



NEW YORK STATE SENATOR

Lee M. Zeldin

Senator Lee Zeldin Reacts to State Supreme Court Ruling to Overturn MTA Payroll Tax

LEE M. ZELDIN August 22, 2012

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State Senator Lee M. Zeldin (R-C-I, Shirley) today applauded the decision of State Supreme Court Justice R. Bruce Cozzins Jr., for ruling the MTA Payroll Tax unconstitutional. Senator Zeldin has been an outspoken critic of this tax which was created in May 2009 to bailout the Metropolitan Transportation Authority (MTA).

“The MTA Payroll Tax is an unconstitutional, job killing tax, which should have never been passed in the first place,” said Senator Zeldin. “I was proud to lead the fight for a repeal in the State Legislature and am thankful that the New York State Supreme Court has ruled it unconstitutional. I congratulate the Plaintiffs of the lawsuit for fighting for this decision.”

Senator Zeldin continued, “The MTA has re-directed several billion dollars since 2009 from regional jobs, because it was unable to balance its own budget. While small businesses have been struggling to make ends meet, owners have been forced to cut pay, hours and sometimes even close its doors due to this tax, which many considered to be a final straw for their struggling businesses.”

Last year, on Wednesday, June 15, 2011, the State Senate passed Senator Zeldin’s legislation to repeal the MTA Payroll Tax (S.5596A). Senator Zeldin secured a broad coalition of support for

his legislation, including the New York State School Boards Association, Independent Insurance Agents & Brokers of New York, Nassau-Suffolk Hospital Council, New York State Catholic Conference, Empire State Chapter of the Associated Builders and Contractors, National Federation of Independent Businesses, Business Council of New York State, Inc., Conservative Party of New York State, Long Island Business News, New York Farm Bureau, GrowPAC, restructuring expert Harry Wilson, Long Island Cares, Inc., Long Island Business Council, Hauppauge Industrial Association, and several Chambers of Commerce.

Unfortunately, the Democratic controlled State Assembly did not allow a vote on this bill.

“In the height of a recession, irresponsible leaders in Albany schemed to bailout the MTA. It was an ill informed decision from the very beginning,” continued Senator Zeldin.

On July 25, 2011, the New York Post printed Senator Zeldin’s op-ed “After Walder: An MTA To-Do List”. Senator Zeldin’s efforts with his bi-partisan supported legislation ultimately led to a repeal in December 2011 for over 80 percent of those who previously paid the MTA Payroll Tax. Thousands of others received a reduction.

“Today is a big victory for Long Island taxpayers,” concluded Senator Zeldin. “The MTA Payroll Tax was not only unconstitutional but also a great burden on the economy of Long Island and suburbs north of New York City. We must support our nation’s largest mass transit system, but we can’t be reckless with how we go about that important mission.”