

COMMITTEE ON LEGISLATION
MINUTES: April 21, 2008

LEGISLATION

MEMBERS:

Chair: Burton; Legislators: Harckham, Bronz, Jenkins, Maisano, Nonna, Rogowsky, Myers

IN ATTENDANCE:

CE: B. Randolph, K. Pasqualle; **CA:** L. Cipollo, J. Adin, M. Gleeson, **CC:** T. Idoni, E. Brady, Jr.; **BOL:** S. Bass, R. DeLeon-Nwaha, J. Sold, M. Amodio, A. Maxey Greene; **GUESTS:** J. Kapica, J. Buchbinder, J. Humbach, Regina Riely, D. Marder, L. Berns, Hon. A. Paulin, Hon. G. Latimer; **Press:** G. Blain (J. News)

With a quorum present, the Committee on Legislation was called to order at 1:37 p.m.

New York State Home Rule Resolution: Licensing Electrical Inspectors

(Maisano, Nonna) move a New York State Home Rule resolution requesting the enactment of A10413/S7322 in relation to the licensing of electrical inspectors in Westchester County. Motion approved 7-0.

Social Host Law

Legislator Jim Maisano discussed the amendments he is making to the Social Host bill, based upon the conversation at the last committee meeting. These changes include raising the age of those who will be held responsible from 18 to 21, making first and second offences a violation instead of a misdemeanor and demanding a child who has consumed alcohol to leave, as a reasonable corrective action was eliminated. Many people feel the current state law is inadequate because a loophole protects adults who allow alcoholic drinking parties for minors.

Legislator John Nonna talked about the concerns he has. Some of them included whether the county has the authority to address this issue or are we pre-empted by the state, how the law will be enforced and what actually constitutes knowledge by an adult.

Greenburgh Police Chief John Kapica answered questions from committee members about how social host investigations could be done. He stated police should only enter homes with a high standard of probable cause. They have a responsibility to take action of children's safety is at risk. The Chief also said the law may be helpful to assist the police in proving an adult was hosting a party with alcohol for minors.

Legislator Rogowsky raised some of his concerns about the presumption of guilt and the difference between an adult giving alcohol to a minor or to knowingly allow drinking. He would also like to look in to whether we could draft legislation which holds the kids responsible for drinking when it isn't legal for them to do so.

There was a brief discussion about reasonable corrective action.

Mr. Burton directed the County Attorney to draft legislation with Mr. Maisano for the next meeting in two weeks.

Boards and Commission Appointments

(Nonna, Myers) move to approve the reappointment of Jeffery Coleman to the Traffic Safety Board, the appointment of John Spicer to the Board of Health and a waiver request by Nancy Travers. Motion passed 8-0, (Maisano, Myers, and Rogowsky-With out prejudice on the approval of the waiver request for Travers).

(Harckham, Nonna) move to adjourn the Committee on Legislation. Motion approved 9-0.

Committee on Legislation adjourned at 3:03 P.M.

AUDIO RECORDING ON FILE FOR REVIEW UPON REQUEST