

**COMMITTEE ON LEGISLATION JOINT
WITH COMMITTEE ON COMMUNITY SERVICES
MINUTES: APRIL 26, 2010**

LEGISLATION

MEMBERS: Chair: Nonna; Legislators: Myers, Burton, Harckham, Rogowsky, Abinanti, A. Williams, Ryan, J. Maisano

COMMUNITY SERVICES

MEMBERS: Chair: A. Williams; Legislators: Burton, Myers, Testa

IN ATTENDANCE:

CE: K. Delgado **LAW:** S. Dolgin-Kmetz, J. Adin, L. Cipolla,
DOH: F. Guido **Consumer Protection:** J. Gaccione **BOL:** B. DeSoye, J. Sold, L. Goldstein, P. Pepe, M. Berard, M. Montalto
Guests: A. Newburger, B. Fuller, B. Bannigan, H. Corbin, E. SG

MINUTES:

With a quorum present, the Committee on Legislation was called to order at 12:50 p.m.

Moved by Legislator Burton and seconded by Legislator Harckham, the Home Rule Request to allow electronic receipts for real property tax payments was approved with a vote of 6-0.

Moved by Legislator Myers and seconded by Legislator Burton, the renewal of the County Contract with the Westchester County Historical Society was approved with a vote of 6-0.

Moved by Legislator Burton and seconded by Legislator Harckham agenda item #7 was received and filed with a vote of 4-0.

Moved by Legislator Burton and seconded by Legislator Harckham agenda item #12 was received and filed with a vote of 5-0.

Moved by Legislator Harckham and seconded by Legislator Burton the Committee on Legislation minutes for the meeting of April 5th and April 12th, 2010 were approved with a vote of 4-0.

Moved by Legislator Burton and seconded by Legislator Maisano appointment agenda #'s B17-B21 and B27 were approved with a vote of 6-0. Legislator Harckham stated for the record that John Peters and Tom Newman are constituents of his and are great individuals that have already served honorably on the New York State Department of Environmental Conservation Region 3 Fish and Wildlife Management Board and this is a great reappointment.

Chairwoman Williams called the Committee on Community Services to order at 1:05.

Brendan Bannigan, a Pace Law student who has been interning with the Board of Legislators gave a presentation on the County's tanning law which prevents teenagers under the age of 16

from using tanning salons and teenagers under the age of 18 must have a parents consent form in order to use a tanning bed.

Dr. Amy Newburger, of Dermatology Consultants of Westchester, joined the discussion by presenting recent facts and findings regarding the rise of melanoma due to increased tanning bed usage by teenagers and young adults.

Frank Guido of the County Health Department also participated in the discussion stating since the State passed its tanning law, the County determined that it would cost us more to enforce the state law than we would collect in fines, so the State Health Department currently conducts the inspections and enforcement of the tanning law. He stated that we have issued 6 or 7 fines for underage tanning since the law went into effect in 2007.

Moved by Legislator Rogowsky and seconded by Legislator Abinanti the Committee on Legislation approved the proposed resolution supporting A09110/S3461 a state bill to raise the minimum tanning age to 18 with a vote of 8-0.

Moved by Legislator Myers and seconded by Legislator Burton the Committee on Community Services approved the proposed resolution supporting A09110/S3461 a state bill to raise the minimum tanning age to 18 with a vote of 4-0.

Mr. Bannigan also discussed chapter 697 of the County Charter, the Alcoholic Beverage Warning signs law. This law has been preempted by state law.

Moved by Legislator Burton and seconded by Legislator Harckham the Committee on Legislation agreed to repeal chapter 697 with a vote of 8-0.

Moved by Legislator Testa and seconded by Legislator Myers the Committee on Community Services agreed to repeal chapter 697 with a vote of 4-0.

Bryn Fuller, a Pace Law student who has been interning with the Board of Legislators discussed chapter 565, the sale of gasoline on odd and even days, chapter 658, gasoline price signs, and chapter 529, sale of herbal cigarettes to minor's laws. Each law was discussed separately and the Committees agreed that chapter 565 was no longer necessary, and chapters 658, 529 and 565 are preempted by state law. The Commissioner of Consumer Protection John Gaccione also participated in this discussion because his department enforces these laws.

Moved by Legislator Abinanti and seconded by Legislator Myers the Committee on Legislation agreed to repeal chapters 565, 658, 529, and 565 with a vote of 8-0.

Moved by Legislator Myers and seconded by Legislator Burton the Committee on Community Services agreed to repeal chapters 565, 658, 529, and 565 with a vote of 4-0.

Moved by Legislator Burton and seconded by Legislator Burton the Committee on Community Services adjourned at 2:33 p.m. with a vote of 4-0.

Moved by Legislator Harckham seconded by Legislator Burton the Committee on Legislation adjourned at 2:33 p.m. with a vote of 8-0.

AUDIO RECORDING ON FILE FOR REVIEW UPON REQUEST