

By Legislators Delehanty and Marianetti

Intro. No. \_\_\_\_\_

RESOLUTION NO. \_\_\_\_\_ OF 2022

**AMENDING RESOLUTION 109 OF 2022, ELECTION OF A CENTS PER GALLON RATE OF SALES AND COMPENSATING USE TAXES ON MOTOR FUEL AND DIESEL MOTOR FUEL IN LIEU OF THE PERCENTAGE RATE OF SUCH TAXES, PURSUANT TO THE AUTHORITY OF ARTICLE 29 OF THE TAX LAW OF THE STATE OF NEW YORK**

BE IT RESOLVED BY THE LEGISLATURE OF THE COUNTY OF MONROE, as follows:

SECTION 1. Resolution 109 of 2022 is amended as follows:

SECTION 2. This resolution shall take effect June 1, 2022, and shall expire and be deemed repealed on ~~December 1, 2022~~ January 1, 2023.

SECTION 2. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Ways and Means Committee; July 26, 2022 - CV: 10-0  
File No. 22-0244

ADOPTION: Date: \_\_\_\_\_

Vote: \_\_\_\_\_

ACTION BY THE COUNTY EXECUTIVE

APPROVED: \_\_\_\_\_ VETOED: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

EFFECTIVE DATE OF RESOLUTION: \_\_\_\_\_

Added language is underlined

Deleted language is ~~stricken~~



## Office of the County Executive

Monroe County, New York

Adam J. Bello  
County Executive

July 8, 2022

To The Honorable  
Monroe County Legislature  
407 County Office Building  
Rochester, New York 14614

<b>OFFICIAL FILE COPY</b>	
No. <u>220244</u>	
Not to be removed from the Office of the Legislature Of Monroe County	
Committee Assignment	
<b>WAYS &amp; MEANS</b>	<b>-L</b>

Subject: Amending Resolution 109 of 2022, Election of a Cents per Gallon Rate of Sales and Compensating Use Taxes on Motor Fuel and Diesel Motor Fuel

Honorable Legislators:

I recommend that Your Honorable Body amend Resolution 109 of 2022, which amended Resolution 265 of 1965, as amended, to elect a cents per gallon rate of sales and compensating use taxes on motor fuel and diesel motor fuel in lieu of the percentage rate of such taxes, pursuant to the authority of Article 29 of the Tax Law of the State of New York.

After Your Honorable Body adopted Resolution 109 of 2022 to enact a temporary cents-per-gallon rate of sales and use tax for motor fuel and diesel motor fuel, New York State enacted Chapter 187 of 2022, which permitted such temporary rates to sunset on January 1, 2023. This resolution would extend Monroe County's temporary cents-per-gallon rate of sales and use tax from December 1, 2022 to January 1, 2023, as permitted under Chapter 187 of 2022.

**The specific legislative actions required** is to amend Resolution 109 of 2022 so that it expires and is deemed repealed on January 1, 2023.

This action is a Type II Action pursuant to 6 NYCRR § 617.5(c)(26) ("routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment") and is not subject to further review under the State Environmental Quality Review Act.

No additional net County support is required in the current Monroe County budget.

I recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.

Sincerely,

Adam J. Bello  
Monroe County Executive