

RESOLUTION NO. 2014331

RE: REQUEST STATE LEGISLATION TO ENACT THE DUTCHESS COUNTY AIRPORT BUSINESS ATTRACTION, JOB CREATION, AND AVIATION DEVELOPMENT PILOT PROGRAM

Legislators BORCHERT, INCORONATO, MacAVERY, and SAGLIANO offer the following and move its adoption:

WHEREAS, airports are among the economic engines that fuel growth in the economy of this state and in the communities which they serve, and

WHEREAS, the aviation sector in New York employs more than 350,000 New York State residents and generates billions of dollars in payroll as well as in state and local tax revenue, and

WHEREAS, Dutchess County owns an airport, which is an important **underutilized** asset to the Dutchess County economy, and

WHEREAS, the Dutchess County Airport, continues to operate with an annual deficit, and

WHEREAS, Dutchess County Airport has the potential to retain jobs, attract new jobs, generate greater direct revenue for the County, and have a substantial positive economic impact in the County and region, and

WHEREAS, Article 28 of the New York State tax law currently imposes a tax on the sale of general aviation aircraft, and

WHEREAS, surrounding states including Connecticut, Massachusetts, New Jersey, Maine, New Hampshire, and Pennsylvania exempt sales tax related to the purchase of general aviation aircraft, putting the Dutchess County Airport at a competitive disadvantage, and

~~WHEREAS, an amendment to the Tax Law exempting from sales tax the purchase of general aviation aircraft sold and hangered in Dutchess County would make Dutchess County competitive with airports in surrounding states such as Connecticut, Massachusetts, New Jersey, Maine, and New Hampshire, which already exempt sales tax related to the purchase of general aviation aircraft~~ **the sales and use tax related to jet aviation aircraft based, hangered, and maintained at Dutchess County Airport, would attract investment, and generate new jobs and revenue for Dutchess County, and**

WHEREAS, the average jet aircraft operation at Dutchess County Airport has an average fuel capacity of 3,500 gallons, while the average single engine aircraft operation at Dutchess County Airport has an average fuel capacity of 40 gallons, and

WHEREAS, to generate the same economic impact (fuel) of one average jet aircraft, you would need to fuel more than 80 single engine aircraft, and

WHEREAS, attracting more jet aircraft generates significantly more revenue for the County, and

WHEREAS, IBM and other tenants previously based jet aircraft at the Dutchess County Airport, but there are no longer any jet aircraft based, or hangered at Dutchess County Airport, so there would be no loss of sales and use tax revenue, and

WHEREAS, in 2004 the New York State Legislature amended the tax law by adding paragraph 1 of subdivision (dd) of section 1115 thereof and thereby exempted maintenance and repair of general aviation aircraft from sales and use tax, and

WHEREAS, since 2004, that amendment has attracted significant investment in aviation services and resulted in job growth and it is expected that a bill of this nature exempting the sale of aircraft will have a similar positive impact on aircraft sales in Dutchess County, and

WHEREAS, the Dutchess County Business Attraction, Job Creation, and Aviation Development Pilot Program proposes, installation of a large photovoltaic array on non-aeronautical related open space to reduce or eliminate the cost associated with, and reliance on, fossil fuels; a fixed based operator (FBO) to manage market and develop the Airport; new green hanger development to accommodate new Jets based at the Airport; a water line connection to the Central Dutchess Water Line; and in association with Dutchess Community College, an aircraft maintenance and parts program, as well as flight school, and a StartUP NY zone related to the aviation industry, now, therefore, be it

RESOLVED, that as part Dutchess County Business Attraction, Job Creation, and Aviation Development Pilot Program, Dutchess County hereby requests the New York State Legislature to amend Tax Law 1115 (dd)(1) to exempt the county from sales and use taxes the ~~purchase of general~~ related to jet aviation aircraft for a five (5) year tax exemption pilot program, effective April 1, 2015 until March 31, 2020 and, be it further

RESOLVED, that the Clerk of the Dutchess County Legislature forward a certified copy of this resolution to Governor Andrew Cuomo, Senators Terry Gipson, and Greg Ball, Assembly members Frank Skartados, Didi Barrett, Kevin Cahill, and Kieran Lalor requesting they introduce and adopt legislation which will exempt **the county from sales tax on jet aviation aircraft** for a five (5) year pilot program.

CA-205-14
CEN/ca/G-0103
10/21/14