

**HOME RULE MESSAGE REQUESTING THE STATE OF
NEW YORK TO AUTHORIZE SUFFOLK COUNTY TO
EXTEND A TEMPORARY ONE-PERCENT SALES AND
COMPENSATING USE TAX RATE (SENATE BILL S.4024
AND ASSEMBLY BILL A.7335)**

WHEREAS, Section 1210 of the New York Tax Law allows Counties to adopt and amend local laws or resolutions imposing a sales and compensating use tax at the rate of up to three percent (3%); and

WHEREAS, Section 1210 of the New York Tax Law was amended in 1991, 1992, 1993, 1995, 1997, 1999, 2001, 2003, 2005, and 2007 to provide special authorization for Suffolk County to increase its sales and compensating use tax rate above the three percent (3%) level; and

WHEREAS, Suffolk County's sales tax remains a critical source of revenue to fund important county programs and services and to balance the County's budget; and

WHEREAS, in 2007, Suffolk County received State authorization to increase its sales tax rate by one percent (1%) through November 30, 2009, to meet rising costs and balance the County's budget

WHEREAS, pursuant to existing State law, Suffolk County must dedicate no less than one-eighth and no more than three-eighths of the revenues generated by this additional sales and compensating use tax for public safety purposes; and

WHEREAS, the lingering effects of a slowdown in the housing market and the loss of associated revenues, the economic recession, increases in pension and health insurance contributions and increasing costs to provide health and human services programs to the people of Suffolk County continue to stress the County's budget, necessitating the extension of the special authorization to increase the sales tax rate by one percent (1%) as part of a comprehensive plan to balance the County's budget and maintain a sound fiscal standing; now, therefore, be it

1st RESOLVED, that this Legislature, in accordance with the provisions of Section 40 of the NEW YORK MUNICIPAL HOME RULE LAW, and joining with the County Executive, hereby finds and declares that the facts recited in the above WHEREAS clauses establish the necessity for the enactment of Senate Bill S.4024 and Assembly Bill A.7335 which authorizes Suffolk County to extend a temporary sales and compensating use tax at a rate of one percent (1%) from December 1, 2009 to November 30, 2011; and be it further

2nd RESOLVED, that the Clerk of this Legislature is hereby directed to forward copies of this Resolution to Governor David A. Paterson; to the Majority Leader of the New York State Senate Malcolm Smith; to the Speaker of the New York State Assembly Sheldon Silver; to the Minority Leaders of the New York State Senate and the New York State Assembly; and to each member of the Long Island delegation to the New York State Legislature.

DATED: April 28, 2009 Adopted



Thursday, April 16, 2009

Summary - S04024

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S04024 Summary:

BILL NO S04024

SAME AS Same as A 7335

SPONSOR FOLEY

COSPNSR

MLTSPNSR

Amd SS1210 & 1262-j, Tax L

Authorizes the county of Suffolk to impose an additional one percent of sales and compensating use taxes.

S04024 Actions:

BILL NO S04024

04/07/2009 REFERRED TO INVESTIGATIONS AND GOVERNMENT OPERATIONS

S04024 Votes:

S04024 Memo:

Contact Webmaster

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Thursday, April 16, 2009

Text - S04024

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S T A T E O F N E W Y O R K

4024

2009-2010 Regular Sessions

I N S E N A T E

April 7, 2009

Introduced by Sen. FOLEY -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations

AN ACT to amend the tax law, in relation to extending the authority of the county of Suffolk to impose an additional one percent of sales and compensating use tax

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Clause 14 of subparagraph (i) of the opening paragraph of
2 section 1210 of the tax law, as amended by chapter 684 of the laws of
3 2007, is amended to read as follows:

4 (14) the county of Suffolk is hereby further authorized and empowered
5 to adopt and amend local laws, ordinances or resolutions imposing such
6 taxes at a rate which is one percent additional to the three percent
7 rate authorized above in this paragraph for such county for the period
8 beginning June first, two thousand one and ending November thirtieth,
9 two thousand [nine] ELEVEN;

10 S 2. Subdivision (c) of section 1262-j of the tax law, as amended by
11 chapter 684 of the laws of 2007, is amended to read as follows:

12 (c) Notwithstanding any provision of law to the contrary, of the net
13 collections received by the county of Suffolk as a result of the
14 increase of one percent to the tax authorized by section twelve hundred
15 ten of this article for the period beginning June first, two thousand
16 one and ending November thirtieth, two thousand [nine] ELEVEN, imposed
17 by local laws or resolutions (by simple majority) by the county legisla-
18 ture, and signed by the county executive, the county of Suffolk shall
19 allocate such net collections as follows: no less than one-eighth and no
20 more than three-eighths of such net collections received shall be dedi-
21 cated for public safety purposes and the balance shall be deposited in
22 the general fund of the county of Suffolk.

23 S 3. This act shall take effect immediately.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
[] is old law to be omitted.

LBD10843-01-9

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Page display time = 0.0236 sec



Thursday, April 16, 2009

Summary - A07335

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A07335 Summary:

BILL NO A07335

SAME AS Same as S 4024

SPONSOR Sweeney

COSPNSR

MLTSPNSR

Amd SS1210 & 1262-j, Tax L

Authorizes the county of Suffolk to impose an additional one percent of sales and compensating use taxes.

A07335 Actions:

BILL NO A07335

03/31/2009 referred to ways and means

A07335 Votes:

A07335 Memo:

BILL NUMBER:A7335

TITLE OF BILL: An act to amend the tax law, in relation to extending the authority of the county of Suffolk to impose an additional one percent of sales and compensating use tax

PURPOSE OF THE BILL: Authorizes the county of Suffolk to continue to impose an additional one percent of sales and compensating use tax.

SUMMARY OF PROVISIONS: Section one of this bill amends clause 14 of subparagraph(i) of the opening paragraph of section 1210 of the tax law to further authorize the county of Suffolk to impose an additional one percent sales and compensating use tax until November 30, 2011.

Section two requires that between 1/8 and 3/8 of the collections received shall be dedicated for public safety purposes.

Section three establishes that this act shall tack effect immediately.

JUSTIFICATION: The county's additional 1% sales tax remains a critical component of Suffolk County's daily operations. In 2008, the county's sales tax represented 55% of the general fund revenues.

Suffolk County provides health and human service programs as mandated by New York State. The dramatic growth of these programs over the past several years has placed an extraordinary strain on the county's budget. Without this reauthorization, Suffolk County would be forced to cut \$282 million from the discretionary side of the budget, or raise property taxes. Property taxes would have to increase from \$51 million to \$333 million, an increase of more than 600% to compensate.

Without a 600% increase in property taxes, and if the one percent sales and compensating use tax were not reauthorized, Suffolk County would be forced to cut 4,900 jobs.

PRIOR LEGISLATIVE HISTORY: New Bill.

FISCAL IMPLICATIONS FOR STATE: None.

EFFECTIVE DATE: This act shall take effect immediately.

Contact Webmaster

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Thursday, April 16, 2009

Text - A07335

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[See Summary](#)

S T A T E O F N E W Y O R K

7335

2009-2010 Regular Sessions

I N A S S E M B L Y

March 31, 2009

Introduced by M. of A. SWEENEY -- read once and referred to the Committee on Ways and Means

AN ACT to amend the tax law, in relation to extending the authority of the county of Suffolk to impose an additional one percent of sales and compensating use tax

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

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 18 ture, and signed by the county executive, the county of Suffolk shall
 19 allocate such net collections as follows: no less than one-eighth and no
 20 more than three-eighths of such net collections received shall be dedi-
 21 cated for public safety purposes and the balance shall be deposited in
 22 the general fund of the county of Suffolk.
 23 S 3. This act shall take effect immediately.

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[] is old law to be omitted.

LBD10843-01-9

Contact Webmaster

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OFFICE OF THE COUNTY LEGISLATURE

COUNTY OF SUFFOLK



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COUNSEL TO THE LEGISLATURE
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HAUPPAUGE, NY 11788-0099
(631) 853-5494 (PHONE)
(631) 853-4415 (FAX)

MEMORANDUM

DATE: April 16, 2009

TO: Tim Laube, Clerk of the Legislature

FROM: George Nolan, Counsel to the Legislature GN

RE: Home Rule Message Requesting the State of New York to Authorize Suffolk County to Extend a Temporary One-Percent Sales and Compensating Use Tax Rate (Senate Bill S.4024 and Assembly Bill A.7335)

Pursuant to the request of Presiding Officer Lindsay, enclosed please find the above referenced home rule message for immediate filing.

GN:js
Enclosure

cc: Hon. William J. Lindsay, Presiding Officer
Terry Pearsall, Chief of Staff

s:\et\cl-3-16-hr-one-percent-tax-extension

HAUPPAUGE
SUFFOLK COUNTY, N.Y.
COUNTY LEGISLATURE

2009 APR 16 P 4:11

RECEIVED

Intro. Res. 1428 Res. No.

April 28, 2009

Motion:

Romaine, Schneiderman, Browning, Beedenbender, Losquadro
 Eddington, Montano, Alden, Lindsay, Viloría-Fisher, Barraga,
 Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

Co-Sponsors:

Romaine, Schneiderman, Browning, Beedenbender, Losquadro
 Eddington, Montano, Alden, Lindsay, Viloría-Fisher, Barraga,
 Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

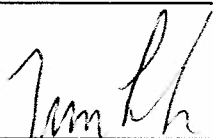
Second:

Romaine, Schneiderman, Browning, Beedenbender, Losquadro
Eddington, Montano, Alden, Lindsay, Viloría-Fisher, Barraga,
 Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro, Cooper

LD	Legislator	Yes	No	Abs	NP	R
1	Edward P. ROMAINE	/	/			
2	Jay H. SCHNEIDERMAN	/	/			
3	Kate M. BROWNING	/	/			
4	Brian BEEDENBENDER	/	/			
6	Daniel P. LOSQUADRO	/	/			
7	Jack EDDINGTON	/	/			
9	Ricardo MONTANO	/	/			
10	Cameron ALDEN	/	/			
11	Thomas F. BARRAGA	/	/			
12	John M. KENNEDY, JR.	/	/			
13	Lynne C. NOWICK	/	/			
14	Wayne R. HORSLEY	/	/			
15	DuWayne GREGORY	/	/			
16	Steven H. STERN	/	/			
17	Lou D'AMARO	/	/			
18	Jon COOPER	/	/			
5	Vivian VILORIA-FISHER, D.P.O.	/	/			
8	William J. LINDSAY, P.O.	/	/			
	Totals	16	2	—	—	—

MOTION
<input checked="" type="checkbox"/> Approve
Table: _____
Send To Committee _____
Table Subject To Call _____
Lay On The Table _____
Discharge _____
Take Out of Order _____
Reconsider _____
Waive Rule _____
Override Veto _____
Close _____
Recess _____
APPROVED <input checked="" type="checkbox"/> FAILED _____
No Motion _____ No Second _____

RESOLUTION DECLARED
<input checked="" type="checkbox"/> ADOPTED
NOT ADOPTED _____



 Tim Laube, Clerk of the Legislature

Roll Call _____ Voice Vote