

May 3, 2011

FINANCE & MANAGEMENT COMMITTEE
REPORT NO. 6

ALL MEMBERS PRESENT, EXCEPT LEGISLATOR MILLS.

1. RESOLVED, the following item is hereby received and filed:
 - a. COMM. 9D-2 (2011)
AUDIT COMMITTEE FOR EC: "Copy of 2009 Annual Report"
(5-0)
2. COMM. 9E-11 (2011)
COUNTY EXECUTIVE AS AMENDED

EXTENSION OF ADDITIONAL 1% AND .75% SALES TAX

ASSEMBLY

WHEREAS, the additional 1% and .75% Erie County sales and compensating use tax, will expire on November 30, 2011 unless further extended and imposed, and

WHEREAS, failure to extend the imposition of the additional 1% and .75% sales and compensating use tax will result in an estimated annual shortfall of more than \$250 million in the Erie County budget, and

WHEREAS, Assembly Bill No. A. 07254-A and Senate Bill No. 04791, now pending before the New York State Legislature, would authorize an extension of the additional 1% and .75% sales and compensating use tax, from December 1, 2011 to November 30, 2013;

NOW, THEREFORE, BE IT RESOLVED, THAT A HOME RULE REQUEST IS MADE TO THE NEW YORK STATE LEGISLATURE AS FOLLOWS:

TO THE LEGISLATURE:

Pursuant to Article IX of the Constitution, the County of Erie requests the enactment of Assembly Bill No. 07254-A entitled "AN ACT to amend the tax law, in relation to the imposition of additional rates of sales and compensating use taxes by Erie County and to repeal section 1210-D of the tax law in relation thereto"

It is hereby declared that a necessity exists for the enactment of such legislation, and that the facts establishing such necessity are as follows:

The local government does not have power to enact such legislation by local law.

Other facts as set forth in the following explanation establish such necessity.

Failure to authorize the extended imposition of the additional 1% and .75% sales and compensating use tax will result in an estimated annual shortfall of more than \$250 million in the Erie County budget, the cessation of services essential to the people of Erie County and jeopardize any sharing of net collections therefrom with Erie County's cities, towns and villages.

Such request is made by the local legislative body of such local government, at least two-thirds of the total membership thereof having voted in favor of such request.

AND BE IT FURTHER

RESOLVED, that the Clerk of the Legislature be directed to forward copies of this Home Rule Request, certified by the Clerk of the Erie County Legislature, as follows: two copies to the New York State Assembly and two copies to the New York State Senate.

EXTENSION OF ADDITIONAL 1% AND .75% SALES TAX

SENATE

WHEREAS, the additional 1% and .75% Erie County sales and compensating use tax, will expire on November 30, 2011 unless further extended and imposed, and

WHEREAS, failure to extend the imposition of the additional 1% and .75% sales and compensating use tax will result in an estimated annual shortfall of more than \$250 million in the Erie County budget, and

WHEREAS, Senate Bill No. 04791 and Assembly Bill No. 07254-A, now pending before the New York State Legislature, would authorize an extension of the additional 1% and .75% sales and compensating use tax, from December 1, 2011 to November 30, 2013;

NOW, THEREFORE, BE IT RESOLVED, THAT A HOME RULE REQUEST IS MADE TO THE NEW YORK STATE LEGISLATURE AS FOLLOWS:

TO THE LEGISLATURE:

Pursuant to Article IX of the Constitution, the County of Erie requests the enactment of Senate Bill No. 04791, entitled "AN ACT to amend the tax law, in relation to the imposition of additional rates of sales and compensating use taxes by Erie County and to repeal section 1210-D of the tax law in relation thereto"

It is hereby declared that a necessity exists for the enactment of such legislation, and that the facts establishing such necessity are as follows:

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Other facts as set forth in the following explanation establish such necessity.

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Such request is made by the local legislative body of such local government, at least two-thirds of the total membership thereof having voted in favor of such request.

AND BE IT FURTHER

RESOLVED, that the Clerk of the Legislature be directed to forward copies of this Home Rule Request, certified by the Clerk of the Erie County Legislature, as follows: two copies to the New York State Senate and two copies to the New York State Assembly.
(5-0)

3. COMM. 9E-13 (2011)
COUNTY EXECUTIVE

WHEREAS, the Department of Real Property Tax Services requires additional funding to meet anticipated expense for the remainder of the year in order to provide uninterrupted property tax services to the cities, towns and villages, and

WHEREAS, unanticipated revenue is available for this request and is recorded in Fund Center 140 Countywide Accounts Monitored by Budget, Account 400060 - Omitted Taxes.

NOW, THEREFORE, BE IT

RESOLVED, that authorization is hereby provided to make the following adjustments in the 2011 budget:

Countywide Accounts Monitored by Budget

<u>Revenue</u>	<u>Increase</u>
Account 400060 - Omitted Taxes	\$17,500
Department of Real Property Tax Services	
<u>Expense</u>	
Account 505000 - Office Supplies	\$10,000
Account 530000 - Other Expenses	7,500
Total Expense	\$17,500
Revenue less Expense	0

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive, Director of Budget and Management, Office of the Comptroller, and the Department of Real Property Tax Services.
(5-0)

BARBARA MILLER-WILLIAMS
CHAIR