

**RESOLUTION ADOPTING A HOME RULE REQUEST FOR THE
ADOPTION BY THE NEW YORK STATE ASSEMBLY OF
ASSEMBLY BILL NO. A-8936 AND FOR THE ADOPTION BY THE
NEW YORK STATE SENATE OF SENATE BILL BEARING
LEGISLATIVE BILL DRAFT NO. LBDC#09075-03-9 PERMITTING
ESSEX COUNTY, PURSUANT TO ARTICLE 31 OF THE NEW
YORK STATE TAX LAW, TO ADOPT A LAW TO IMPOSE,
COLLECT AND RETAIN A TAX ON REAL ESTATE TRANSFERS
OF \$1 FOR EACH \$500 ON REAL PROPERTY TRANSACTIONS
AND CONVEYANCES**

The following resolution was offered by Supervisor Merrihew, who moved its adoption.

WHEREAS, by Resolution No. 40 of February 2, 2009, the Essex County Board of Supervisors requested that the State Legislature introduce Home Rule Legislation permitting Essex County, pursuant to Article 31 of the New York State Law, to adopt a local law to impose, collect and retain a tax on real estate transfers of \$1.00 for each \$500.00 on real property transactions; and

WHEREAS, Assembly Bill No. A-8936 and Senate Bill No. bearing Legislative Bill Draft No. 09075-03-9 have been introduced in their respective Houses for such purpose to permit Essex County, pursuant to Article 31 of the New York State Law, to adopt a local law to impose, collect and retain a tax on real estate transfers of \$1.00 for each \$500.00 on real property transactions, and the County needs to adopt a Home Rule Request for such necessary litigation to be considered and enacted.

BE IT RESOLVED, that the Essex County Board of Supervisors hereby adopts a Home Rule Request requesting enactment of Assembly Bill No. A-8936 and Senate Bill bearing Legislative Bill Draft No. LBDC #09075-03-9 permitting Essex County to adopt a local law to impose, collect and retain a tax on real property transfers of \$1.00 for each \$500.00; and

BE IT FURTHER RESOLVED, that the Essex County Board of Supervisors declares that a necessity exists for the enactment of such legislation as the County does not have the legal authority to enact this legislation by local law; and

BE IT FURTHER RESOLVED, that the Clerk of this Board be, and is hereby authorized and directed to immediately execute all required Home Rule Request documents and immediately forward the same to Elizabeth O'C. Little and Assemblywoman Teresa R. Sayward.

This resolution was duly seconded by Supervisor Morency, and adopted upon a **two-thirds** roll-call vote as follows:

AYES: 2989 votes

NOES: 0 votes
ABSENT: 927 votes (Canon, Politi, Preston)