

By BRIAN ACKLEY
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Nothing like a well placed threat to bring good legislation to a grinding halt.

There was a time in New York, believe it or not, when a state politician actually tried to tackle the issue of Industrial Development Agencies gone wild. In fact, for three years in the mid-90s, there was actual legislation passed and signed into law aimed at curbing tax-incentive abuses that dotted the New York landscape. Not that it actually mattered much. Loopholes, as always, were as plentiful as shamrocks on St. Patrick's Day. One supermarket argued, successfully, it was a "tourist destination" in order to get free money.

Then state Assemblyman Fran Pordum didn't need a lesson in grab-the-shirt-collar politics, but he got one anyway during a top-to bottom examination of IDA's, and where it all went wrong.

"I can still remember a meeting I had with a person who owns one of the large retail chains in the state," Pordum recalled the other day. "He told me whoever runs against me, he will fund and give as much money as he needs to so I would not be in the legislature any more. Hey, you're fighting against people who are well heeled, and they don't want to be bothered by anybody to be accountable to anything."

His magnifying glass found some \$51 million in tax breaks over a three year period. Problem was, among many, that no one knew exactly what they were for.

"They didn't keep track of the benefits that were given," Pordum recalled of some of the state's 127 agencies. "There were IDA's that never collected in-lieu-of-tax payments. This is the people's money. There was an IDA that owned a plane, there were a lot of things out there that you couldn't believe. It was ridiculous. It was the wild, wild west out there."

If it was bad then, it's worse today. Supermarkets, box stores, anything that requires drywall and a light switch, and checkbooks can't fly open quickly enough. Can't get money in Hamburg? Maybe Orchard Park can squeeze the stone a little harder. Clarence using some common sense? Hello Lancaster.

"If you want to stay in existence and keep your job, what are you going to do? You're going to go out and find any ways and means you can to keep revenues coming into the agency" he added. "The idea was that you should not have communities competing to give away people's tax money. It's not theirs to give away, that's number one. And, what you don't have, which is happening in our area, is the Town of Amherst and the City of Buffalo at odds with each other to see who can give away more tax dollars for a company that's not going to leave the area. Even Amherst is starting to run out of ideas now. They're doing doctors offices and the like. They're doing things that at hearings we had definitely said should not be done."

The games played by local governments are no more dispiriting than the ones played by businesses and firms who rarely miss a trick.

"There are certain things that companies say when they fill out the forms. Even if you're not thinking of leaving the area, you check the box that you're going to leave. Why wouldn't you, so you can get yourself a big tax break. Wouldn't it be nice if you could just say I'm not going to pay taxes on my house. Don't charge me any taxes and I'll stay," he said.

Pordum left Albany seven years ago. No one has picked up his call since, less they be menaced with something that might really hurt, say like the loss of their shopper club card. Now *that's* a threat.

(Brian Ackley is a columnist for the Weekly Independent Newspapers (WIN) of Western New York. WIN is a consortium of 19 community weekly newspapers in Erie and Niagara counties with a combined paid circulation of 75,000 homes, providing collaborative advertising and editorial support for member publications. For more information on WIN, or to provide feedback on this column, visit our website at www.wnynewspapers.com. Opinions expressed here are those of the author.)