



Monroe County Legislature
Office of the President

WAYNE E. ZYRA
PRESIDENT

August 13, 2008

Honorable Harry B. Bronson
Monroe County Legislature
408 County Office Building
Rochester, New York 14614

Dear Legislator Bronson:

I am returning your referral entitled "Petitioning the New York State Legislature to Introduce Legislation to Repeal the Medicaid/Sales Tax Intercept Option" because it is out of order.

I have consulted with legal counsel and the action you have proposed is impermissible because it urges another legislative body to take a certain action. There is no provision in the Rules of the Monroe County Legislature or elsewhere for the Legislature to vote on this type of matter.

Sincerely,

A handwritten signature in black ink that reads "Wayne E. Zyra". The signature is fluid and cursive, with the first name being the most prominent.

Wayne E. Zyra
President
Monroe County Legislature





Monroe County Legislature

HARRY B. BRONSON
DEMOCRATIC MINORITY LEADER

HARRY B. BRONSON
LEGISLATOR - DISTRICT 24
96 MT. VERNON AVENUE
ROCHESTER, NEW YORK 14620
OFFICE (585) 753-1940
HOME (585) 233-8789
FAX (585) 486-1121
E-MAIL harry@bronsonatlaw.com

July 21, 2008

To the Honorable
Monroe County Legislature
39 West Main Street
Rochester, New York 14614

Re: Petitioning the New York State Legislature to Introduce Legislation to Repeal the Medicaid/Sales Tax Intercept Option

Honorable Legislators:

Last year through a 17 to 12 vote, the Monroe County Legislature authorized the Medicaid Intercept Plan. Monroe was the only county in the State to adopt the Intercept. The Intercept Plan requires the State to take 40.25% of our sales tax revenues upfront to pay the County's Medicaid bill. This action entered the County's Medicaid bill into a new formula that would calculate the growth of our Medicaid mandate spending according to our area's sales tax growth instead of relying upon the Medicaid cap adopted by the State. This, of course, was the central component of the County Executive's F.A.I.R. Plan, a multi-million dollar decision in which this Honorable Body was given less than two-hours to review before forcing a vote for its adoption. This decision was not only made in haste, but assumed that, in order to realize savings on our Medicaid bill, Monroe County would continue to have a poorly performing local economy.

Now close to seven-months into the implementation of this policy, we can clearly see the negative consequences resulting from the adoption of the Medicaid/Sales Tax Intercept.

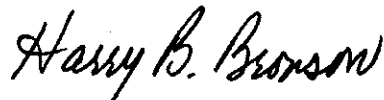
In order to reap the benefits of adopting the Intercept Option, Monroe County had to concede, indeed even hope that our sales tax collections would never increase by more than about 2.5%. This is less than the average annual increase in the consumer price index and is counterintuitive to the significant resources we put towards economic development and reinvigorating our local economy.



The irrevocable nature of the Intercept will forever be a deterrent to balancing the County budget. Therefore, we propose that this Honorable Body adopt a resolution requesting that the New York State Legislature repeal the Medicaid Intercept portions of Chapter 58 of the Laws of 2005 Medicaid/Sales Tax Intercept Option, thus releasing Monroe County from the Medicaid Intercept. The repeal of the Medicaid Intercept would apply only to Monroe County since only Monroe County adopted it.

This action shall have no impact on the revenues and expenditures of the current Monroe County Budget but will significantly increase sales tax revenues in future budgets.

Respectfully submitted,



Harry B. Bronson
Democratic Minority Leader



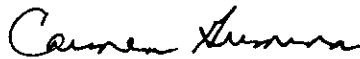
Carrie M. Andrews
Assistant Minority Leader



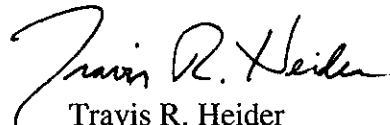
Calvin Lee, Jr.
Assistant Minority Leader



Richard A. Beebe
Legislator – District 6



Carmen F. Gumina
Legislator – District 8



Travis R. Heider
Legislator – District 14



Vincent Esposito
Legislator - District 16



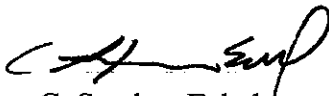
Ted O'Brien
Legislator – District 17



Glenn J. Gamble
Legislator – District 22



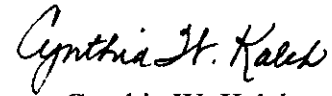
Paul E. Haney
Legislator – District 23



C. Stephen Eckel
Legislator - District 26



Willie Joe Lightfoot
Legislator – District 27



Cynthia W. Kaleh
Legislator – District 28



José A. Cruz
Legislator – District 29