

ONEIDA COUNTY BOARD OF LEGISLATORS

ONEIDA COUNTY OFFICE BUILDING ♦ 800 PARK AVENUE ♦ UTICA, N.Y. 13501-2977

Gerald J. Fiorini
Chairman
(315) 798-5900

Mikale Billard
Clerk
(315) 798-5404

George Joseph
Majority Leader

Frank D. Tallarino
Minority Leader

NOTICE OF SPECIAL MEETING

Oneida County Board of Legislators

NOTICE IS HEREBY GIVEN to the members of the Oneida County Board of Legislators that a Special Meeting will be held Thursday May 16, 2013 at 5:30 PM in the Board Chambers, County Office Building, 800 Park Avenue 10th Floor, Utica, New York.

NOTICE IS FURTHER GIVEN that the Ways and Means Committee will meet at 5:00 PM on May 16, 2013 in Room 1040, County Office Building, 800 Park Avenue 10th Floor, Utica, New York.

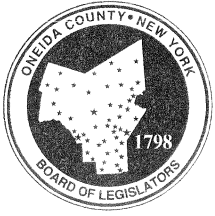
The purpose of such meeting is to consider and vote on Introductory No. 156:

“Memorializing a Request to the State Legislators Representing Oneida County to Secure the Passage of Senate Bill No. S4982 and Assembly Bill No. A07265 Which Would Extend Authorization for Oneida County to Impose Additional Sales and Compensating Use Taxes and Provide for Allocation and Distribution of a Portion of Net Collections from such Additional Rates”

Mikale P. Billard

Clerk of the Board of Legislators

Dated: May 10, 2013



ONEIDA COUNTY BOARD OF LEGISLATORS

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***** NOTICE OF SPECIAL MEETINGS *****

Notice is hereby given that the Oneida County Board of Legislators will meet in accordance with the following schedule on Thursday, May 16, 2013 at the County Office Building.

5:00 P.M. - WAYS & MEANS COMMITTEE – ROOM 1040

5:30 P.M. –FULL BOARD SESSION IN LEGISLATIVE CHAMBER

MEETING REMINDERS:

Please see meeting schedule

NO. 156

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO.

INTRODUCED BY: Mr. Porter

2ND BY:

RE: MEMORIALIZING A REQUEST TO THE STATE LEGISLATORS REPRESENTING ONEIDA COUNTY TO SECURE THE PASSAGE OF SENATE BILL NO. S4982 AND ASSEMBLY BILL NO. A07265 WHICH WOULD EXTEND AUTHORIZATION FOR ONEIDA COUNTY TO IMPOSE ADDITIONAL SALES AND COMPENSATING USE TAXES AND PROVIDE FOR ALLOCATION AND DISTRIBUTION OF A PORTION OF NET COLLECTIONS FROM SUCH ADDITIONAL RATES.

WHEREAS, the County of Oneida continues to face financial difficulties in its annual budgets attributable to recent state mandated payments and accounting procedures and despite a state imposed cap on Medicaid costs, which contained, but did not decrease, the Medicaid burden on counties, and

WHEREAS, the County wishes to protect its credit rating and promote the stability and viability of future annual budgets while continuing to impose spending restrictions, consolidate services and reduce the workforce in areas that the loss of workers will not compromise or endanger the delivery of necessary County services, now, therefore, be it hereby

RESOLVED, that the Oneida County Board of Legislators sends a Home Rule Request to our local representatives in the New York State Senate and the New York State Assembly urging the passage of Senate Bill No. S4982 and Assembly Bill No. A07265 permitting Oneida County to extend the additional one per cent tax on sales and compensating uses and the additional three quarters of one per cent tax on sales and compensating uses and to provide for the allocation and distribution of a portion of net collections from such additional rates and, be it further

RESOLVED, that the Oneida County Board of Legislators urges Senators Joseph A. Griffo and David J. Valesky to enact Senate Bill No. S4982 and urges Assemblywoman Claudia Tenney and Assemblymen William D. Magee, Anthony J. Brindisi, Ken Blackenbush and Marc W. Butler to enact Assembly Bill No. A07265 that would permit Oneida County to extend the additional one per cent tax on sales and compensating uses and the additional three quarters of one per cent tax on sales and compensating uses and to provide for the allocation and distribution of a portion of net collections from such additional rates and, be it further

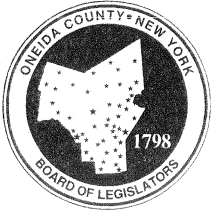
RESOLVED, that the Clerk of the Board of Legislators is hereby authorized and directed to forward a certified copy of this resolution and a Home Rule Request in the appropriate form to Senators Joseph A. Griffo and David J. Valesky and Assemblywoman Claudia Tenney and Assemblymen William D. Magee, Anthony J. Brindisi, Ken Blackenbush and Marc W. Butler and to the Home Rule Counsel for the New York State Senate and Assembly.

APPROVED: Ways & Means Committee ()

DATED: May 16, 2013

Adopted by the following roll call vote:

AYES NAYS ABSENT ()



ONEIDA COUNTY BOARD OF LEGISLATORS

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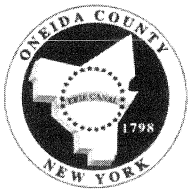
Frank D. Tallarino
Minority Leader

COMMUNICATIONS FOR DISTRIBUTION May 16, 2013

(Correspondence relating to upcoming legislation, appointments, petitions, etc)

<u>FILE NO.</u>	<u>COMMITTEE</u>	<u>PAGES</u>
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AVAILABLE ON WEBSITE ONLY
www.ocgov.net



ONEIDA COUNTY DEPARTMENT OF LAW

Oneida County Office Building
800 Park Avenue ♦ Utica, New York 13501-2975
(315) 798-5910 ♦ fax (315) 798-5603

ANTHONY J. PICENTE JR.
COUNTY EXECUTIVE

GREGORY J. AMOROSO
COUNTY ATTORNEY

FN 20 13 - 186

May 9, 2013

WAYS & MEANS

Board of Legislators
Oneida County
800 Park Avenue
Utica, New York, 13501

RE: 2013-2015 Sales Tax Extension

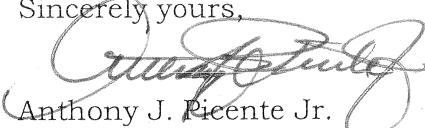
Honorable Members:

I enclose herewith a draft Home Rule Request relative to Oneida County's need to extend its current additional 1% and .75% rates of sales tax.

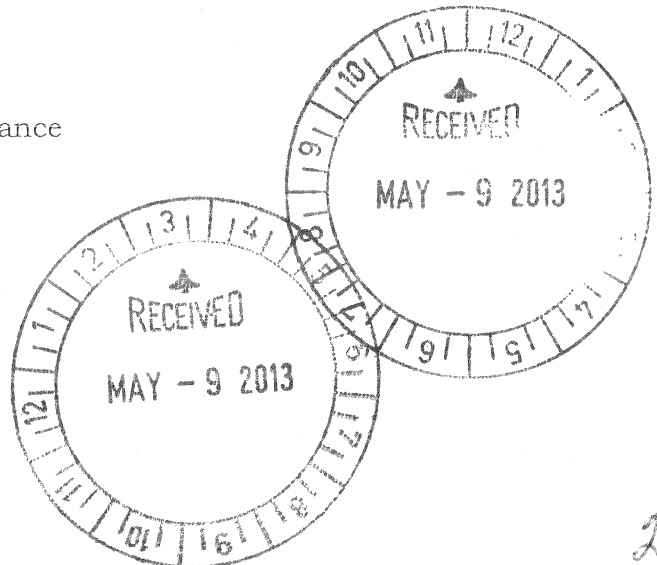
I respectfully request the Board's approval to send the Home Rule Request attached herewith to our State representatives for their action. As time is of the essence in sending this message to our representatives in Albany, I ask that you hold a special meeting on May 16, 2013 to consider this request.

Thank you.

Sincerely yours,


Anthony J. Picente Jr.
Oneida County Executive

Cc: Joseph J. Timpano, Comptroller
Anthony Carvelli, Commissioner of Finance



2.

ONEIDA COUNTY BOARD OF LEGISLATORS

RESOLUTION NO.

INTRODUCED BY: Mr. Porter
2ND BY:

RE: MEMORIALIZING A REQUEST TO THE STATE LEGISLATORS REPRESENTING ONEIDA COUNTY TO SECURE THE PASSAGE OF SENATE BILL NO. S4982 AND ASSEMBLY BILL NO. A07265 WHICH WOULD EXTEND AUTHORIZATION FOR ONEIDA COUNTY TO IMPOSE ADDITIONAL SALES AND COMPENSATING USE TAXES AND PROVIDE FOR ALLOCATION AND DISTRIBUTION OF A PORTION OF NET COLLECTIONS FROM SUCH ADDITIONAL RATES.

WHEREAS, the County of Oneida continues to face financial difficulties in its annual budgets attributable to recent state mandated payments and accounting procedures and despite a state imposed cap on Medicaid costs, which contained, but did not decrease, the Medicaid burden on counties, and

WHEREAS, the County wishes to protect its credit rating and promote the stability and viability of future annual budgets while continuing to impose spending restrictions, consolidate services and reduce the workforce in areas that the loss of workers will not compromise or endanger the delivery of necessary County services, now, therefore , be it hereby

RESOLVED, that the Oneida County Board of Legislators sends a Home Rule Request to our local representatives in the New York State Senate and the New York State Assembly urging the passage of Senate Bill No. S4982 and Assembly Bill No. A07265 permitting Oneida County to extend the additional one per cent tax on sales and compensating uses and the additional three quarters of one per cent tax on sales and compensating uses and to provide for the allocation and distribution of a portion of net collections from such additional rates and, be it further

RESOLVED, that the Oneida County Board of Legislators urges Senators Joseph A. Griffo and David J. Valesky to enact Senate Bill No. S4982 and urges Assemblywoman Claudia Tenney and Assemblymen William D. Magee, Anthony J. Brindisi, Ken Blackenbush and Marc W. Butler to enact Assembly Bill No. A07265 that would permit Oneida County to extend the additional one per cent tax on sales and compensating uses and the additional three quarters of one per cent tax on sales and compensating uses and to provide for the allocation and distribution of a portion of net collections from such additional rates and, be it further

RESOLVED, that the Clerk of the Board of Legislators is hereby authorized and directed to forward a certified copy of this resolution and a Home Rule Request in the appropriate form to Senators Joseph A. Griffo and David J. Valesky and Assemblywoman Claudia Tenney and Assemblymen William D. Magee, Anthony J. Brindisi, Ken Blackenbush and Marc W. Butler and to the Home Rule Counsel for the New York State Senate and Assembly.

APPROVED: Ways & Means Committee ()

DATED: May 16, 2013

Adopted by the following roll call vote:

AYES NAYS ABSENT ()

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

7265

2013-2014 Regular Sessions

I N A S S E M B L Y

May 8, 2013

Introduced by M. of A. BRINDISI, MAGEE, BUTLER, BLANKENBUSH -- read once and referred to the Committee on Ways and Means

AN ACT to amend the tax law, in relation to authorizing Oneida county to impose additional rates of sales and compensating use taxes and providing for allocation and distribution of a portion of net collections from such additional rates

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

1 Section 1. Clause 13 of subparagraph (i) of the opening paragraph of
 2 section 1210 of the tax law, as amended by chapter 245 of the laws of
 3 2011, is amended to read as follows:
 4 (13) the county of Oneida 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: (i) one percent additional to the three
 7 percent rate authorized above in this paragraph for such county for the
 8 period beginning September first, nineteen hundred ninety-two and ending
 9 November thirtieth, two thousand [thirteen] FIFTEEN; and also (ii) at a
 10 rate which is three-quarters of one percent or one-half of one percent
 11 additional to the three percent rate authorized above in this paragraph,
 12 and which is also additional to the one percent rate also authorized
 13 above in this clause for such county, for the period beginning December
 14 first, two thousand eight and ending November thirtieth, two thousand
 15 [thirteen] FIFTEEN;
 16 S 2. Section 1262-g of the tax law, as amended by chapter 245 of the
 17 laws of 2011, is amended to read as follows:
 18 S 1262-g. [Allocation] ONEIDA COUNTY ALLOCATION and distribution of
 19 net collections from the additional one percent rate of sales and
 20 compensating use taxes [in Oneida county]. Notwithstanding any contrary
 21 provision of law, if the county of Oneida imposes sales and compensating
 22 use taxes at a rate which is one percent additional to the three percent
 23 rate authorized by section twelve hundred ten of this article, as

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

LBD10659-02-3

A. 7265

2

1 authorized by such section, (a) where a city in such county imposes tax
 2 pursuant to the authority of subdivision (a) of such section twelve
 3 hundred ten, such county shall allocate, distribute and pay in cash
 4 quarterly to such city one-half of the net collections attributable to
 5 such additional one percent rate of the county's taxes collected in such
 6 city's boundaries; (b) where a city in such county does not impose tax
 7 pursuant to the authority of such subdivision (a) of such section twelve
 8 hundred ten, such county shall allocate, distribute and pay in cash

4.

9 quarterly to such city not so imposing tax a portion of the net
10 collections attributable to one-half of the county's additional one
11 percent rate of tax calculated on the basis of the ratio which such
12 city's population bears to the county's total population, such popu-
13 lations as determined in accordance with the latest decennial federal
14 census or special population census taken pursuant to section twenty of
15 the general municipal law completed and published prior to the end of
16 the quarter for which the allocation is made, which special census must
17 include the entire area of the county; and (c) provided, however, that
18 such county shall dedicate the first one million five hundred thousand
19 dollars of net collections attributable to such additional one percent
20 rate of tax received by such county after the county receives in the
21 aggregate eighteen million five hundred thousand dollars of net
22 collections from such additional one percent rate of tax imposed for any
23 of the periods: [September first, two thousand ten through August thir-
24 ty-first, two thousand eleven; September first, two thousand eleven
25 through August thirty-first, two thousand twelve; and] September first,
26 two thousand twelve through August thirty-first, two thousand thirteen;
27 SEPTEMBER FIRST, TWO THOUSAND THIRTEEN THROUGH AUGUST THIRTY-FIRST, TWO
28 THOUSAND FOURTEEN; AND SEPTEMBER FIRST, TWO THOUSAND FOURTEEN THROUGH
29 AUGUST THIRTY-FIRST, TWO THOUSAND FIFTEEN, to an allocation on a per
30 capita basis, utilizing figures from the latest decennial federal census
31 or special population census taken pursuant to section twenty of the
32 general municipal law, completed and published prior to the end of the
33 year for which such allocation is made, which special census must
34 include the entire area of such county, to be allocated and distributed
35 among the towns of Oneida county by appropriation of its board of legis-
36 lators; provided, further, that nothing herein shall require such board
37 of legislators to make any such appropriation until it has been notified
38 by any town by appropriate resolution and, in any case where there is a
39 village wholly or partly located within a town, a resolution of every
40 such village, embodying the agreement of such town and village or
41 villages upon the amount of such appropriation to be distributed to such
42 village or villages out of the allocation to the town or towns in which
43 it is located.

44 S 3. This act shall take effect immediately.

5.

4982

2013-2014 Regular Sessions
I N SENATE
May 2, 2013

Introduced by Sens. GRIFFO, VALESKY -- 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 authorizing Oneida county to
impose additional rates of sales and compensating use taxes and
providing for allocation and distribution of a portion of net
collections from such additional rates

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

Section 1. Clause 13 of subparagraph (i) of the opening paragraph of
section 1210 of the tax law, as amended by chapter 245 of the laws of
2011, is amended to read as follows:

(13) the county of Oneida is hereby further authorized and empowered
to adopt and amend local laws, ordinances or resolutions imposing such
taxes at a rate which is: (i) one percent additional to the three
percent rate authorized above in this paragraph for such county for the
period beginning September first, nineteen hundred ninety-two and ending
November thirtieth, two thousand ~~[thirteen]~~ FIFTEEN; and also (ii) at a
rate which is three-quarters of one percent or one-half of one percent
additional to the three percent rate authorized above in this paragraph,
and which is also additional to the one percent rate also authorized
above in this clause for such county, for the period beginning December
first, two thousand eight and ending November thirtieth, two thousand
~~[thirteen]~~ FIFTEEN;

S 2.

Section 1262-g of the tax law, as amended by chapter 245 of the
laws of 2011, is amended to read as follows:

S 1262-g. ~~[Allocation]~~ ONEIDA COUNTY ALLOCATION and distribution of
net collections from the additional one percent rate of sales and
compensating use taxes ~~[in Oneida county]~~. Notwithstanding any contrary
provision of law, if the county of Oneida imposes sales and compensating
use taxes at a rate which is one percent additional to the three percent
EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
[] is old law to be omitted.

LBD10659-02-3

6.

S. 4982

2

rate authorized by section twelve hundred ten of this article, as authorized by such section, (a) where a city in such county imposes tax pursuant to the authority of subdivision (a) of such section twelve hundred ten, such county shall allocate, distribute and pay in cash quarterly to such city one-half of the net collections attributable to such additional one percent rate of the county's taxes collected in such city's boundaries; (b) where a city in such county does not impose tax pursuant to the authority of such subdivision (a) of such section twelve hundred ten, such county shall allocate, distribute and pay in cash quarterly to such city not so imposing tax a portion of the net collections attributable to one-half of the county's additional one percent rate of tax calculated on the basis of the ratio which such city's population bears to the county's total population, such populations as determined in accordance with the latest decennial federal census or special population census taken pursuant to section twenty of the general municipal law completed and published prior to the end of the quarter for which the allocation is made, which special census must include the entire area of the county; and (c) provided, however, that such county shall dedicate the first one million five hundred thousand dollars of net collections attributable to such additional one percent rate of tax received by such county after the county receives in the aggregate eighteen million five hundred thousand dollars of net collections from such additional one percent rate of tax imposed for any of the periods: [~~September first, two thousand ten through August thirty-first, two thousand eleven; September first, two thousand eleven through August thirty-first, two thousand twelve; and~~ September first, two thousand twelve through August thirty-first, two thousand thirteen; SEPTEMBER FIRST, TWO THOUSAND THIRTEEN THROUGH AUGUST THIRTY-FIRST, TWO THOUSAND FOURTEEN; AND SEPTEMBER FIRST, TWO THOUSAND FOURTEEN THROUGH AUGUST THIRTY-FIRST, TWO THOUSAND FIFTEEN, to an allocation on a per capita basis, utilizing figures from the latest decennial federal census or special population census taken pursuant to section twenty of the general municipal law, completed and published prior to the end of the year for which such allocation is made, which special census must include the entire area of such county, to be allocated and distributed among the towns of Oneida county by appropriation of its board of legislators; provided, further, that nothing herein shall require such board of legislators to make any such appropriation until it has been notified by any town by appropriate resolution and, in any case where there is a village wholly or partly located within a town, a resolution of every such village, embodying the agreement of such town and village or villages upon the amount of such appropriation to be distributed to such village or villages out of the allocation to the town or towns in which it is located.

S 3. This act shall take effect immediately.

***By contributing or voting you agree to the Terms of Participation and Privacy Policy and verify you are over 13.**

Discuss!