

WESTCHESTER COUNTY

2020 Joint State Legislative Package



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George Latimer, Westchester County Executive

Benjamin Boykin II, Chair, Westchester County Board of Legislators

Kitley Covill, Chair, Committee on Legislation



Benjamin Boykin II, Chairman
Westchester County Board of Legislators



George Latimer
Westchester County Executive

February 3, 2020

Dear Governor Cuomo, State Legislative Leaders & Members of the Westchester County Delegation to the New York State Legislature:

We recognize that these are difficult financial times for both the State of New York and Westchester County. Working together is the best way to find cost-effective solutions that help our taxpayers. Last year, with your help, Westchester began addressing its budget challenges, and we hope to find fiscally sound solutions again this year.

As we work together on our budgets for the upcoming year, we continue to be cognizant of the damage done by the federal elimination of the SALT deductions. As we did last year, together we will find alternative ways to provide financial relief for our residents on both state and local levels, and will support any creative strategies that the Legislature and the Governor put forth to meet these challenges.

Enclosed you will find legislative and administrative items that, if acted upon, will benefit the residents and taxpayers of Westchester County, and in several cases, all of the people of New York State.

We look forward to working with you and your staff this Session on these critically important legislative issues.

Sincerely,

Benjamin Boykin II, Chair
Westchester County
Board of Legislators

George Latimer
Westchester County Executive

Kitley S. Covill, Chair
Committee on Legislation

2020 WESTCHESTER COUNTY JOINT STATE LEGISLATIVE PACKAGE

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Westchester County Board of Legislators

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Table of Contents

2020 Legislative Proposals

Page

Section I – FINANCE

Westchester County Property Taxpayer Protection Act	2
Eliminate Westchester’s Referendum Requirement for Capital Projects	3
Indian Point Power Plant Cessation Mitigation Fund	4
Release Funding Allocated in Support of Census 2020	5
Release FY 2019 Monies Allocated for Raise the Age	6
Child Care Subsidy Funding	7
Fund Early Voting	8
State Reimbursement to Counties for Full Amount of Expenditures for Indigent Legal Services	9
Fund the Hudson Valley 211 Helpline	10
Provide Funding Parity for State Transportation Aid	11
Support the Expansion of Downstate Casino Licenses	12
Fund State Highway Patrols	13
Increase Funding for the Westchester County Traffic Safety Board	14

Section II – LEGISLATIVE INITIATIVES

Provide Funding to Comply with New Regulations for Elevated Blood Lead Levels in Children	15
Reform the Operation of Transportation Network Companies	16
Classify Certain Fentanyl “Analog” as Controlled Substances	17
Acquisition of North County Trailway by Westchester County	18
Make Shared Services Initiative Permanent	19
Establish the “Childcare and Early Education Sector on the Economy Act”	20
Paid Sick Leave	21
Require Certain Hospitals to Obtain Approval at a Mandatory Voter Referendum Before Closing	22
Employment Reference Immunity and Required Sexual Misconduct Disclosure Act	23
Enact Legislation Requiring GPS Applications to Add Data Alerting Drivers of Road Restrictions	24
Eliminate the Five-year Rollover Limit on Bond Anticipation Notes	25
Create Election Cybersecurity Support System	26

Section 3 – DELEGATION SUPPORT LIST

29

FINANCE

Section 1

Westchester County Property Taxpayer Protection Act

REQUEST

Extending the periods of authorization for Westchester County's 1.0% increase to its Sales and Compensating Use Tax rate as well as Westchester County's Spending Limitation Act before they expire on November 30, 2020.

JUSTIFICATION

In 2019, Westchester County sought authorization to raise its sales tax by 1.0% in order to have parity with other counties in the state. At that time, the combined sales tax rate for Westchester County, outside of the four major cities, was 7.375%, the lowest sales tax rate in New York State among the most populous counties. Only the far less populous counties of Ontario, Saratoga, Warren and Washington had a lower sales tax rate, and none of these counties are in the New York City metropolitan area. The sales tax rate for New York City is 8.875%; the sales tax rate for Nassau and Suffolk Counties is 8.625%; the sales tax rate for Putnam and Rockland Counties is 8.375%; and the sales tax rate for Dutchess and Orange Counties is 8.125%.

On June 30, 2019, Governor Cuomo signed Chapters 44 and 43 of the laws of 2019, authorizing the county of Westchester to impose an additional rate of sales and compensating use tax, and providing that the 1% increase shall expire on November 30, 2020. In addition, Chapters 44 and 43 also changed the expiration date of the Westchester County Spending Limitation Act to November 30, 2020 in order to coincide with the expiration of its additional 1%. Westchester County is seeking to extend both periods of authorization to November 30, 2022.

HISTORY

S4940 (Mayer)/A7081 (Pretlow) - 6/30/19 – signed by Governor, Chap. 44
S6304 (Mayer)/A8088 (Pretlow) - 6/30/19 – signed by Governor, Chap. 43

Eliminate Westchester's Referendum Requirement for Capital Projects

REQUEST

Introduce and approve legislation that will eliminate the State mandate requiring a referendum for bonding of capital projects over \$10 million.

JUSTIFICATION

This is a critical way to save Westchester taxpayers money as we look to repair our County's infrastructure and move forward with economic development opportunities. Westchester County is uniquely subject to a special restriction on the issuance of bond acts or notes which authorize more than \$10 million to finance any capital improvement. The referendum requirement is outdated, complicates project coordination and makes it more expensive. The delay of a plan caused by requiring Westchester County to place a measure on the ballot delays critical infrastructure projects and increases costs.

In 2015, New York State eliminated the mandate for a referendum for bonds that exceed \$10 million that finance water system capital improvements. Given the expense involved in replacing non-water infrastructure such as highways and bridges, Westchester should receive parity with every other county in the State and not have to contend with this antiquated requirement.

HISTORY

2019 - Not included in budget.

Indian Point Power Plant Cessation Mitigation Fund

REQUEST

Add funding in the 2020 NYS Budget for the Indian Point Cessation Mitigation Fund and add a dedicated line in the budget for the Indian Point Plant Closure.

JUSTIFICATION

As the impending closure of the Indian Point Power Plant will have a grievous and far-ranging impact on the economic health of the region, we are requesting that our State Delegation include additional funding in the 2020 New York State budget for the Power Plant Cessation Mitigation Fund. The Fund provides fiscal assistance to municipalities negatively impacted by the closing of power plants that created large revenue losses for them because of lost property taxes.

We also request a dedicated line for the Indian Point Plant Closure.

HISTORY

2018 - Added an additional \$24 million, for a total of \$56 million. A dedicated funding line was not included.

2019 - No additional funding or dedicated funding line included.

Release Funding Allocated in Support of Census 2020

REQUEST

Westchester County asks that the \$535,000 allocated to support the 2020 Census' count of Westchester be released. We also ask that the \$189,000 allocated to support the 2020 Census' count of the City of Yonkers be released. Additionally, Westchester County asks that monies allocated to pre-qualified nonprofits and municipal Complete Count Committees be released.

JUSTIFICATION

Governor Cuomo announced that New York State would be supporting Census efforts with \$60 million of State money in his Fiscal Year 2019 Budget. Of this money, \$535,000 was designated for Westchester County, and \$189,000 was designated for the City of Yonkers. As of January 2020, this money has not been released. Additionally, municipal Complete Count Committees and CFA pre-qualified nonprofits designated to receive State funding have not received their funding.

Westchester County has seen its population trending upwards for several years, outpacing the statewide average. Westchester's population increased from 923,000 in 2000 to 949,113 in 2010. Yearly Census estimates have indicated that Westchester's population now exceeds 980,000. A complete count of Westchester's population may qualify Westchester for additional federal grants and will ensure the County is best able to operate in a fashion reflective of its population.

HISTORY

New

Release FY 2019 Monies Allocated for Raise the Age

REQUEST

Westchester County asks that New York State release the \$38 million allocated in Fiscal Year 2019 to support the implementation of Raise the Age in Westchester County.

JUSTIFICATION

New York State allocated \$38 million for Raise the Age in Westchester County. This money was allocated in the New York State Budget for Fiscal Year 2019. Raise the Age legislation took effect for 17-year-old offenders on October 1, 2019. Raise the Age requires that Westchester County place young people in specialized juvenile detention facilities rather than traditional County correctional facilities.

Westchester was one of the first counties to establish the necessary specialized facilities, and our administration of this program allowed us to accept youth from municipalities which have not yet completed their facilities. Unfortunately, Westchester County has still not received the aforementioned state funding, and is experiencing dramatically increased costs with 17-year old offenders now in our system.

The release of these funds would allow Westchester to continue its successful implementation of Raise the Age, benefitting youth throughout our County, and throughout the counties which we have partnered with.

HISTORY

New

Child Care Subsidy Funding

REQUEST

Increase funding by at least \$100 million in the 2020 New York State Budget. This funding would be used to: expand the number of qualified families served in the child care subsidy program; improve the quality of and expand the number of infant-toddler slots; increase reimbursement rates and cover increased wage costs as the new minimum wage standard is implemented across the state; revise the copayment formula so no family receiving a subsidy contributes more than 20% of gross income over the Federal Poverty Level; allow counties to maintain updated subsidy waitlists and increase subsidies for working families at higher income eligibility levels through expanded Child Care Facilitated Enrollment Projects.

JUSTIFICATION

The Child Care Council of Westchester, Inc. is part of Winning Beginning NY and the Empire State Campaign for Child Care, two state-wide groups advocating for an increased investment of at least \$100 million in child care in 2020.

- At best only 20% of eligible NYS children receive child care subsidies.
- Counties have lowered their income eligibility from 200% to 175% or even lower.
- Counties have closed subsidy applications and maintain waiting lists.
- The State lowered its market rate formula several years ago, and as a result, reimbursement rates are inadequate and ignore wage pressures from the new minimum wage.
- Child care and after school programs are struggling to hire and retain qualified staff because of the low wages; since the expansion of Pre-K in NYC, many qualified teachers have left Westchester for the City.
- It is important to strengthen the state's economic development initiatives by supporting the workforce of today and tomorrow.

HISTORY

2019 - \$26 million in additional funds allocated for child care to help local departments of social services increase their subsidy reimbursement rates.

Fund Early Voting

REQUEST

We request that the State fully fund the County's costs to implement the requirements for early voting.

JUSTIFICATION

On January 24, 2019, Governor Cuomo signed early voting into effect in New York State. The law mandates that every county in the State must provide voting stations eight days before the election. It requires at least one early voting station in every county for every 50,000 registered voters, though they do not need to have more than seven. The 2019 budget provided \$24 million in funding to help counties implement the system, including \$14 million for electronic poll books and other infrastructure, and \$10 million to open and staff the early-voting sites. The State Board of Elections determined the cost for each station to be \$15,000, and the plan funds the minimum number required along with additional stations above the requirement as requested by the counties. The remaining funds were to be distributed based on the number of voters. This year, 2020, we will have 27 early voting days.

HISTORY

2019 - \$10 million allocated for early voting operating costs. \$14 million in funding for purchasing e-poll books, on-demand ballot printers and cybersecurity software.

State Reimbursement to Counties for Full Amount of Expenditures for Indigent Legal Services
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REQUEST

We request that the State fully reimburse Westchester County for Indigent Legal Services in the 2020 State budget. Inclusion in the State budget will ensure that all persons accused of crimes in New York are able to receive effective legal representation whether or not they have the ability to pay for a lawyer, by establishing a system of direct state funding at the requisite adequate level to eliminate the geographic disparity in representation.

JUSTIFICATION

New York State settled a lawsuit brought by five counties (Suffolk, Washington, Ontario, Onondaga, and Schuyler), and agreed that the Office of Indigent Legal Services would be in charge of the public defense operations in those counties. This was the first time in New York that a statewide entity was be responsible for legal representation of all indigent criminal defendants. Counties statewide are currently responsible for funding indigent legal services by federal mandate, but adherence is uneven and dependent on a particular county's ability to properly fund the program. Many counties have no system for supervising caseloads or quality, no staffing formula to ensure an appropriate number of public defenders, and no standard ensuring comparable compensation for defenders.

The estimated cost for Westchester County for 2020 is as follows:

(2085) Legal Aid Society of Westchester	\$14,224,227
(2090) Legal Srvs-indig Def-Felony	\$ 5,121,603
<u>(2091) Legal Srvs-indig Def-Misdemeanor</u>	<u>\$ 6,976,696</u>
Total	\$ 26,322,526

HISTORY

A1903 (Fahy) - 1/3/18 – referred to Codes.

Fund the Hudson Valley 211 Helpline

REQUEST

Fund the Hudson Valley 211 Helpline at or above the 2019 budget amount of \$194,000. Hudson Valley 211 is a great savings for taxpayers and a wonderful resource for Westchester residents in need of services.

JUSTIFICATION

The 211 Helpline is a free, confidential, multilingual service to assist the public in finding answers to a variety of health and human services related questions. Available 24 hours a day, seven days a week, 365 days a year throughout New York State, people can call about everything from basic needs like food, clothing and shelter, to volunteer opportunities, legal services, drug treatment, employment support, childcare, elder care and more.

Whether answering to a natural disaster, a personal emergency or to furnish tools to foster independent lives, United Way's 211 seeks to help those in need wherever they live. It can give callers up-to-date information on emergency shelters, road conditions, etc. Along with financial support from each United Way, Hudson Valley 211 is funded by local municipalities, private foundations, local corporations and individual donors.

HISTORY

2019 - Westchester County received \$194,000.

Provide Funding Parity for State Transportation Aid

REQUEST

Increase Westchester County's State Transportation Operating Assistance (STOA) to provide financial parity with Nassau County's transit assistance.

JUSTIFICATION

Westchester County's Bee-Line is the largest bus system in New York State, outside of New York City's MTA transit. It services nearly 30 million riders per year, or roughly 100,000 riders per weekday. Fifty-one percent are transit-dependent—meaning that they rely on the Bee-Line and do not have a car available for their use. With 325 vehicles and 59 bus routes, it caters to a wide market of users. It helps many New Yorkers commute to work by providing feeders to train stations and corporate parks. This is an amenity for New York City residents whose subway lines terminate in the Bronx and are met by Bee Line buses, and for New York City residents who take Metro North to work at Westchester businesses such as MasterCard, PepsiCo, IBM, Regeneron and numerous smaller but sizable businesses. Westchester buses also serve Putnam County.

While Nassau County has a lower ridership than Westchester County, they receive a much greater amount of STOA aid. In the 2019 Budget, Nassau received \$74.4 million, compared to the significantly lower amount for Westchester of only \$61.5 million. This is a difference of \$12.9 million.

HISTORY

2019 - no parity with Nassau County.

Support the Expansion of Downstate Casino Licenses

REQUEST

Westchester County requests New York State lift the moratorium which currently bars the creation of new commercial casino licenses, prior to 2023.

JUSTIFICATION

Current State law prohibits the conversion of existing casinos into full commercial casinos, in addition to the granting of additional licenses, until 2023. Expediting the process by which gaming facilities are granted commercial licenses, including those that currently exist in Westchester, would provide immediate revenue in addition to creating long term, sustainable economic benefits to the County. The current plan to address the State deficit by shifting the Medicaid burden to Counties will have a devastating impact on County resources. Expansion of downstate casinos would provide economic opportunities in the following areas:

- **Tourism Revenue:** New York City has an average of 62 million tourists visit on an annual basis. Despite this fact, millions of dollars in gaming revenue go to neighboring states due to New York City and Westchester County's limited gaming opportunities. New Jersey, Connecticut and Pennsylvania all have some of the highest gaming revenue statistics in the country, and greatly benefit from New York's casino licensing moratorium.
- **Job Creation:** Unemployment in Westchester County continues to decrease, in part due to private employers such as Empire City, who currently employs over 1,200 people in the City of Yonkers. These are highly sought-after jobs, many of which have union representation. While Westchester County has had a decrease in unemployment this past year, the fact remains that many residents are leaving New York State, in part to seek better employment opportunities elsewhere.
- **Education Funding:** As the State struggles to address the budget deficit, Counties throughout New York State remain concerned about the lack of funding for education. The expansion of commercial casino licenses would generate increased education dollars not only for Westchester County, but for school districts throughout New York State.
- **MWBE/ Diversity Opportunities:** The economic and employment benefits of casino expansion are far reaching, and would have a significant impact on Minority, Women and Veteran Owned Businesses. New casino development would provide opportunities for service providers, vendors and consultants who work in the gaming industry, and are part of these traditionally underrepresented groups.

HISTORY

New

Fund State Highway Patrols

REQUEST

Allocate funding to cover costs associated with police patrols to New York State Parkways which are provided by Westchester County.

JUSTIFICATION

The Westchester County Department of Public Safety, under a grant agreement with New York State, patrols the State Parkways in the County (Hutchinson River Parkway, Saw Mill River Parkway and Cross County Parkway). In 2019, the state appropriated \$1,984,000 in aid to localities. This figure has not been increased for several years.

Westchester's budgeted cost in 2019 for providing this service was \$3,070,160. This does not include fringe benefits of approximately \$2,112,468. Including fringe, our total cost is \$5,182,628. This does not include the cost of vehicles, fuel, maintenance, computers, firearms, and other associated equipment. Ultimately, we are providing this service at approximately a \$3,135,878 deficit.

These patrols have generated some \$2 million in revenue to the state, and \$4 million in revenue to local municipalities. Westchester County receives no money from the fines for the tickets we issue. The funding and additional appropriation is necessary to cover the cost of the county's patrols, and can help minimize the property tax burden of Westchester taxpayers.

FISCAL IMPLICATIONS

If funding is not renewed, Westchester County will spend over \$5.2 million providing patrols on State Parkways.

HISTORY

2019 - The State appropriated \$1,984,000.

Increase Funding for the Westchester County Traffic Safety Board

REQUEST

Westchester County urges support for increased funding to the Westchester County Traffic Safety Board to allocate to Local Traffic Safety Boards so they can develop and implement programs and activities to make local roads safer. Pedestrian safety is becoming a larger issue as more pedestrian-related accidents are occurring. Local Traffic Safety Boards play an important role in helping local and county government devise ways to make roads safer pedestrians.

JUSTIFICATION

Under Article 43, Section 1672 of the Vehicle and Traffic Law of the State of New York, a county not wholly in the City of New York may establish a local Traffic Safety Board for each respective county. Among other things, the Traffic Safety Boards may: promote and encourage street and highway safety; formulate countywide programs and coordinate efforts of other agencies offering traffic safety education; cooperate with local officials to formulate traffic safety programs and education; study traffic condition on streets and highways within the county and analyze reports of accidents; recommend changes in rules, orders, regulations and existing laws; and obtain and assemble motor vehicle accident data and analyze, study and consolidate such data for educational and informational purposes.

Many counties, including Westchester, have established local traffic safety boards. These boards save lives. In order for local traffic safety boards to fully carry out their duties, greater involvement in and coordination between the local safety boards and the transportation planning process is necessary for monitoring crash data on the local roadways. Increased funding is necessary for local traffic safety boards to continue to develop and implement programs and activities that will make our roads safer.

HISTORY

Ongoing

LEGISLATIVE INITIATIVES

Section 2

Provide Funding to Comply with New Regulations for Elevated Blood Lead Levels in Children

REQUEST

Provide funding for counties to comply with the new regulations that lower the definition of elevated blood lead levels in children.

JUSTIFICATION

We request \$950,000 in additional funding to comply with NYS Public Health Law (§ 1370) and regulations which were amended to lower the definition of an elevated blood lead level in a child from 10 micrograms per deciliter to 5 micrograms per deciliter ($\mu\text{g}/\text{dL}$), effective on October 1, 2019. The State's Lead Poisoning Prevention Program is implemented through local health departments, who provide case management and follow-up services for children based on their elevated blood lead levels. Services can range from nutritional and risk education to environmental investigation to determine the source of the lead contamination. The new regulations will require a dramatic increase in nurses, sanitarians, and other resources.

HISTORY

New

Reform the Operation of Transportation Network Companies

REQUEST

We respectfully request that members of the Westchester State Delegation introduce and adopt legislation that will require fingerprinting for drivers for TNCs serving Westchester County.

JUSTIFICATION

In 2018, New York adopted legislation which permitted Counties outside of New York City to opt-out of mobile ride-sharing services, such as Uber and Lyft. However, the new law did not allow counties such as Westchester to regulate TNCs in any way. We request that the Legislature and Governor amend state law to improve safety for ride sharing customers. Specifically, we believe all TNC drivers serving Westchester County should be fingerprinted just like our taxi and limousine drivers.

HISTORY:

Section 182 of New York General Municipal Law did not include a requirement for fingerprinting.

Classify Certain Fentanyl “Analog” as Controlled Substances

REQUEST

Support legislation to be introduced by the Governor which will explicitly designate fentanyl analogs as controlled substances in New York State.

JUSTIFICATION

For nearly a decade, the United States has been experiencing an unprecedented epidemic in the abuse of legal and illegal opioids, resulting in the addiction and death of millions of people and the overdose of hundreds of thousands. Fentanyl, a prescription opioid painkiller that is a controlled substance in New York State, is responsible for some of those deaths, as are many substances known as fentanyl “analogs” – drugs that have been designed to mimic the pharmacological effects of fentanyl, but are not controlled substances in New York State because fentanyl “analogs” are not listed on the appropriate schedules that classify controlled substances in the NYS Public Health Law, Section 3306.

This legislation will give police and law enforcement the authority to prosecute the manufacturing, sale and distribution of these drugs to the fullest extent of the law. The proposed legislation will also give the State Department of Health Commissioner the authority to add additional analogs to the list of controlled substances, enabling the State to stay in front of these deadly substances as they appear on the market.

HISTORY

New

Acquisition of North County Trailway by Westchester County

REQUEST

Support the acquisition of the North County Trailway by Westchester County for \$1.

JUSTIFICATION

The County operates and maintains two recreational trailways that span Westchester County along a former railroad line from the Putnam County border to Van Cortlandt Park in the Bronx. The trailways are a unique resource enjoyed by thousands of hikers, bicyclists, and park-goers each year. Located north of Interstate Highway I-287, the North County Trailway is leased to the County by the New York State Department of Transportation (“NYSDOT”) under a newly signed 25-year lease. South of I-287, the County both owns and operates the South County Trailway, having acquired this asset from New York State in 1993. We appreciate the assistance of NYSDOT thus far in making the North County Trailway available for residents of Westchester County and others nearby.

We believe the County’s interests are best served by the County’s acquisition of the North County Trailway for \$1. Although we have authorized a new 25-year lease with NYSDOT in order to continue public access, we think full County ownership of the North County Trailway would enable the County to more efficiently implement improvements, as well as simplify County planning and operations overall. Note that the County is currently undertaking a substantial rehabilitation of the North County Trailway, for which we have authorized bond financing of \$8.75 million. However, the lease requires the County to obtain New York State approval prior to constructing the improvements, thus adding another step to completing this upgrade. Other typical lease provisions - such as County defense and indemnification of the State - put responsibilities on the County that are equally satisfied by County ownership of the North County Trailway.

HISTORY

S 2612 (Harckham)/A7207 (Abinanti)

1/8/20 - died in Assembly, returned to Senate, referred to Investigations and Government Operations

1/14/20 - reported and committed to Finance

1/22/20 - 1st report – Cal. 251

Make Shared Services Initiatives Permanent

REQUEST

Support Governor Cuomo's proposal to fund and make permanent County-Wide Shared Services Initiatives.

JUSTIFICATION

Shared Services Initiatives are a helpful tool for localities to collaborate and save money. Providing incentives by offering opportunities for grant money will motivate County representatives to work together with town supervisors, village mayors and school district officials. Together we can successfully come up with plans to eliminate wasteful duplication of services and lessen the financial burden on taxpayers.

Westchester County is working cooperatively with officials to get assistance which will provide relief to County taxpayers. With six cities, 19 towns, and 23 villages, Westchester is ripe for effective shared service plans. For example, many of our communities have watershed issues. This program provides a forum and allows municipalities to band together to find long term solutions to flooding problems.

Finances for the County and many of its localities and school districts are stretched to their limit. These governments need to brainstorm and find solutions to problems that are common in multiple jurisdictions. This will provide us with the opportunity to receive state funding while still providing the essential services our constituents rely on. For 2020, the County's anticipated net savings for new shared services initiatives is \$3 - \$3.5 million and \$7 - \$8 million for ongoing initiatives. If Shared Services Initiatives are made permanent, we could work to increase these savings.

HISTORY

In the current proposed State budget, the State will continue county-wide shared services initiatives, and will match savings from county-wide shared services plans.

Establish the “Childcare and Early Education Sector on the Economy Act”

REQUEST

Support and approve the “Childcare and Early Education Sector on the Economy Act” to study the economic impact on the State economy of quality childcare and early education programs for children aged 0 - 4 and afterschool programs for children aged 5 – 12.

JUSTIFICATION

Currently, there is no requirement for a public agency to conduct a comprehensive study which would serve to identify the economic impact that the child care industry has had on the New York State economy. It is essential for the state's economic well-being to conduct a study in order to determine the value that the child care industry has had on the state economy and thereby expend state resources in the most effective manner possible based upon the results of this study.

HISTORY

S5103 (Parker)/A2324 (Solanges)

S5103:

4/9/19 – referred to Commerce, Economic Development and Small Business

1/8/20 – referred to Commerce, Economic Development and Small Business

A2324:

1/22/19 - referred to Economic Development

4/30/19 - amend and recommit to Economic Development

1/08/20 - referred to Economic Development

Paid Sick Leave

REQUEST

Support legislation proposed by Governor Cuomo establishing paid sick leave to further empower New York's low-wage workers and protect all consumers in the state.

JUSTIFICATION

Approximately one million New Yorkers are faced with the dilemma of either working while sick or taking an unpaid day off. This issue disproportionately impacts the lives of part-time and low-wage workers, who must choose between risking their own economic security and threatening their health and the health of co-workers and customers. The FY 2021 Executive Budget will require all employers to provide their employees with sick leave — 7 days of paid leave for large employers (at least 100 employees), 5 days of paid leave for medium-sized employers (5-99 employees), and 5 days per year of unpaid leave for small employers (fewer than 5 employees). Mandatory paid sick leave will contribute to improvements in disease transmission, illness prevention, health care costs, prenatal care, economic security, and employee productivity.

HISTORY

New

Require Certain Hospitals to Obtain Approval at a Mandatory Voter Referendum Before Closing

REQUEST

Introduce and approve legislation requiring a hospital located in a municipality with a population of less than 100,000 persons to obtain approval from voters at a mandatory referendum before closing.

JUSTIFICATION

Smaller regional hospitals are closing at an alarming rate nationwide. It is essential that we keep these hospitals in operation to help people in underserved communities. Without reliable, accessible healthcare, these residents, many of whom are at risk for or suffering with chronic illnesses requiring continual care, will suffer tremendously. Health care is critical to the well-being of the residents and the vibrancy of the communities. This legislation is necessary to ensure that they have a voice in decisions with such far-reaching impact in their communities.

HISTORY

New

Employment Reference Immunity and Required Sexual Misconduct Disclosure Act

REQUEST

Introduce and adopt legislation which will (i) encourage employers to provide truthful references by granting job reference immunity, (ii) reduce sexual misconduct in workplaces by mandating that such employer references state whether there have been two or more credible, documented incidents which violated the employer's policy regarding sexual misconduct in the workplace, and (iii) encourage employees who have been subjected to sexual misconduct in the workplace to report such conduct to their employer.

JUSTIFICATION

Due to increasing threats of litigation, few employers will give job references for employees. This deprives good employees from being able to receive positive evaluations, and also results in employers hiring employees they would not have hired if they were aware of the employees' previous conduct. This legislation is designed to encourage employers to give good faith, truthful job references about employees and further to require employers to disclose serious risks of sexual misconduct in the workplace. It will accomplish this goal by mandating disclosure consistent with employer policies covering sexual misconduct in the workplace, and by granting employers absolute and qualified immunity, depending on the scope of the information, for responding to prospective employers' requests for information.

HISTORY

New

Enact Legislation Requiring GPS Applications to Add Data to Maps Alerting Drivers of Road Restrictions

REQUEST

Enact legislation requiring GPS applications to add data to their maps alerting drivers of road restrictions.

JUSTIFICATION

Bridge strikes by trucks and tractor-trailers on Westchester County's parkways have become an all too familiar occurrence, with dire consequences. They create a grave danger to motorists, enormous expenses related to clean-up, and inconvenience in the significant local impact of traffic frequently being diverted off the parkways and on to local streets. In response, the County has installed over-height vehicle detection systems, signs, electronic message boards, and pavement markings to alert drivers that commercial vehicles are prohibited from entering certain parkways. This has decreased the frequency of bridge strikes, but has not eliminated them. To that end, we ask the State to require manufacturers of smartphone-based GPS applications – Apple, Google and Waze - to add information about commercial vehicle restrictions to all phone apps, especially those that are free to the public. While commercial-grade GPS apps are available for purchase, most truckers do not do so because of the expense, relying only on apps on their personal phones.

HISTORY

New

Eliminate the Five-year Rollover Limit on Bond Anticipation Notes

REQUEST

Introduce and pass legislation in the Assembly and Senate eliminating the five-year rollover limit on bond anticipation notes (BAN) on items that have useful lives of 15 years or less.

JUSTIFICATION

This legislation proposes to extend the rollover period for bond anticipation notes issued during calendar years 2013 and 2014 to not more than seven years beyond the original date of issue. Present law authorizes local governments to extend or "rollover" bond anticipation notes for only up to five years. At the end of the period, the bond anticipation notes must be retired or converted into long-term debt. This legislation, by extending the rollover period for bond anticipation notes issued during calendar years 2014, 2015, 2016, 2017 or 2018, will provide municipalities the option of renewing the notes at a later date when a better rate can be secured for the long-term. The bill will save costs to the municipality by providing the municipality with the option to secure a lower interest rate.

HISTORY

S5631 (Carlucci)/A6993 (Jaffee)

S5631

5/9/19 – referred to Local Government

1/8/20 –referred to Local Government

A6993

4/3/19 -referred to Local Government

1/8/20 -referred to Local Government

Create Election Cybersecurity Support System

REQUEST

Support the creation of an Election Support Center for cybersecurity to defend against election disruptions.

JUSTIFICATION

Providing a free, fair, accessible and secure voting system is the lifeblood of our democracy. There has been considerable evidence of outside interference in recent elections both in and outside of the United States. Inadequately safeguarding our election process violates our primary obligation as public servants. Governor Cuomo's proposal establishing the Election Support Center would train the State Board of Elections in order to enhance the information and cyber security of elections infrastructure and provide employees with additional technical expertise. The Center would also provide cyber risk vulnerability assessments to County-level Board of Elections employees, as well as training regarding cybersecurity best practices. Further, the Center would mandate that County-level Board of Elections employees report any and all data breaches to state authorities in order to track dangerous trends and attacks. Establishing this center would help boost elections security statewide, and build the digital infrastructure necessary to protect democracy in the 21st century.

HISTORY

2019- \$14.7 million was allocated for the purchase of cybersecurity software.

DELEGATION SUPPORT LIST

Section 3

Delegation Support List

1. **S3338 (Carlucci)/A0356 (Paulin)** - Establishes a statewide fund from which municipalities and the State would be allocated monies to pay for Early Intervention services.
2. **S5041 (Mayer)/A5839A (Paulin)** - aligns Westchester County with other counties in the state, by requiring state legislation in order to sell parkland.
3. **S7216 (Harckham)/A8736 (Galef)** – Amends the Real Property Tax Law to provide that state owned land shall be subject to taxation equal to a percentage of taxes that would be owed if the land were privately owned.
4. **S1551-A (Carlucci)/A1329-A (Galef)** – Relates to a statewide residential revaluation exemption.
5. **S4589 (Mayer)/A6249 (Sayegh)** – Relates to the allocation of funds from wireless communications surcharges imposed by a county containing a city having a population of 125,000 or more.
6. **A8763 (Sayegh)** – Relates to authorizing Westchester County to waive certain fees for veterans’ organizations.
7. **A3164 (Byrne)** – Amends the general municipal law in relation to requiring school districts to be part of county-wide shared services panels.
8. **S3408 (Harckham)/A3370 (Byrne)** – Allows counties and certain cities in the state of New York the ability to opt into a state-offered clothing and footwear sales tax exemption on purchases under \$110 per item on a quarterly basis during a calendar year.
9. **S3737 (Breslin)/A2962 (Paulin)** - Provides that where a service provided to an insured under the Early Intervention program is a covered service under the insured’s policy, an individualized family services plan shall be deemed to meet any precertification, preauthorization and medical necessity requirements imposed by their plan.
10. **S1928 (Gallivan)/A2879 (Paulin)** - Amends Chapter 58 of the laws of 2005 relating to reimbursements for expenditures made by or on behalf of social services districts for medical assistance for needy persons and amends the General Municipal Law in relation to calculating social services district medical assistance expenditure amounts.
11. **S3652 (Biaggi)/A4895 (Galef)** - Designates lay individuals as one-day marriage officiants to solemnize marriages.
12. **A4709 (Galef)** - Relates to taxation of state correctional facility properties for schools.

13. **A5404 (Galef)** - Amends the Real Property Tax Law in relation to including certain spent nuclear fuel in the definition of real property.
14. **S3443A (Harckham)** - Relates to the assessment of real property used to store spent nuclear fuel.
15. **S4176-A (Harckham)/A7936 (Abinanti)** - Amends the environmental conservation law in relation to requiring supermarkets to make excess food available to qualifying charities.
16. **A8247 (Pretlow)/S6493 (Stewart Cousins)** - Relates to adjudications and owner liability for a violation of traffic-control signal indications in the county of Westchester.