

**COMMITTEE ON LEGISLATION**  
**MINUTES: January 5, 2009**

**LEGISLATION**

**MEMBERS:**

Chair: Burton; Legislators: Myers, Nonna, Jenkins, Harckham, Abinanti, Rogowsky, Oros, Ryan

**IN ATTENDANCE:**

**CE:** L. Schwartz, K. Pasquale, B. Randolph, A. Neuman; **CA:** L. Cipollo; **CC:** T. Idoni; **LABS:** W. Fallon, M. Hyland K. Ashar; **DOH:** J. Lipsman, P. Yang; **DOC:** J. Spano, C. Isley; **Budget:** A. Reasoner, A. Owens, J. Delaney; **DOP:** R. Pozzi, J. Levin; **DPS:** D. Long, C. Burkhardt, L. Codilla **DSS:** J. Befus; **BOL:** S. Bass, K. Delgado, S. Kirkpatrick, R. Pizzullo, J. Sold, M. Montalto, M. Amodio, B. Boland; **PRESS:** J. Goeff (News 12), G. McKinstry (Journal News).

With a quorum present, the Committee on Legislation was called to order at 1:43 p.m.

**JOINT STATE LEGISLATIVE PROGRAM**

Deputy County Executive Larry Schwartz and Senior Assistant to the County Executive Karen Pasquale discussed the State Legislative Package proposals. They emphasized the need for Albany's help to provide property tax relief and to improve public safety.

The Governor has asked the State Legislature to finalize the state budget by March 1<sup>st</sup> so the committee needs to finalize our program quickly.

Ms. Pasquale discussed the highlights of the letter to the Governor, State Legislative Leaders and members of the Westchester County Delegation. She then talked the memo regarding the Executive Budget and its impacts on Westchester County.

Health Commissioner Dr. Lipsman and Deputy Commissioner Patsy Yang Lewis discussed the impacts of the Governors proposed budget to the Health Department. They specifically spoke about Article 6 state aid base grant to counties and funding for core services, cuts to categorical grants, Children With Special Needs and public health preparedness monies.

Mr. Fallon and Dr. Hyland spoke of the impact from the elimination of 100% of state aid to the Medical Examiners office. They said a loss of this size would shut the department down.

Angela Owens from the budget office discussed the Health Insurance Reform Act surcharge extension. The money will go into a New York State General Fund.

John Befas, Deputy Commissioner of Finance for Social Services spoke on behalf of DSS. The positive aspects to the proposed budget are the preservation of the Medicaid cap, the open ended child welfare preventive protective funding stream and the Foster Care Block Grant. Negative impacts add up to about 4.4 million. Many of those cuts will be to the Community Optional Preventative Services (COPS) Programs.

The Executive Budget proposes the creation of Youth Programs Block Grant. It combines the DSS Administered Detention Programs both secured and non-secured as well as Alternatives to Detention and Residential Placement with three youth bureau direct funding streams from the state. These programs would be block granted and funding would be reduced by 24.5%. The impact on DSS just for detention programs would be a loss of \$850,000. There would be an additional impact on the Youth Bureau.

There are also questionable impacts on the Flexible Fund for Family Services (FFFS) based on a formula yet to be developed and the FFFS allocation made available. If no additional FFFS funds are provided for the increased child welfare threshold there could be reduced revenue to Westchester County of approximately \$2.6 million.

Starting in 2010 an increase in Public Assistance grant will be 10% annually for three years. This could result in additional expensed of approximately \$2 million and continue to increase in 2011 and 2012.

There is a proposal to privatize non-emergency Medicaid Transportation. This would have a state contractor transport Westchester people. We have nine staff members at a fully reimbursed cost of approximately \$615,000 per year.

Department of Corrections (DOC) Commissioner Joe Spano, Department of Probation Commissioner Rocco Pozzo, Deputy Commissioner of Probation (DOP) Jacqueline Levin & Deputy Commissioner of Correction Clyde Isley discussed the impacts on Corrections and Probation Departments. They oppose elimination of the reimbursement for state ready inmates & parole Violators. The DOC supports legislation allowing judges to dictate when a detainee is required to use video court conferencing Governors proposal.

The DOP opposes the 6% cut to probation services and additional cuts in Alternatives To Incarceration and Intensive Supervision programs, SORA related funding and GPS monitoring of sex offenders.

Department of Public Safety (DPS) Deputy Commissioner Demosthenes Long and the DPS Director of Finance and Human Services Chris Burkhart talked about the proposed budgetary impacts to their department. The state proposes to eliminate \$2,395,120 annually to parkway patrols.

There is also a proposal to cut \$2,125,000 in State Transit Operating Assistance (STOA) to Westchester from that delivered last year. That will be in addition to the \$39,000 mid-year cut in 2008. If enacted it would bring Westchester back to 2007 STOA levels. Transportation funding difference will still be \$5 million less than Nassau County. Chairman Ryan stated that we need to discuss early with our State Delegation the need to get our fair share of STOA.

There is also a proposed 19% reduction in CHIPS funding statewide. Additionally, capital projects will be postponed until 2016 and beyond. Some projects will have to move forward without state funding since we can not wait until 2016 to begin them.

Ms. Pasquale stated they do support proposals on the Wicks Law, Collateral Source, Procurement Reform, and the new pension tier.

The Committee will meet again on Wednesday at 2:00 P.M to further discuss the State Legislative Program.

### **BOARDS AND COMMISSIONS**

(Oros, Myers) Move to approve the appointment of Richard Wishnie to the Police Advisory Board, Dr. Harold Adel to the Board of Health and Susan Leifer to the Airport Advisory Board. Motion approved 8-0.

**MINUTES**

(Jenkins, Rogowsky) Move to approve the minutes of October 16, 2008, October 27, 2008; November 6, 2008; and December 1, 2008.

(Harckham, Rogowsky) move to approve the minutes of October 20, 2008  
Motion approved 8-0.

(Abinanti, Nonna) Move to adjourn the Committee on Legislation. Motion approved 7-0. Committee on Legislation adjourned at 3:52 P.M.

**AUDIO RECORDING ON FILE FOR REVIEW UPON REQUEST**