

# The Legislature of Rockland County



MICHAEL M. GRANT  
Majority Leader  
Legislator – District 2

Chair, Economic Development Committee

**AGENDA**  
***ECONOMIC DEVELOPMENT COMMITTEE***  
**WEDNESDAY, FEBRUARY 29, 2012**  
**5:15 PM**

ROLL CALL

ADOPTION OF MINUTES- MEETING OF AUGUST 24, 2011

ADOPTION OF MINUTES- MEETING OF FEBRUARY 1, 2012

1. REF. #8055 - URGING THE NEW YORK STATE LEGISLATURE TO PASS A.8868-A AND S.6079-A, AN ACT TO AMEND THE TAX LAW TO EXEMPT PUBLIC LIBRARIES FROM THE IMPOSITION OF THE METROPOLITAN COMMUTER TRANSPORTATION MOBILITY TAX  
(LEG. HARRIET D. CORNELL, LEGISLATURE)
2. REF. #8055 - DISCUSSION ITEM: UPDATE ON THE STUDY ON THE WITHDRAWAL FROM THE MTA TRANSPORTATION SYSTEM  
(LEG. MICHAEL M. GRANT, LEGISLATURE)

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# DRAFT

Introduced by:  
Hon. Harriet D. Cornell, Sponsor

Referral No.  
, 2012

**RESOLUTION NO.            OF 2012**  
**URGING THE NEW YORK STATE LEGISLATURE TO PASS A.8868-A**  
**and S.6079-A, AN ACT TO AMEND THE TAX LAW TO EXEMPT**  
**PUBLIC LIBRARIES FROM THE IMPOSITION OF THE**  
**METROPOLITAN COMMUTER TRANSPORTATION MOBILITY TAX**

WHEREAS, in 2009, due to the MTA's financial problems, the New York State Legislature passed and imposed a .34% payroll tax on employers in the MTA's service region, including public libraries; and

WHEREAS, the New York State Legislature recently passed tax legislation that repealed or reduced the payroll tax for many employers. Its provisions include the elimination of the MTA payroll tax on small businesses, and public libraries are included in this category; and

WHEREAS, for businesses making less than \$1.25 million annually, the payroll tax is completely eliminated. Businesses with payrolls ranging from \$1.25 million and \$1.5 million will have the payroll tax reduced from .34% to .11%, and businesses with a payroll of more than \$1.5 million will have the payroll tax reduced to .23%; and

WHEREAS, since many public libraries - including New City Free Library, Haverstraw King's Daughter's Public Library, and Finkelstein Memorial Library – have payrolls of more than \$1.5 million, they will still have to pay the full .34% payroll tax, while many others with slightly smaller payrolls will still have to pay .23%; and

WHEREAS, although public libraries receive state aid, that aid has been cut by 23% since 2008, and libraries are forced to spend between 50-100% of their state aid on the payroll tax. Since public libraries are supported by taxes, increased costs result in either reduced services or increased taxes; and

WHEREAS, "any eligible educational institution," including all public and private elementary and secondary schools are now completely exempt from the payroll tax. Public libraries should be similarly exempt, noted Michael J. Borges, Executive Director of the New York Library Association: "Public libraries, like our public schools, are educational institutions that provide life-long learning to citizens of all ages in their communities, receive both state and local support, and are chartered by the Board of Regents, just like our schools, and yet we are left out in the cold," and

WHEREAS, Bills A.8868-A and S. 6079-A would amend the State Tax Law to include all public and free libraries in the definition of "any eligible educational institution" that is now exempt from the payroll tax; and

WHEREAS, the \_\_\_\_\_ Committee has met, considered and by a vote, approved this resolution; now therefore be it

RESOLVED, that the Rockland County Legislature hereby urges the New York State Legislature to pass A.8868-A and S.6079-A, an act to amend the Tax Law to exempt public libraries from the imposition of the Metropolitan Commuter Transportation Mobility Tax; and

RESOLVED, that the Clerk to the Legislature be and he is hereby authorized and directed to send a copy of this resolution to Andrew M. Cuomo, Governor of the State of New York; Hon. David Carlucci, New York State Senator, Hon. Kenneth P. Zebrowski, Jr., Hon. Ellen C. Jaffee, Hon. Nancy Calhoun, and Ann G. Rabbitt, Members of the New York State Assembly; the President Pro Tem of the New York State Senate; the Speaker of the New York State Assembly; the Majority and Minority Leaders of the New York State Senate and Assembly; and to such other persons as the Clerk, in his discretion, may deem proper in order to effectuate the purpose of this resolution.

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ELY  
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2/9/12

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

S. 6079--A

A. 8868--A

## S E N A T E - A S S E M B L Y

(PREFILED)

January 4, 2012

IN SENATE -- Introduced by Sens. MARTINS, FARLEY, LAVALLE, ZELDIN -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

IN ASSEMBLY -- Introduced by M. of A. ABINANTI -- read once and referred to the Committee on Ways and Means -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the tax law, in relation to the exemption of libraries from the imposition of the metropolitan commuter transportation mobility tax

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

1 Section 1. Paragraph 4 of subsection (b) of section 800 of the tax  
 2 law, as added by section 1 of part B of chapter 56 of the laws of 2011,  
 3 is amended to read as follows:  
 4 (4) Any eligible educational institution. An "eligible educational  
 5 institution" shall mean any public school district, a board of cooper-  
 6 ative educational services, a public elementary or secondary school, a  
 7 school approved pursuant to article eighty-five or eighty-nine of the  
 8 education law to serve students with disabilities of school age, or a  
 9 nonpublic elementary or secondary school that provides instruction in  
 10 grade one or above, AND ALL PUBLIC AND FREE ASSOCIATION LIBRARIES AS  
 11 SUCH TERMS ARE DEFINED IN SUBDIVISION TWO OF SECTION TWO HUNDRED FIFTY-  
 12 THREE OF THE EDUCATION LAW.  
 13 S 2. This act shall take effect on the same date and in the same  
 14 manner as section 1 of part B of chapter 56 of the laws of 2011 takes  
 15 effect.

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

LBD13806-04-2