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If Weiner Can Make It In New York, He Can Make It Anywhere

Former New York Congressman Anthony Weiner is steadfast about one thing: staying in the Mayor's race. The gym rat, former Congressman and former current sexter was still sexting even after he gave up his Congressional seat. See <u>Anthony</u> <u>Weiner kept sexting after resignation</u>. The Weiner wagger-candidate's disrespectful "grandpa" remark to Republican Mayoral opponent George McDonald was ill-timed: right before an AARP meeting.



New York City Mayoral candidate Anthony Weiner attends the Council of Senior Centers and Services of NYC Mayoral Forum at New York University on July 11, 2013 in New York City. (Image credit: Getty Images via @daylife)

Yes, the king of sexting, found new ways to

offend. See <u>Anthony Weiner Finds New Way to Offend People at AARP</u> <u>Forum</u>. But you have to give him a hand. The quick-change artist would rebound by taking cookies to seniors and revealing his, er, sincerity. See <u>A</u> <u>Cookie-Carrying Anthony Weiner Wins Over Brownsville Seniors</u>.

Truly, only a Weiner could pull it off in public. And he won't give up despite his low poll ratings. Many have called for Weiner to pull out—from the Mayor's race. Yet Mr. Weiner does not do things half-way.

That means if New Yorkers want to rid themselves of his antics, they must go to the polls. Even that may not be enough to stop this never-say-die maker of

sausage. For a true Weiner Ban, the City That Never Sleeps could emulate its Soda Ban.

New York's soda ban, like so much else Bloombergian, was historic. But unfortunately, the soda ban was struck down. A tax then. See <u>NY City Asks</u> <u>Top State Court to Review Large-Soda Ban</u>. The soda ban failed in part because it was a ban, not a tax. A ban seems un-American. A tax is anything but. See <u>NYC's Soda Ban Is A Good Idea, But A Tax Would Be Better</u>.

A <u>published</u> study estimated that a 15% cut in consumption of sugared beverages would prevent many deaths and illnesses and save billions in medical costs. Plus, a soda tax would generate billions in revenue. I'm lovin' it. And unlike bans, we do understand new taxes.

Federal, state and local governments *love* to tax and to regulate by taxing. Soda is an untapped resource to tax. There's Botox, tanning, music downloads, alcohol, cigarettes, candy, and more. <u>Sin taxes</u> target what legislators view as socially irresponsible behavior. The raise revenue and decrease the targeted bad conduct. Win-Win.

As a practical matter, these taxes are usually passed on to buyers, just like sales tax. *Services* can be targeted too. The 10% federal tanning tax was projected to raise \$2.7 billion in 10 years from 20,000 indoor tanning salons. See <u>Tan Tax Causes Confusion</u>. A proposed tax on cosmetic surgery, a/k/a Botox tax was dropped but would have imposed a 5% excise tax. Tanning was taxed instead.

So, doesn't a Weiner Tax sound perfect? It could help discourage the man, the candidate, the sexter. It could raise revenue for New York City. And it could take a number of variations.

The Weiner Poll Tax could slap a tax on anyone voting for Mr. Weiner. Some famously contentious New Yorkers might still vote for Huma's better other half, but most? I doubt it.

The Weiner Pole Tax could emulate the pole taxes used to stamp out strippers. And a Weiner Pole Tax would thus seem eminently suited for Anthony's proclivities. See <u>Texas Justices Uphold 'Pole Tax' on Strip Clubs</u>.

The Polish Weiner Tax could be fashioned after junk food taxes that raise revenue and discourage consumption. Still, if only Polish dogs were taxed, expect some relabeling of sausages.

<u>A Ballpark Weiner Tax</u> could just tax dogs consumed at the ballpark. Yankee Stadium is in the Bronx. The Mets play at Citi Field in Queens. But Mr. Weiner was born in Brooklyn. In taxes or otherwise, it sure seems like Brooklyn should answer for it.

You can reach me at <u>Wood@WoodLLP.com</u>. This discussion is not intended as legal advice, and cannot be relied upon for any purpose without the services of a qualified professional.