



NEW YORK STATE SENATOR

Jack M. Martins

Senator Martins Applauds Court Decision Declaring MTA Payroll Tax Unconstitutional

JACK M. MARTINS August 27, 2012

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Senator Jack M. Martins joined with his colleagues in state government as well as Nassau County Executive Ed Mangano last week in applauding the State Supreme Court's decision declaring the MTA Payroll Tax unconstitutional.

The tax, which was imposed in 2009 by the former Senate majority and former Governor, proved to hurt Long Island's economy at a time when the region was reeling from a national recession by requiring every employer to pay .34 percent of their total payroll to help fund the MTA. The tax was imposed on all schools, businesses, municipalities, hospitals and not-for-profits in seven counties including Nassau and Suffolk within the MTA region. The court concluded that to impose a tax on certain regions in the state was unconstitutional.

Senator Martins fought the MTA Payroll Tax since its inception. As the Mayor of Mineola, he joined the lawsuit and was one of its original plaintiffs. As a Senator for the past two years, he was instrumental in legislation that repealed the tax for all schools and businesses with a payroll of \$1.25 million or less. That legislation was signed into law by Governor Andrew Cuomo in December. Now, he is urging New York State Attorney General Eric Schneiderman to not appeal and let the decision stand so the payroll tax would be gone for good.

The total elimination of the MTA Payroll Tax would be a shot in the arm for taxpayers as municipalities that are still required to pay it will no longer have to shell out precious tax dollars to the MTA.

"The MTA tried to jam this tax down our throats and I couldn't be happier that common sense finally prevailed. I've been fighting them on this from the very beginning, first as Mayor of Mineola, one of the original plaintiffs in this lawsuit, then as a State Senator the last two years. It was just more of the unfair tax and spend nonsense that was killing New York. Thankfully, the good guys won this round," Senator Martins said.

County Executive Mangano pointed out that Nassau County paid nearly \$10 million alone since the MTA Payroll Tax was enacted. "This is a great victory for every taxpayer and tax relief as the Supreme Court decision buries the job killing payroll tax. This success sends a strong message to job creators that we will not allow residents to be nicked and dimed to

the poor house nor will we allow job killing taxes to go unchallenged. This is a historic victory for tax relief and tax reform," Mangano said.

Senator Martins had sponsored bills to eliminate the tax for all counties, towns and villages as well as libraries this year and still plans on pushing for the complete repeal of the tax if the court's decision is overturned. However, he is optimistic the court's decision will stand.