

STRICKEN END OF YEAR

Intro. Res. No. 1896-2009
Introduced by Legislator Schneiderman

Laid on Table 10/13/2009

**RESOLUTION NO. -2009, ADOPTING LOCAL LAW
NO. -2009, A LOCAL LAW TO PRESERVE THE
MONTAUK POINT LIGHTHOUSE BY AMENDING
RESOLUTION NO. 805-2009, A LOCAL LAW TO
REAUTHORIZE THE HOTEL AND MOTEL TAX**

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on _____, 2009, a proposed local law entitled, "**A LOCAL LAW TO PRESERVE THE MONTAUK POINT LIGHTHOUSE BY AMENDING RESOLUTION NO. 805-2009, A LOCAL LAW TO REAUTHORIZE THE HOTEL AND MOTEL TAX**"; now, therefore, be it

RESOLVED, that said local law be enacted in form as follows:

LOCAL LAW NO. -2009, SUFFOLK COUNTY, NEW YORK

**A LOCAL LAW TO PRESERVE THE MONTAUK POINT
LIGHTHOUSE BY AMENDING RESOLUTION NO. 805-2009, A
LOCAL LAW TO REAUTHORIZE THE HOTEL AND MOTEL
TAX**

BE IT ENACTED BY THE COUNTY LEGISLATURE OF THE COUNTY OF SUFFOLK, as follows:

Section 1. Legislative Intent.

This Legislature hereby finds and determines that Resolution No. 805-2009 reauthorized the Suffolk County hotel and motel tax, increasing it from three-quarters of one percent (0.75%) to three percent (3%).

This Legislature also finds and determines that, in accordance with the authorizing State legislation, Resolution No. 805-2009 specifically set aside funding for the Vanderbilt Museum and the Walt Whitman Birthplace State Historic Site and Interpretive Center ("Walt Whitman Birthplace").

This Legislature further finds and determines that the Montauk Point Lighthouse is the oldest lighthouse in New York State and the fourth oldest active lighthouse in the United States.

This Legislature finds that the Montauk Point Lighthouse is currently funded by a not-for-profit organization, the Montauk Historical Society.

This Legislature determines that, although the Montauk Point Lighthouse is one of the most frequently visited historic sites in Suffolk County, much like the Vanderbilt Museum and the Walt Whitman Birthplace, it is having difficulty meeting its operating expenses.

This Legislature also finds that it would be appropriate to provide the Montauk Point Lighthouse with a stream of revenue similar to that of the Walt Whitman Birthplace to ensure that the residents of Suffolk County and visitors from across the nation and world have the opportunity to visit this important historic site.

Therefore, the purpose of this law is to amend the hotel and motel tax law to provide the Montauk Point Lighthouse with a steady stream of income.

Section 2. Amendments.

Section 2 of Resolution No. 805-2009 is hereby amended as follows:

Section 2. Amendments.

II. Section 327-14 of the SUFFOLK COUNTY CODE is hereby amended as follows:

§ 327-14. Distribution of tax revenues.

All revenues resulting from the imposition of the tax payable hereunder shall be paid into the treasury of the County of Suffolk and shall be distributed within 30 days after receipt by the County under the following formula:

D. Eight percent of all revenues collected shall be utilized by the County of Suffolk for the support of other museums, and historical societies, historic residences and historic birthplaces, provided that of such eight percent, an amount equal to one and one-half percent of all revenues collected shall be utilized for program support of the Walt Whitman Birthplace State Historic Site and Interpretive Center and an amount equal to one and one-half percent of all revenues collected shall be utilized for program support and preservation of the Montauk Point Lighthouse.

Section 3. Applicability.

The amendments contained within this law shall take effect immediately upon the effective date of this law.

Section 4. Severability.

If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 5. SEQRA Determination.

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and/or (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection. The Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this law.

Section 6. Effective Date.

This law shall take effect immediately upon its filing in the Office of the Secretary of State.

[] Brackets denote deletion of existing language
___ Underlining denotes addition of new language

DATED:

APPROVED BY:

County Executive of Suffolk County

Date: