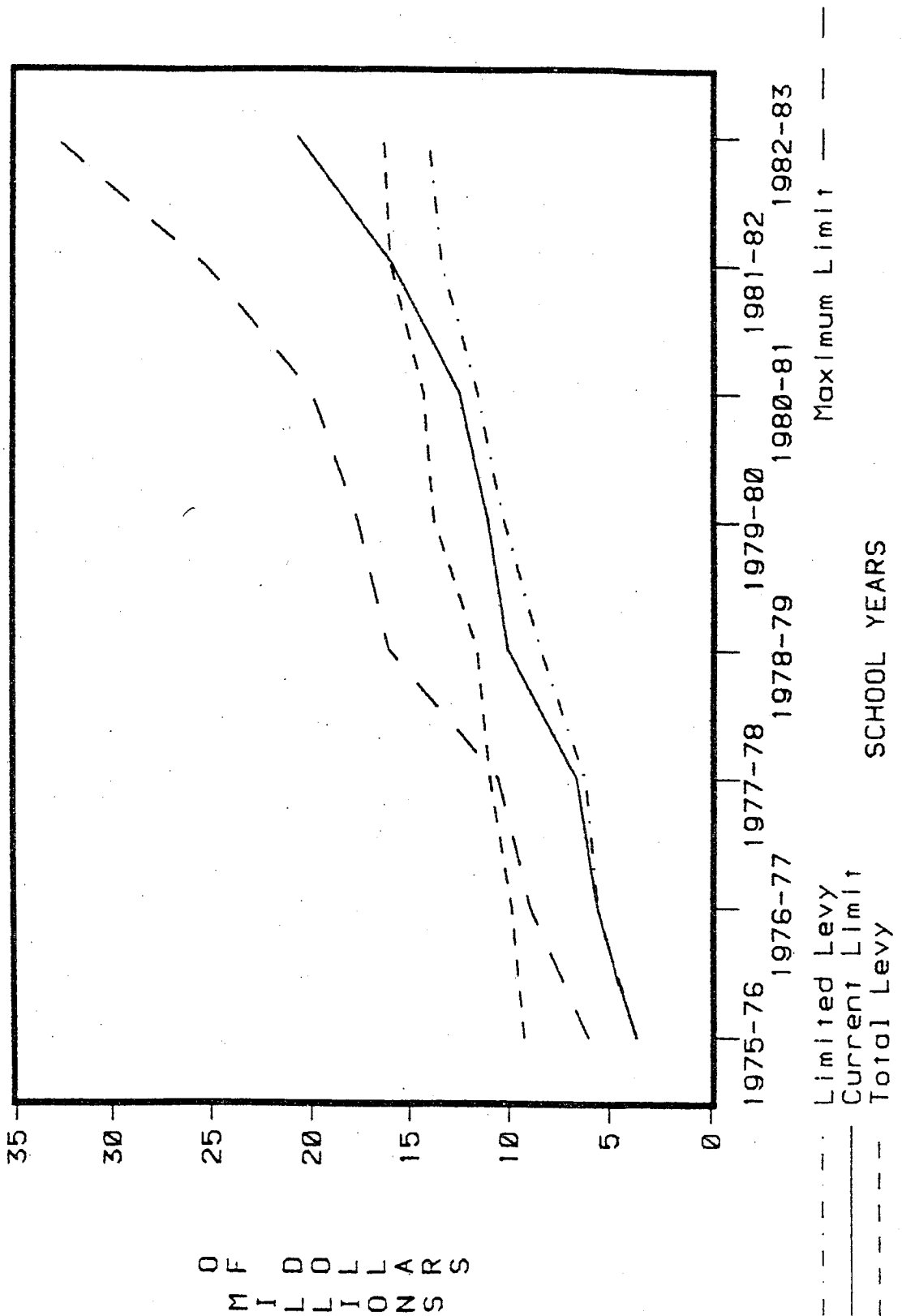


Constitutional Tax Limits in City School Districts, 1975-76 to 1982-83:
Oriskany Central School District, Current Limit of 1.25%



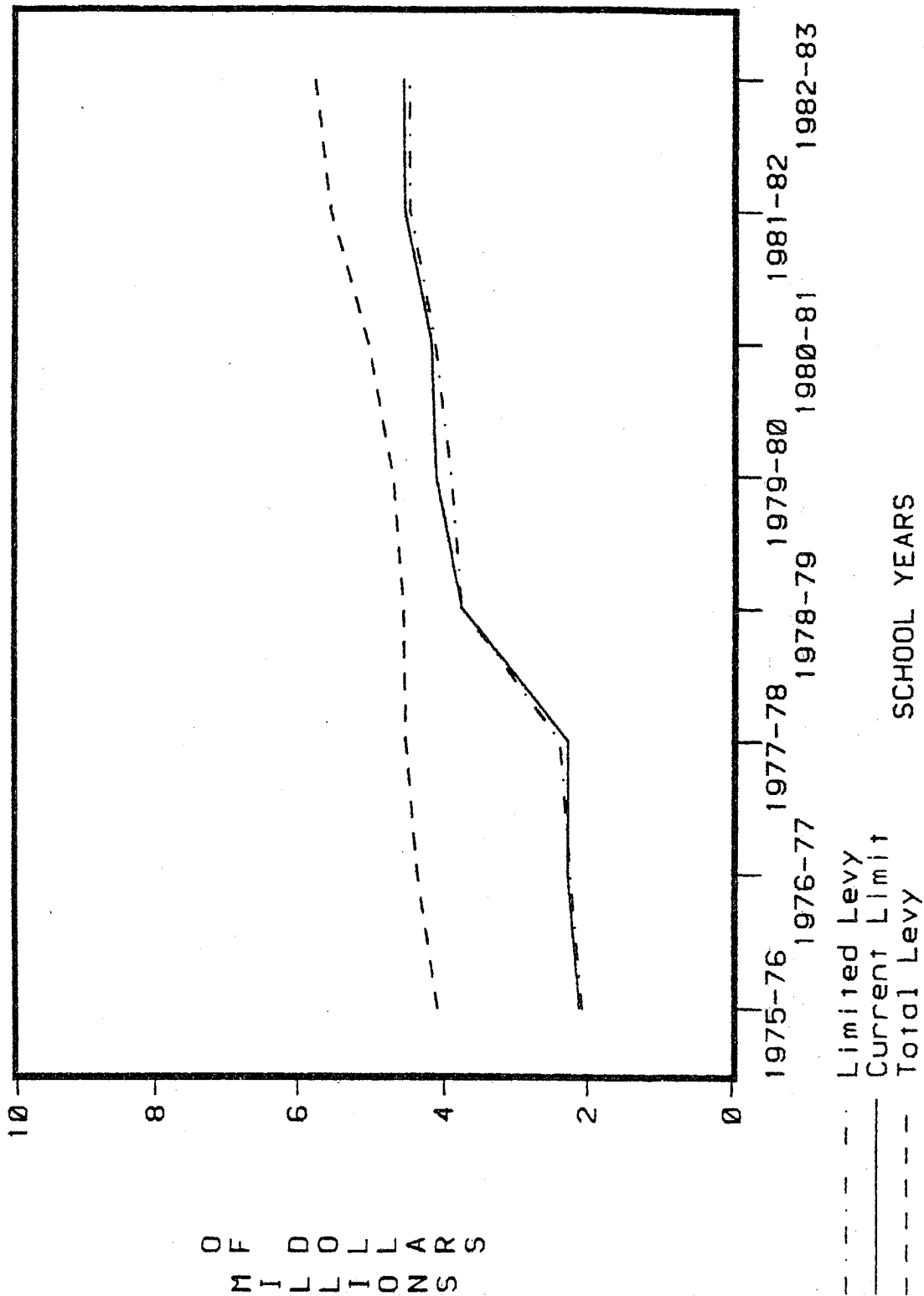
Constitutional Tax Limits In City School Districts, 1975-76 to 1982-83:

Oswego City School District, Current Limit of 1.25%



Constitutional Tax Limits in City School Districts, 1975-76 to 1982-83:

Peekskill City School District, Current Limit of 2%

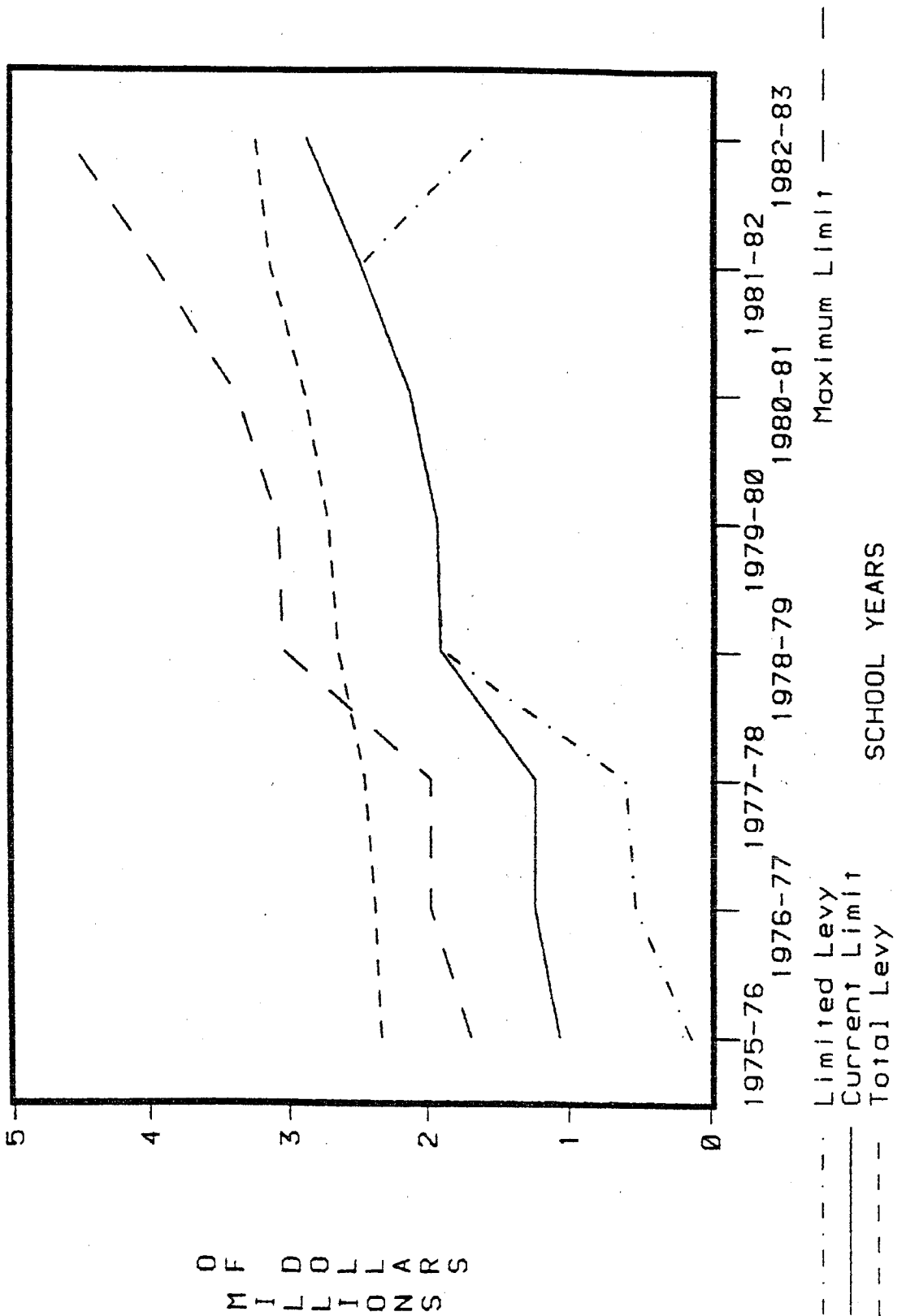


OF DOLLARS
MILLIONS

--- Limited Levy
—— Current Limit
-.-.- Total Levy

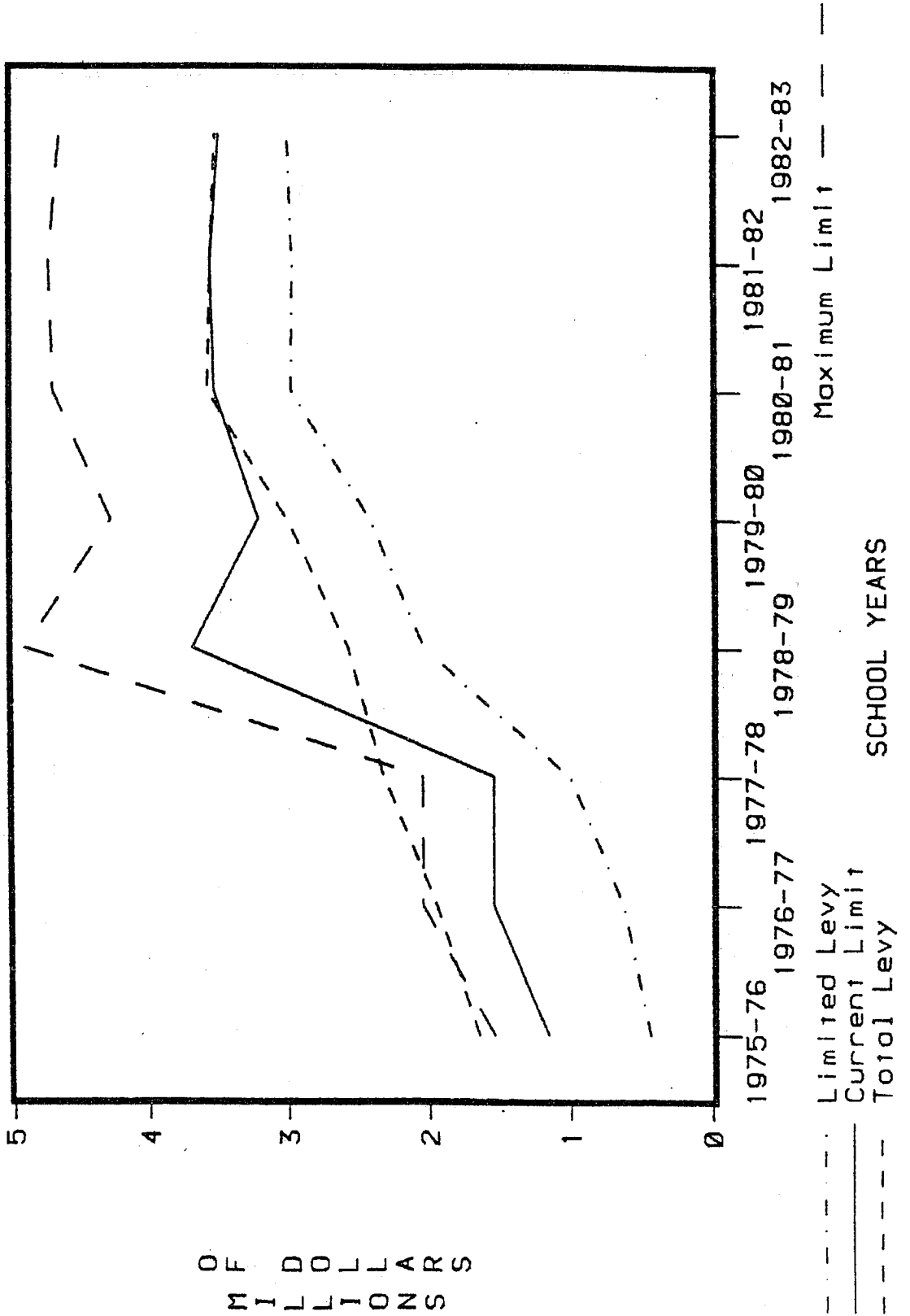
SCHOOL YEARS

Constitutional Tax Limits in City School Districts, 1975-76 to 1982-83,
Plattsburgh City School District, Current Limit of 1.25%

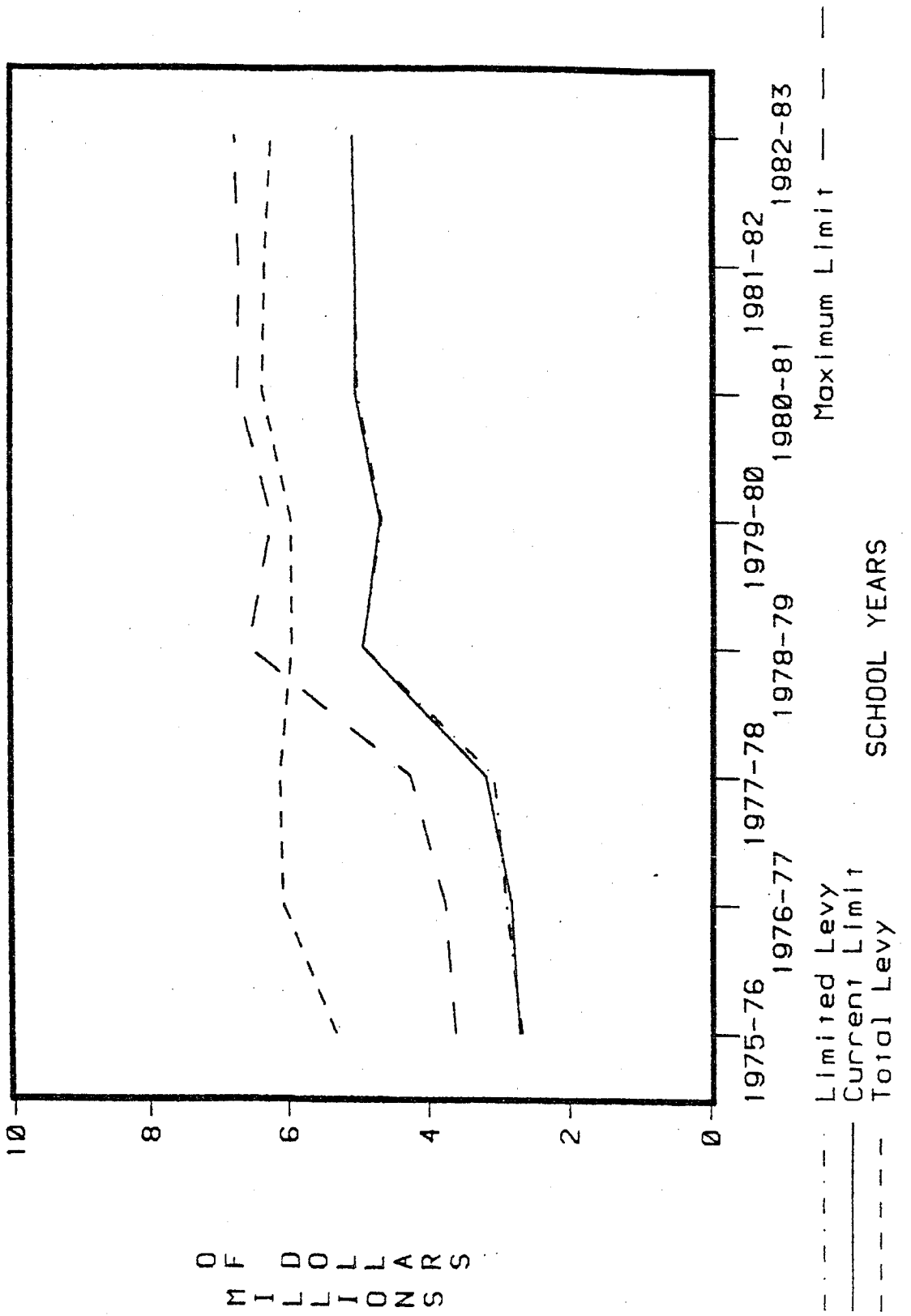


Constitutional Tax Limits in City School Districts, 1975-76 to 1982-83:

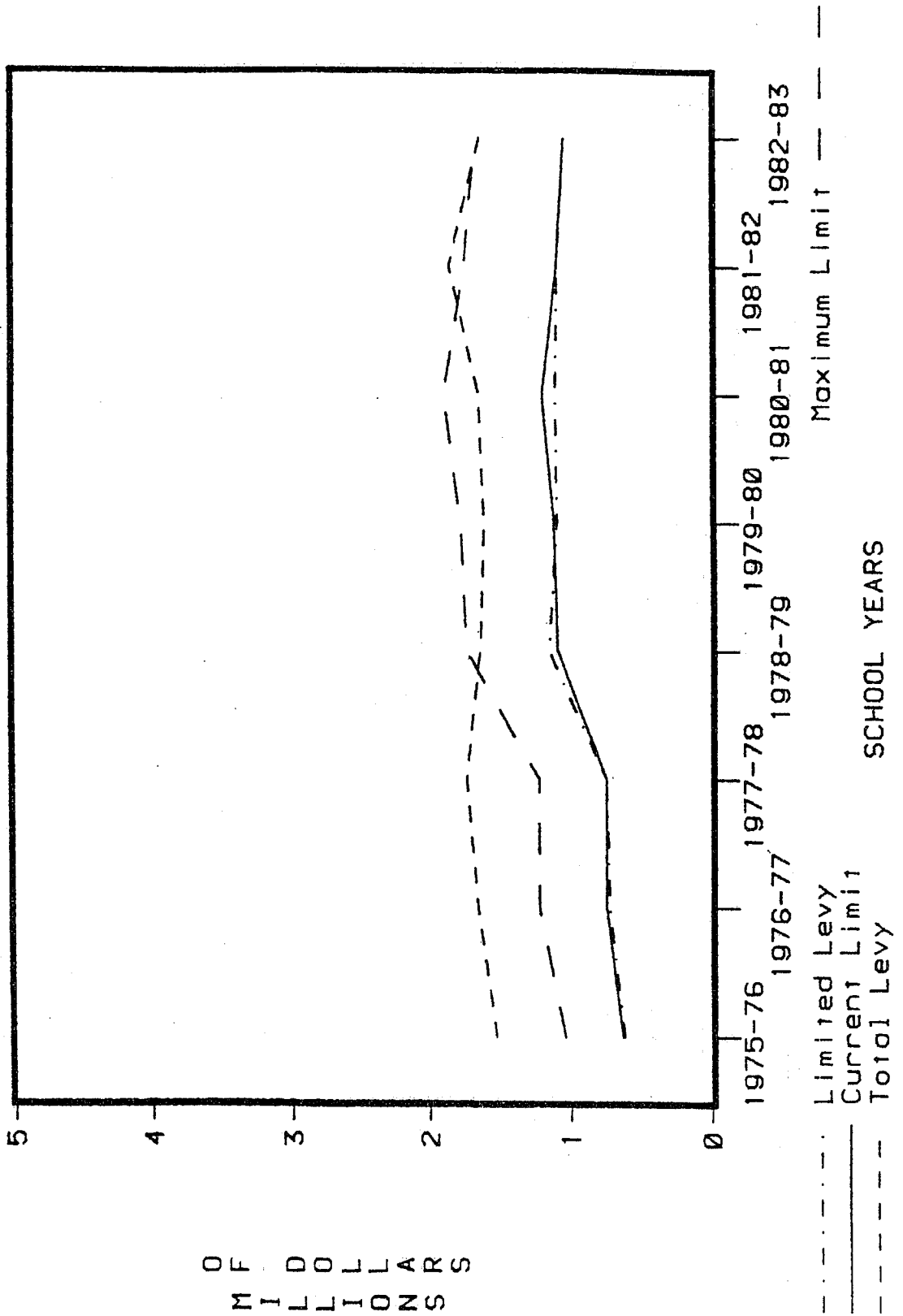
Port Jervis City School District, Current Limit of 1.5%



Constitutional Tax Limits in City School Districts, 1975-76 to 1982-83:
Poughkeepsie City School District, Current Limit of 1.5%



Constitutional Tax Limits in City School Districts, 1975-76 to 1982-83:
Rensselaer City School District, Current Limit of 1.25%



OF DOLLARS
MILLIONS

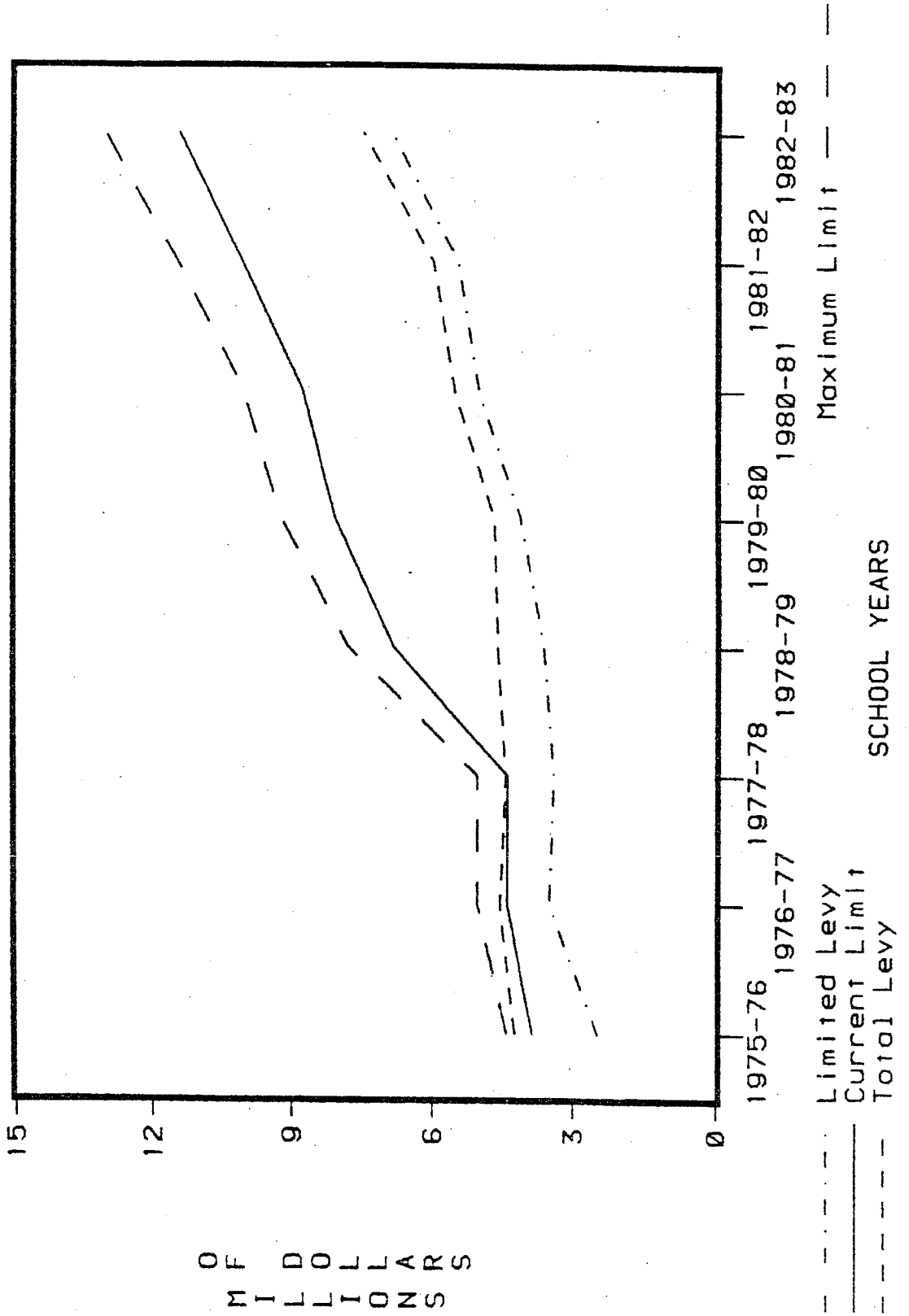
..... Limited Levy
———— Current Limit
----- Total Levy

SCHOOL YEARS

Maximum Limit — — —

Constitutional Tax Limits in City School Districts, 1975-76 to 1982-83:

Rome City School District, Current Limit of 1.75%



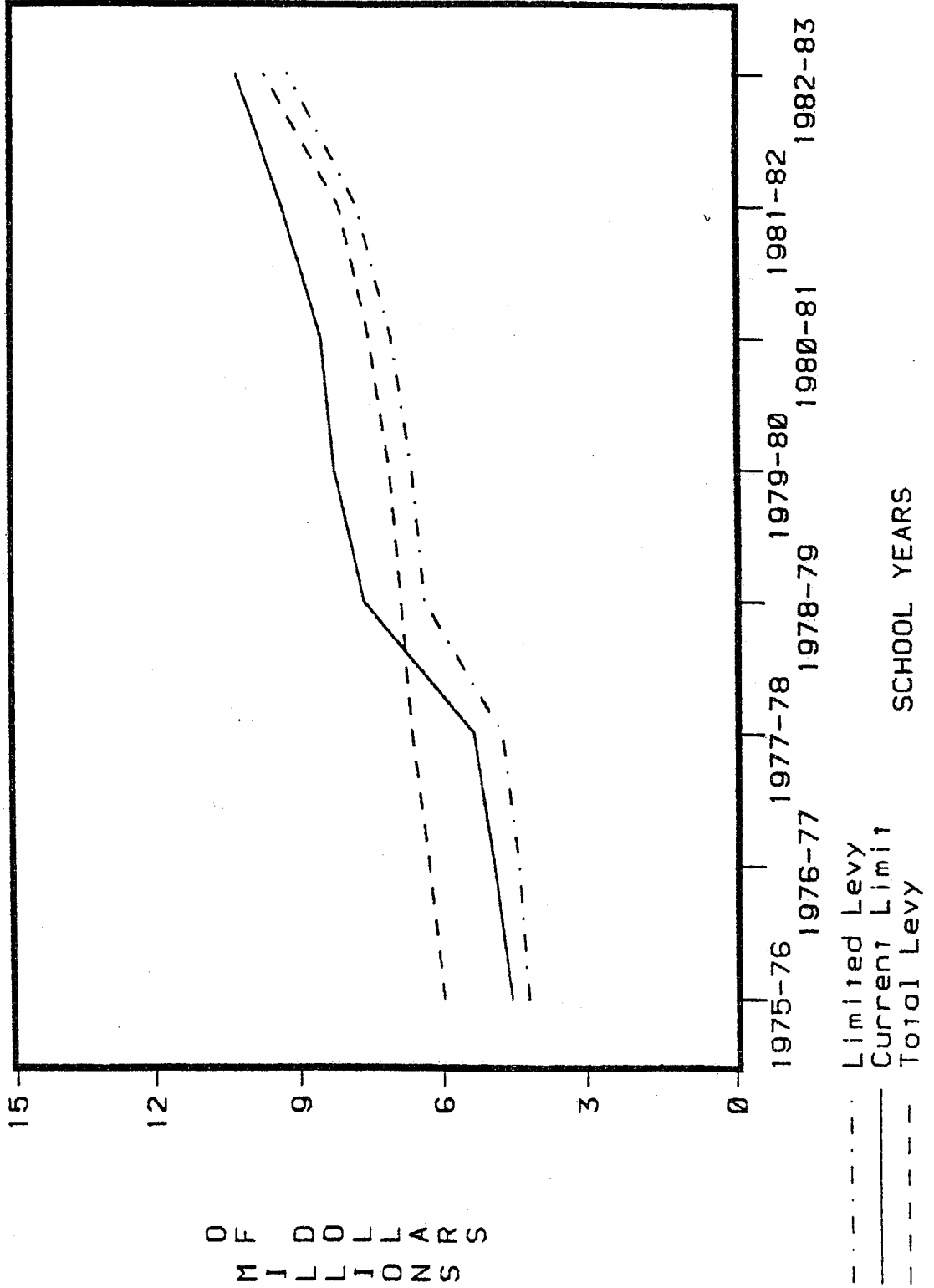
OF DOLLARS
MILLIONS

--- Limited Levy
— Current Limit
- - - Total Levy
... Maximum Limit

SCHOOL YEARS

Constitutional Tax Limits in City School Districts, 1975-76 to 1982-83:

Rye City School District, Current Limit of 2%

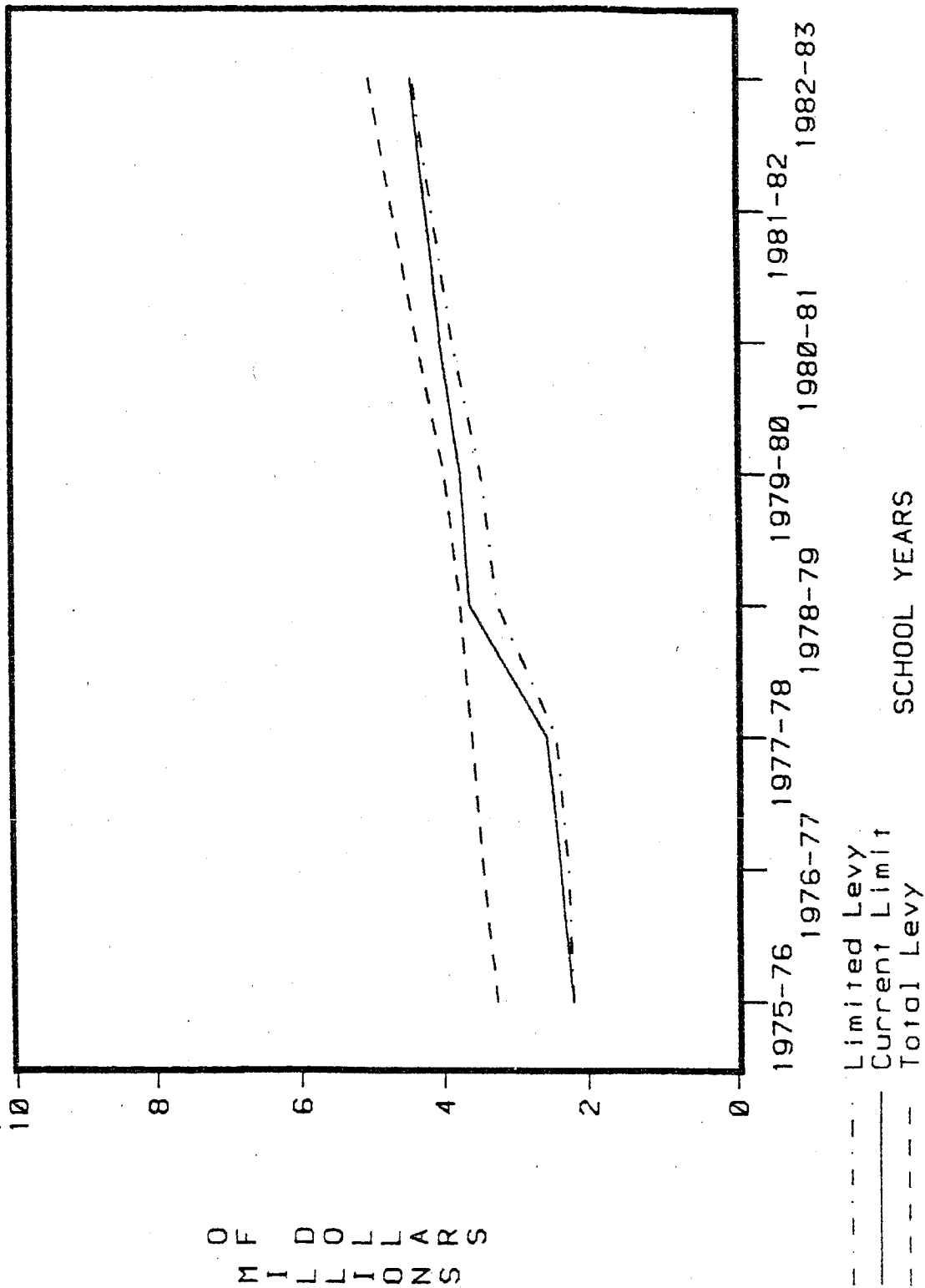


DOLLARS
MILLIONS

--- Limited Levy
— Current Limit
- - - Total Levy

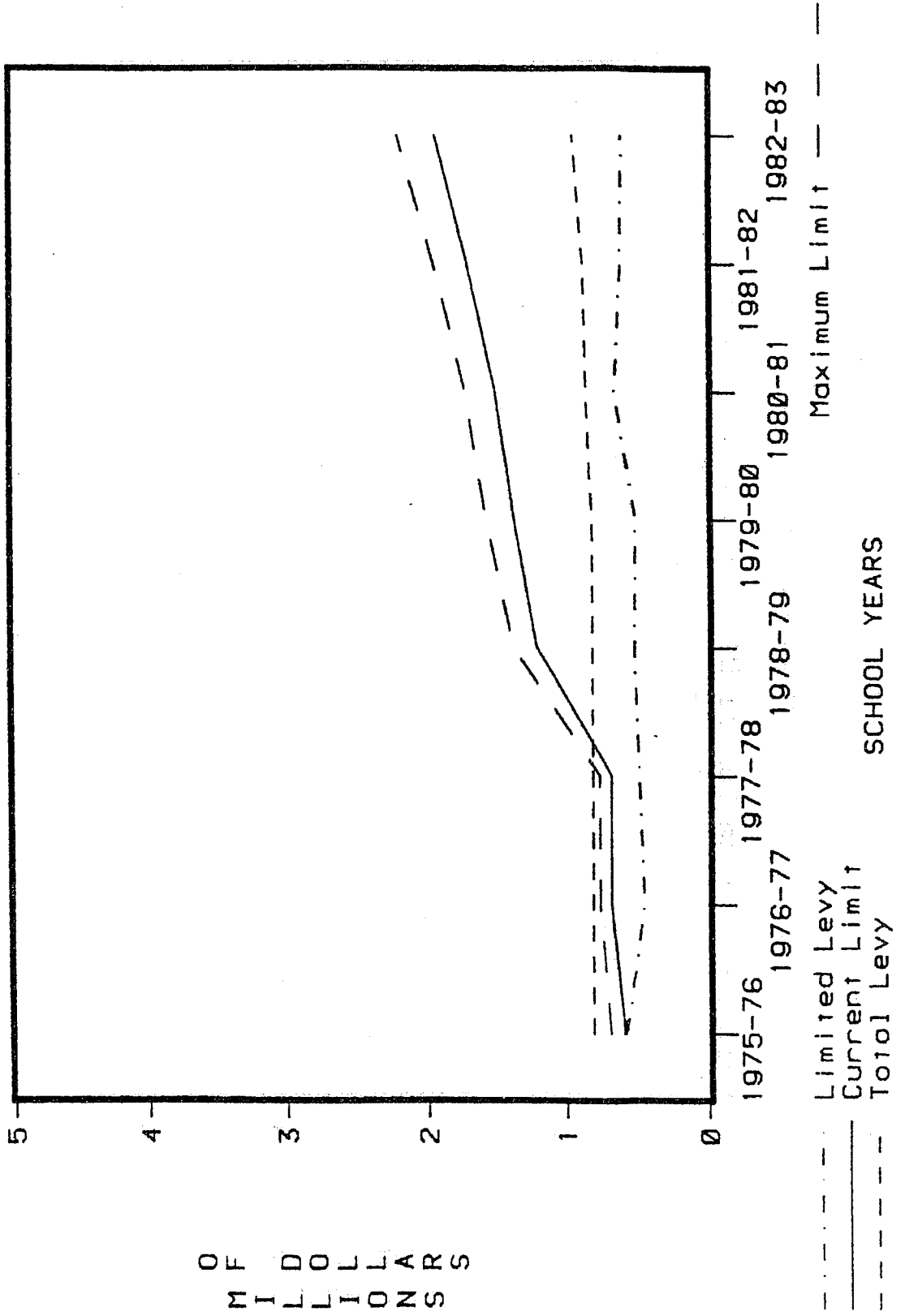
SCHOOL YEARS

Constitutional Tax Limits in City School Districts, 1975-76 to 1982-83:
Rye Neck Union Free School District, Current Limit of 2%



Constitutional Tax Limits in City School Districts, 1975-76 to 1982-83:

Salamanca City School District, Current Limit of 1.75%



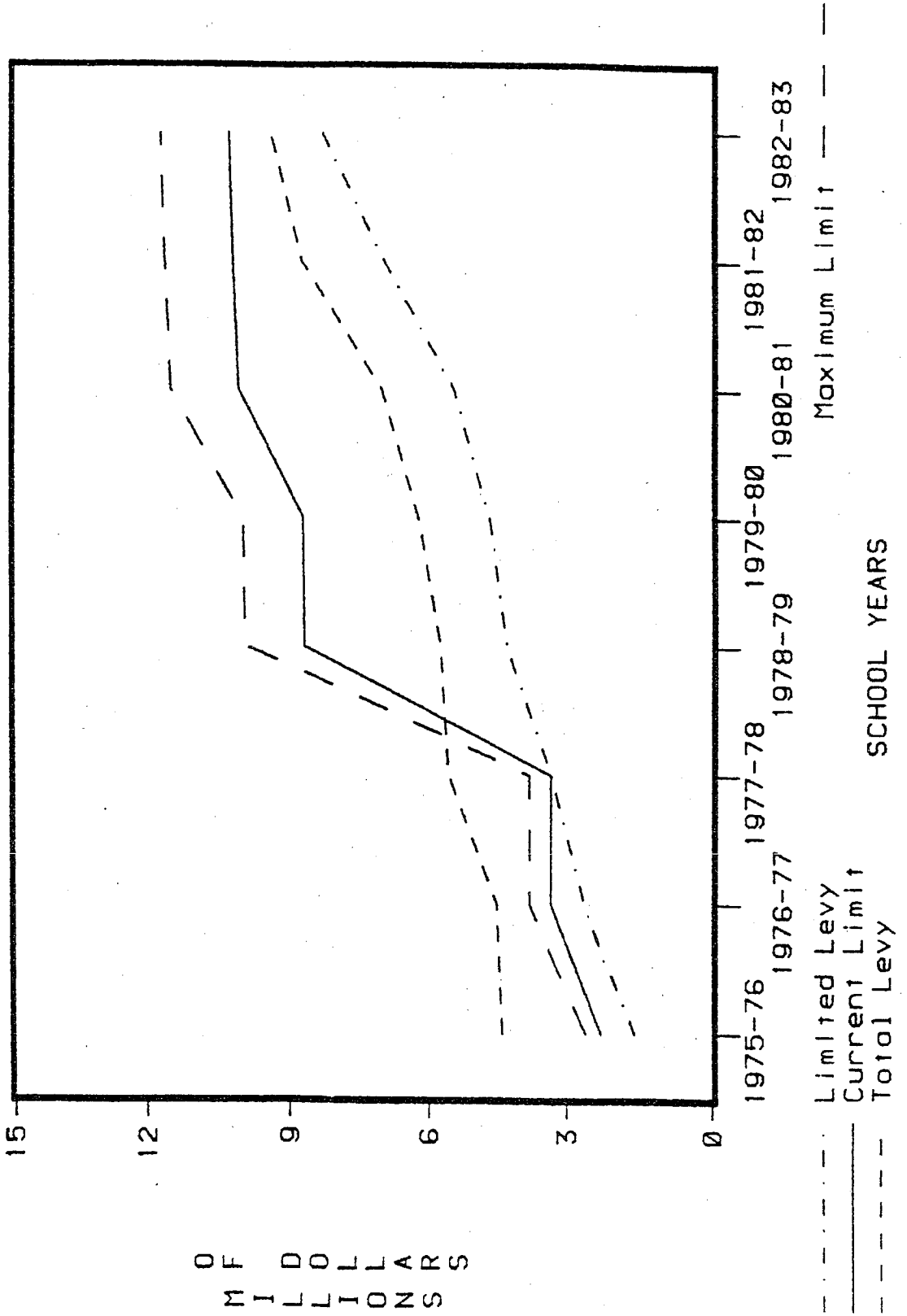
OF DOLLARS
MILLIONS

..... Limited Levy
_____ Current Limit
----- Total Levy

----- Maximum Limit -----

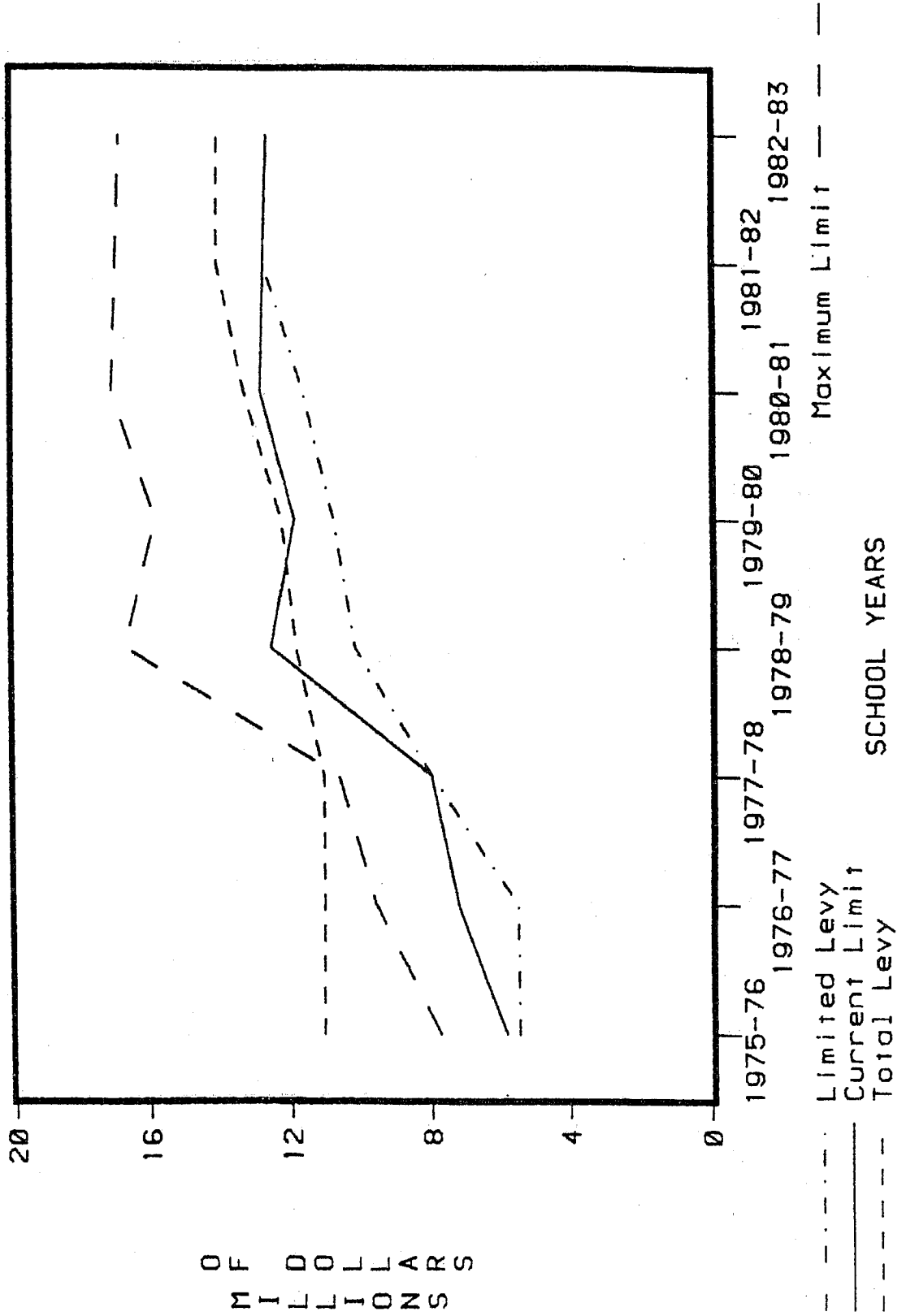
SCHOOL YEARS

Constitutional Tax Limits in City School Districts, 1975-76 to 1982-83;
Saratoga Springs City School District, Current Limit of 1.75%

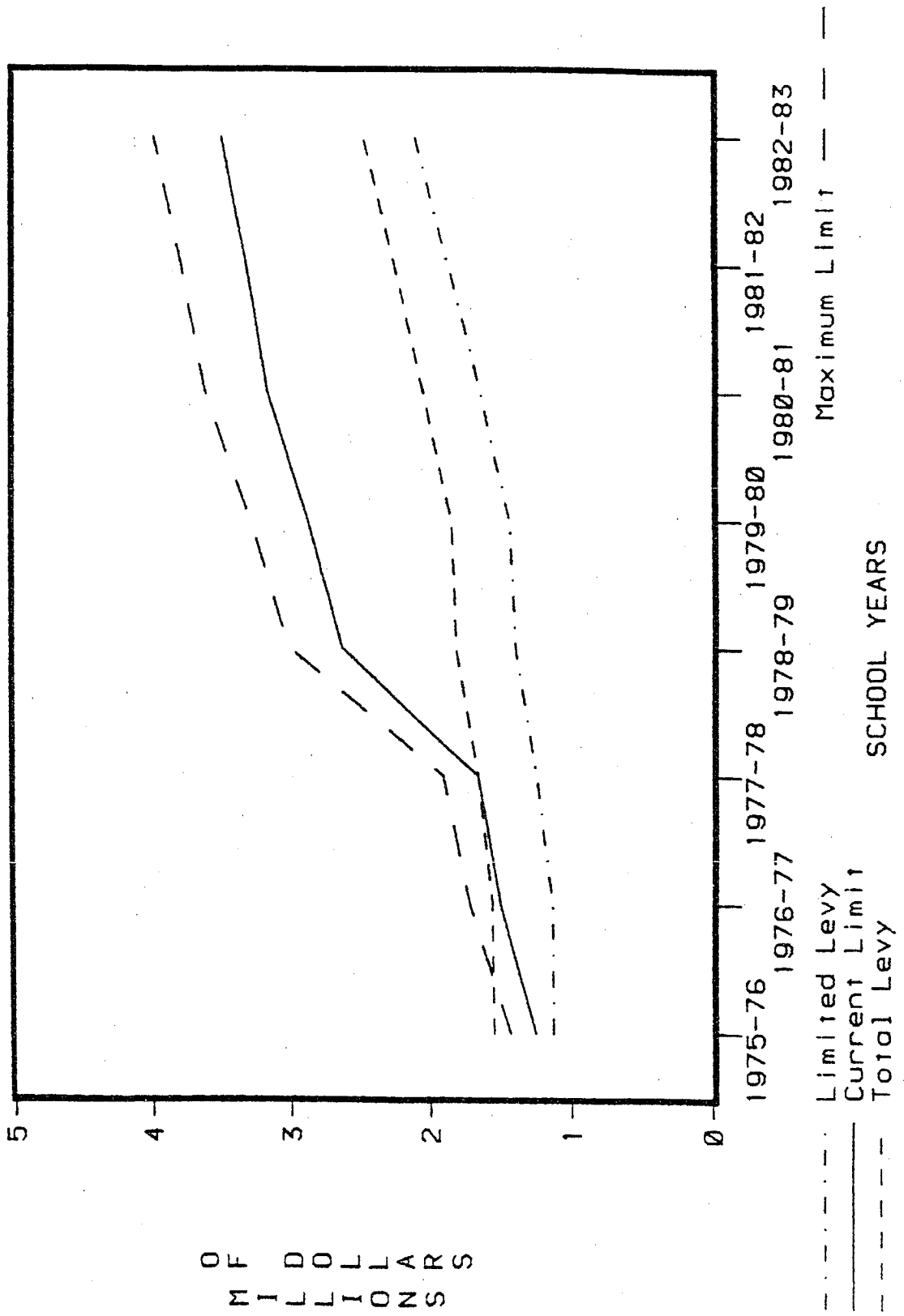


Constitutional Tax Limits in City School Districts, 1975-76 to 1982-83:

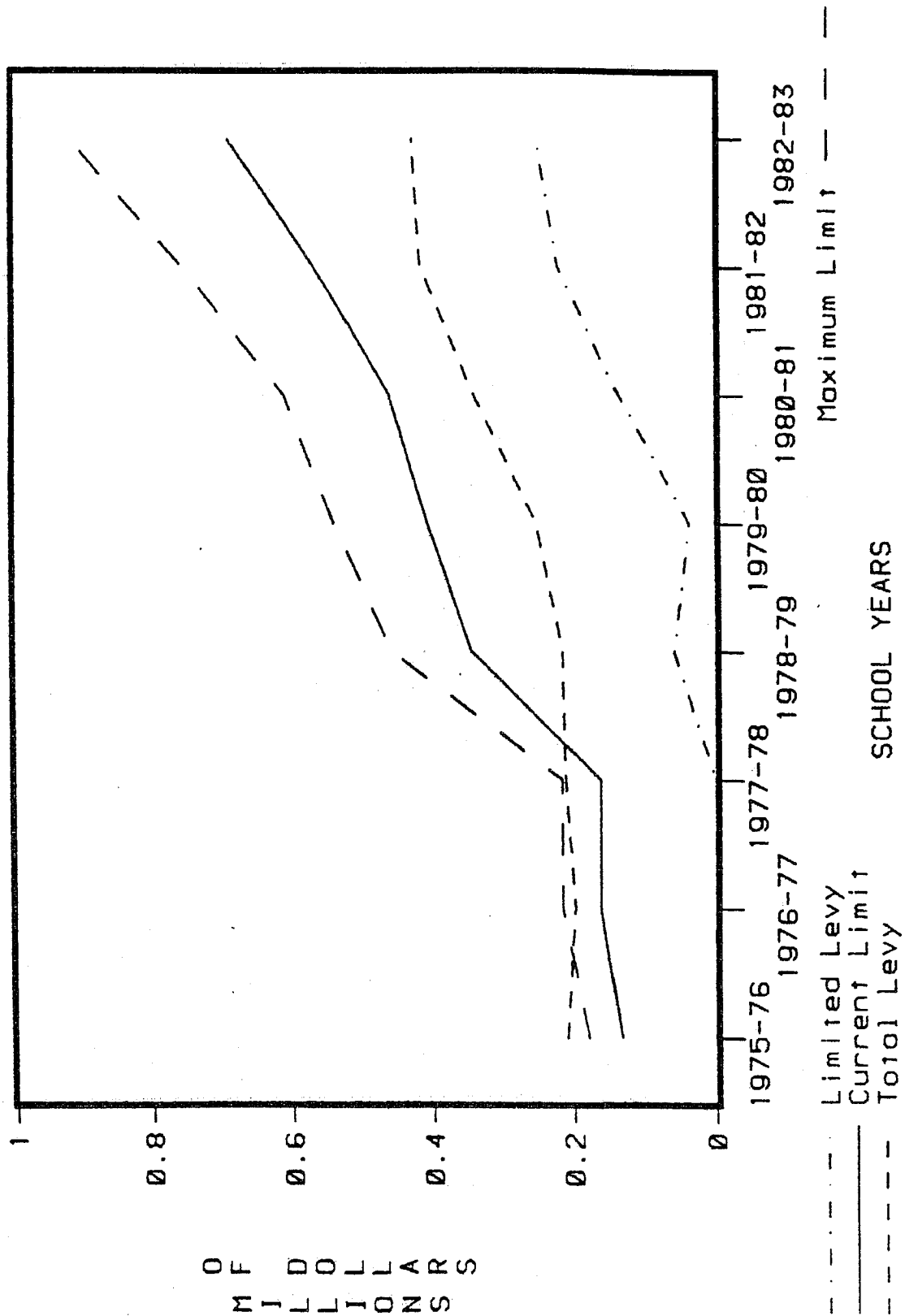
Schenectady City School District, Current Limit of 1.5%



Constitutional Tax Limits in City School Districts, 1975-76 to 1982-83,
Sherrill City School District, Current Limit of 1.75%

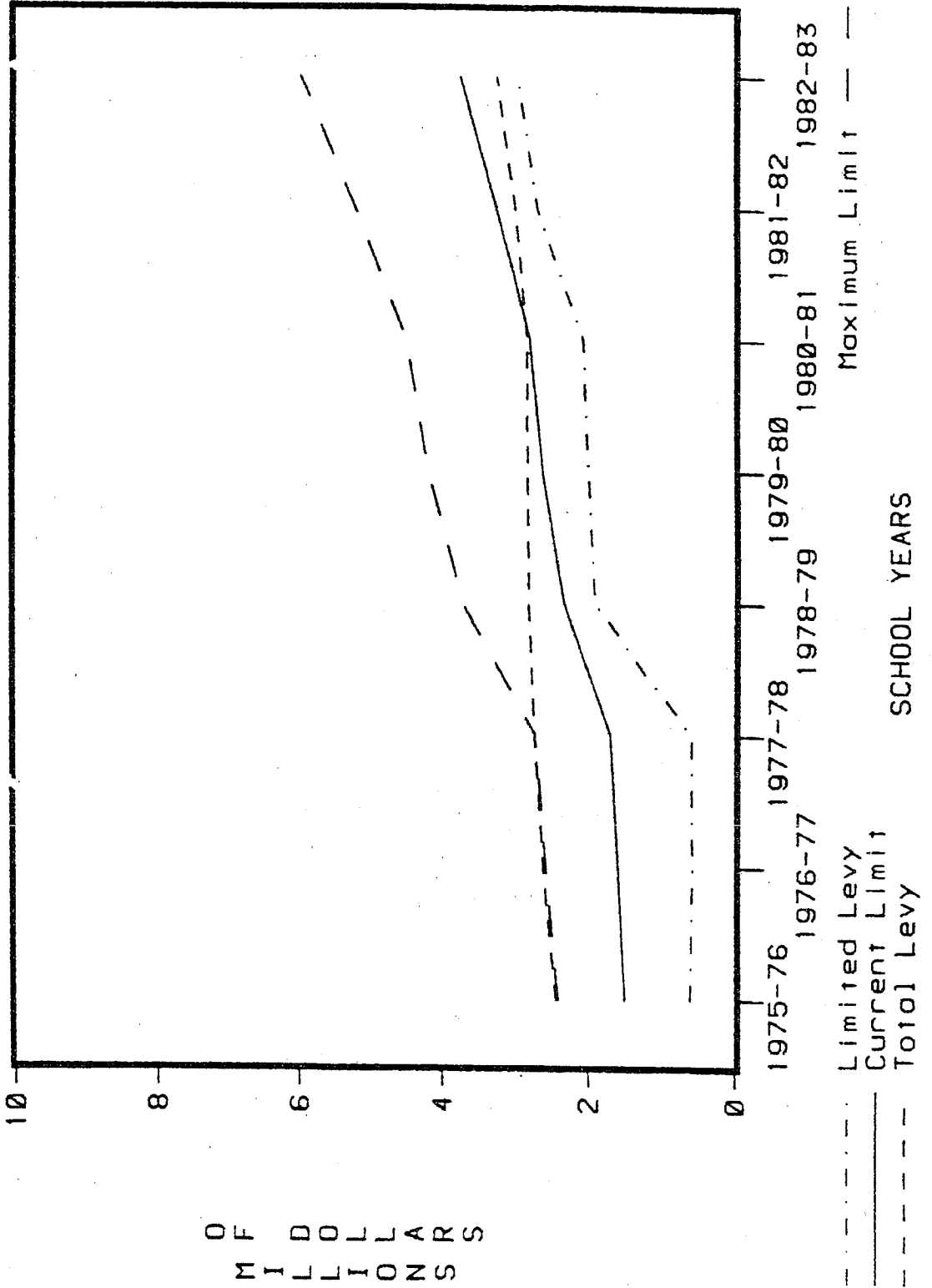


Constitutional Tax Limits in City School Districts, 1975-76 to 1982-83
Stockbridge Central School District, Current Limit of 1.5%



Constitutional Tax Limits in City School Districts, 1975-76 to 1'82-83:

Tonawanda City School District, Current Limit of 1.25%



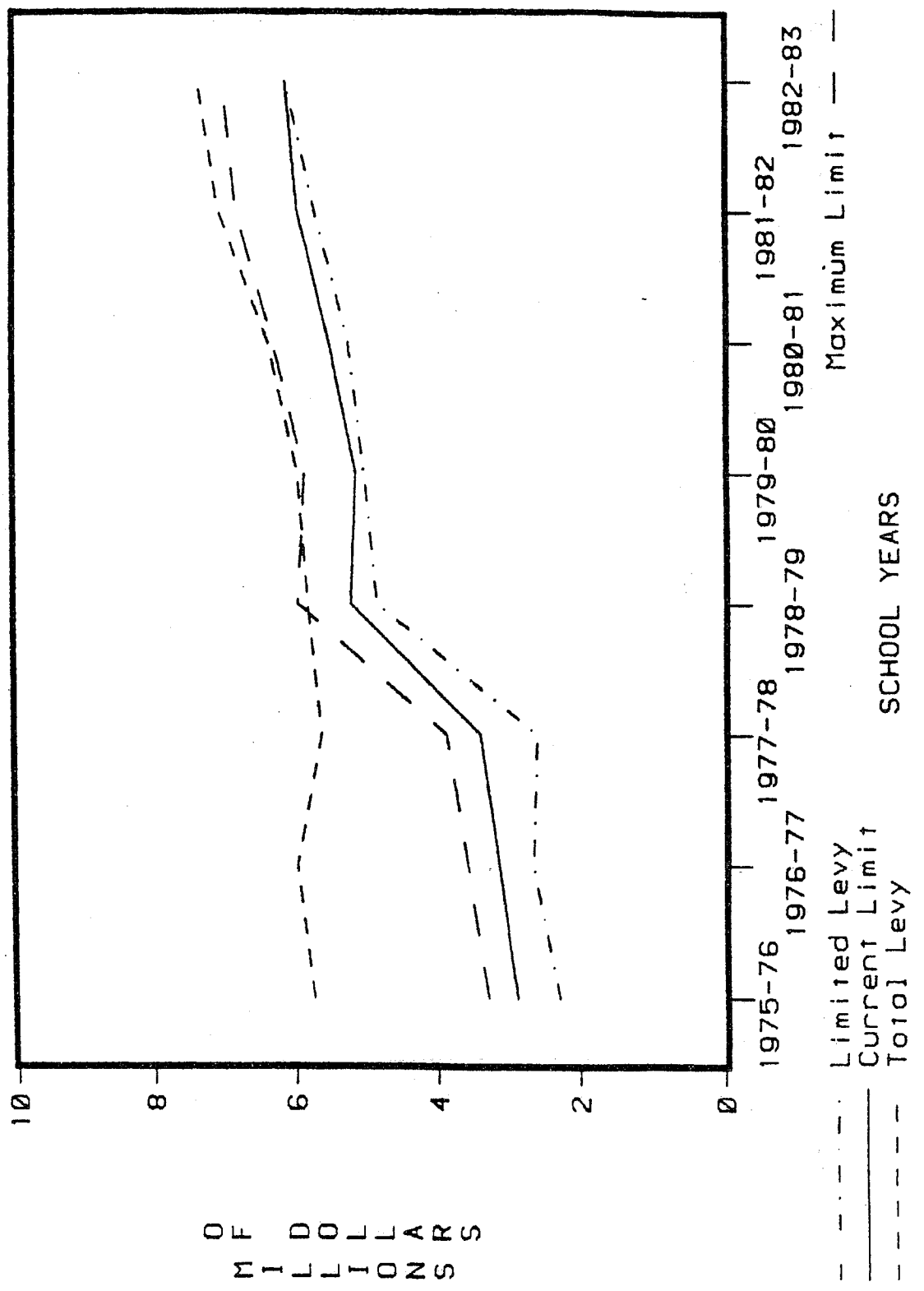
OF DOLLARS MILLIONS

..... Limited Levy
———— Current Limit
----- Total Levy

Maximum Limit
SCHOOL YEARS

Constitutional Tax Limits in City School Districts, 1975-76 to 1982-83:

Troy City School District, Current Limit of 1.75%



MILLIONS OF DOLLARS

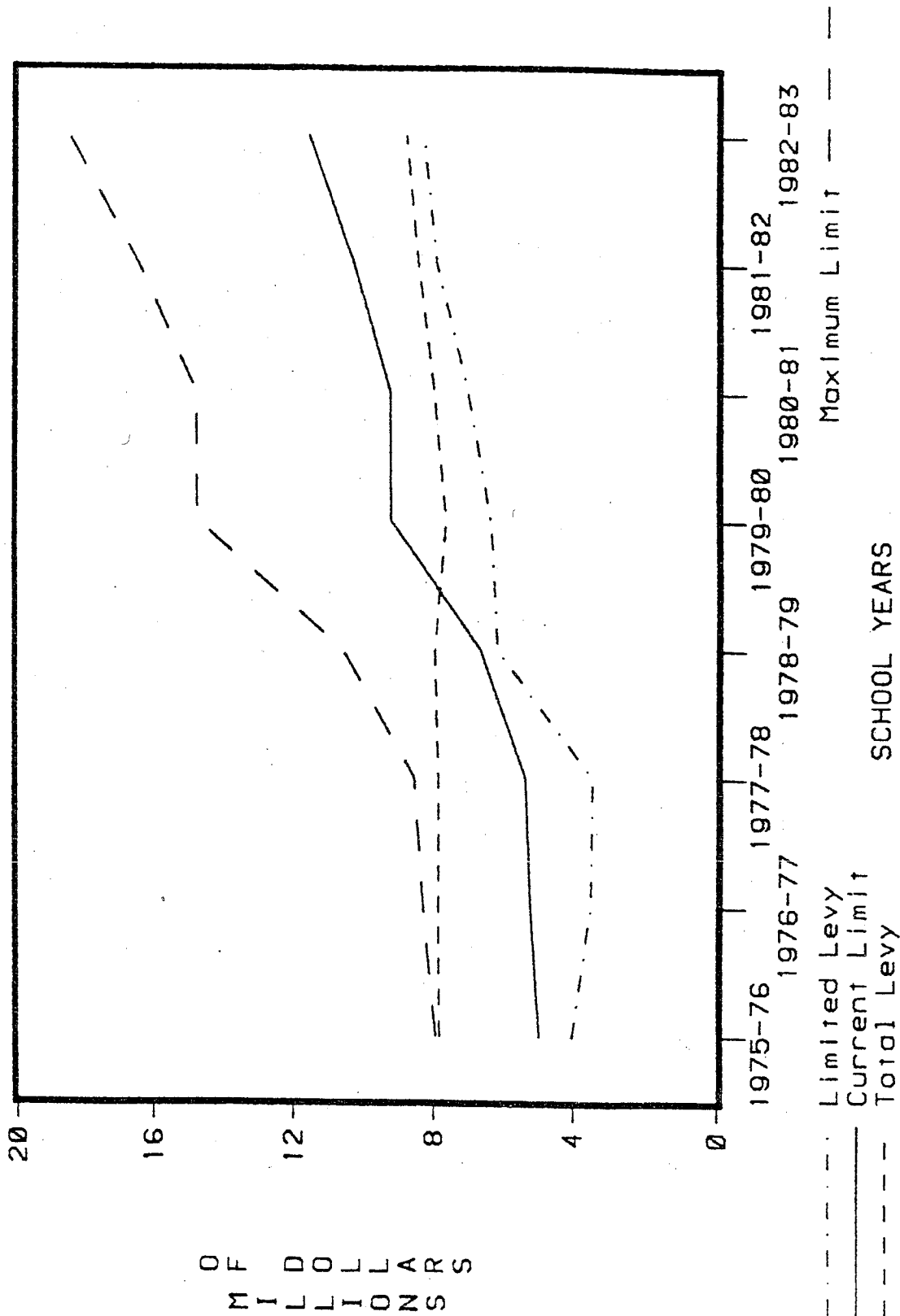
--- Limited Levy
—— Current Limit
-.-.- Total Levy

SCHOOL YEARS

Maximum Limit ---

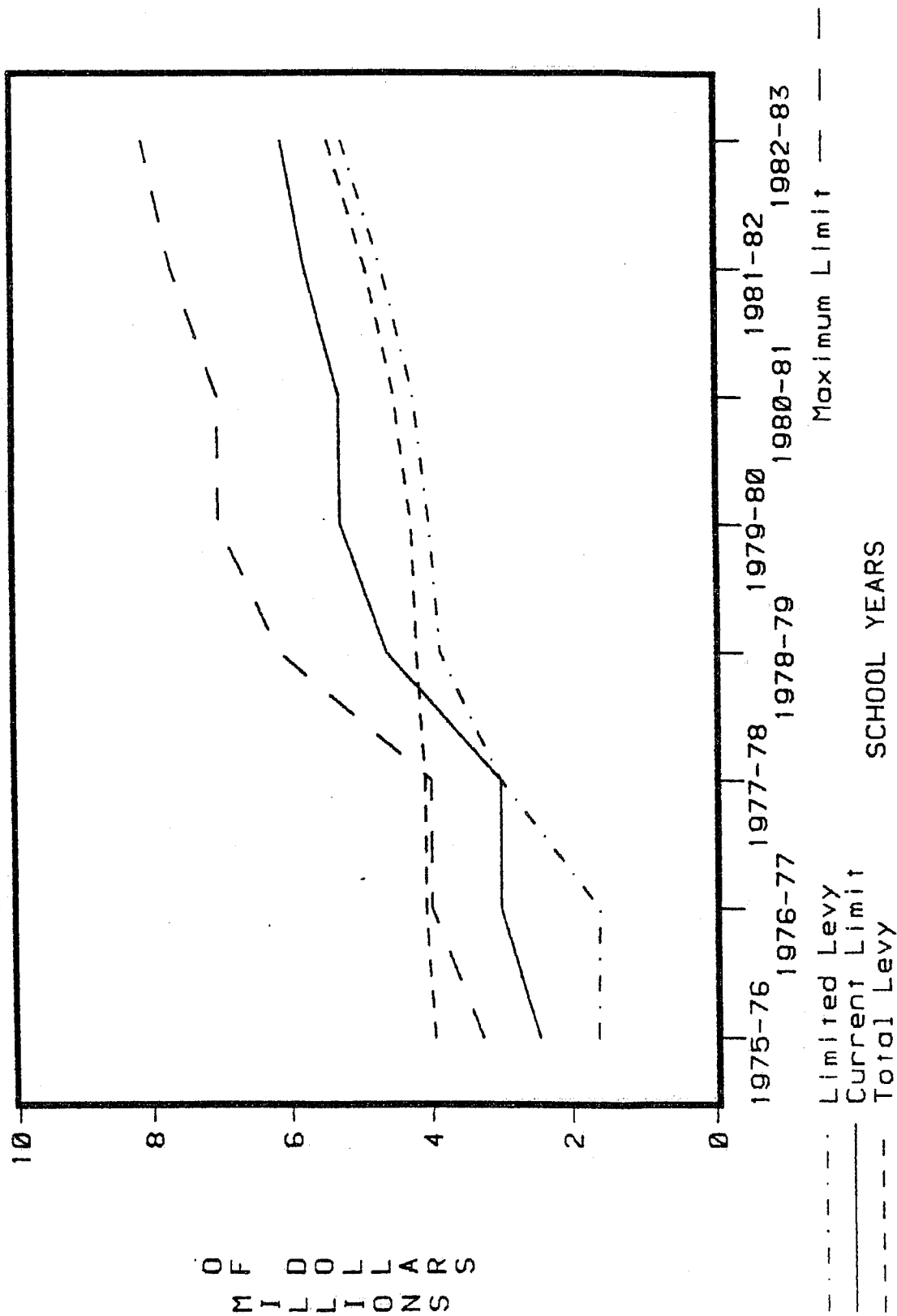
Constitutional Tax Limits in City School Districts, 1975-76 to 1982-83:

Utica City School District, Current Limit of 1.25%

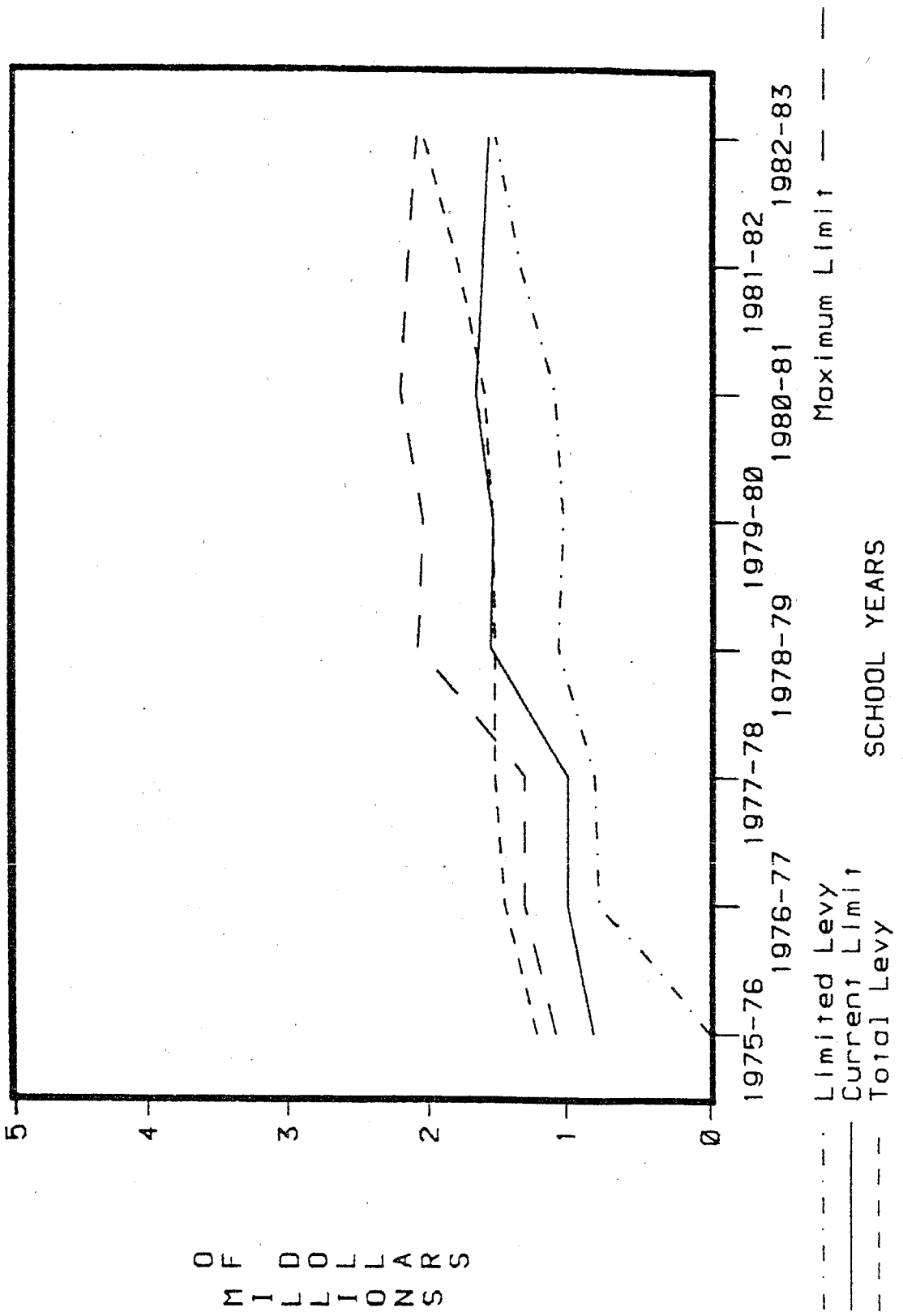


Constitutional Tax Limits In City School Districts, 1975-76 to 1982-83:

Watertown City School District, Current Limit of 1.5%



Constitutional Tax Limits in City School Districts, 1975-76 to 1982-83,
Waterliet City School District, Current Limit of 1.5%

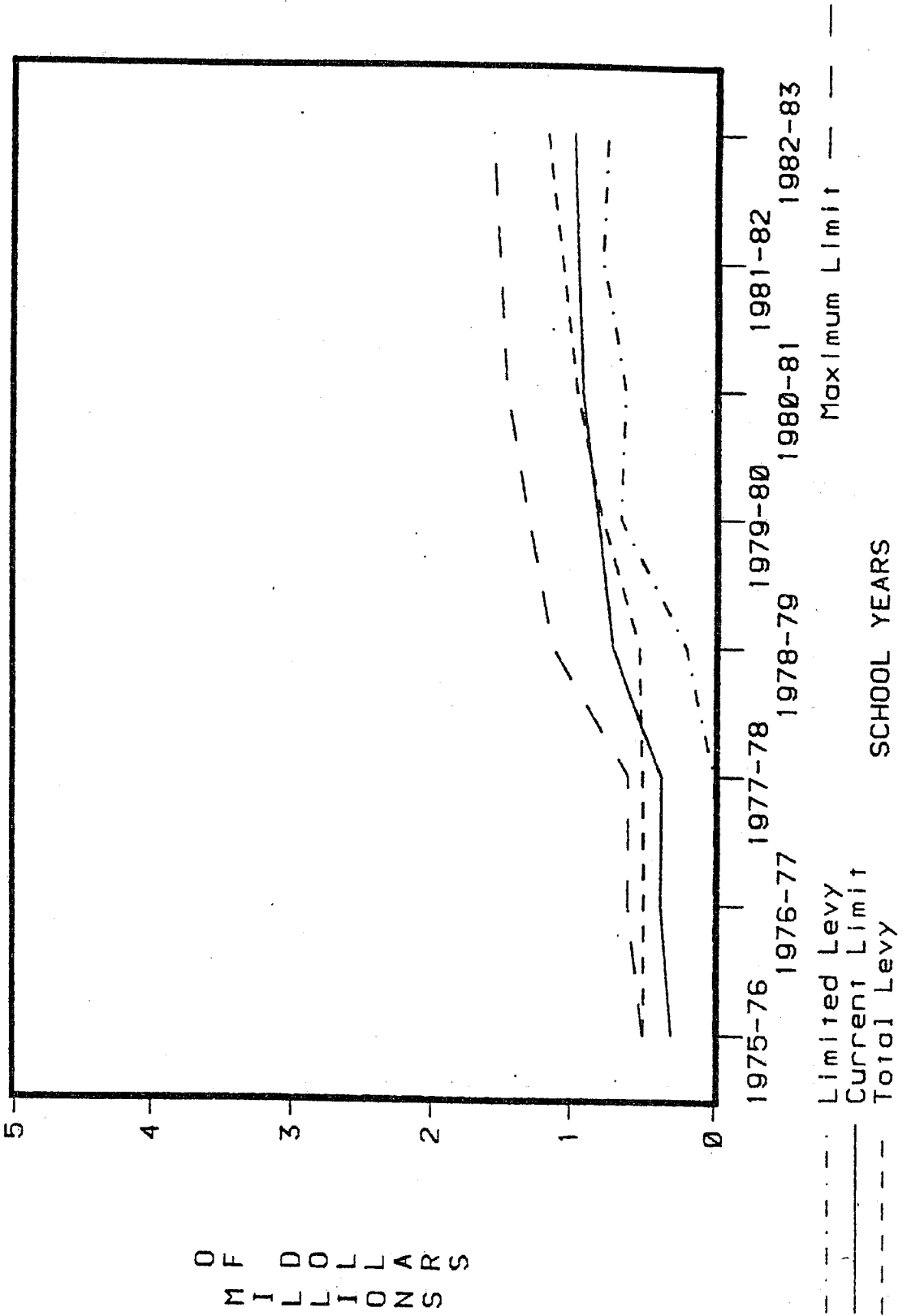


O F D O L L A R S
M I L L I O N S

..... Limited Levy
----- Current Limit
----- Total Levy

Maximum Limit
SCHOOL YEARS

Constitutional Tax Limits in City School Districts, 1975-76 to 1982-83;
Westmoreland Central School District, Current Limit of 1.25%



Constitutional Tax Limits in City School Districts, 1975-76 to 1982-83:

White Plains City School District, Current Limit of 1.75%

