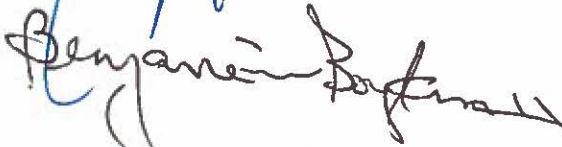


**TO THE COUNTY BOARD OF LEGISLATORS
COUNTY OF WESTCHESTER, NEW YORK**

WHEREAS, the Committee on Legislation has reviewed the following items for the 2022 Westchester County Joint State Legislative Package; Now Therefore Be It

RESOLVED, that after considerable deliberation, it is recommended that this Honorable Board approve these legislative initiatives, and that they be presented to and considered by the New York State Legislature and Governor during the current state legislative session.

Dated: February 7, 2022
White Plains, New York



Committee on Legislation

Dated: February 7, 2022
White Plains, New York

The following members attended the meeting remotely, as per Chapter 1 of the Laws of 2022 and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

Committee on Legislation

Vedat Galin

Marg Jane Skimish

Chapin

Margaret A. Cunzio

2022 WESTCHESTER COUNTY JOINT STATE LEGISLATIVE PACKAGE

No.	Type	Submission/ NYS Short Title	ID & Sponsor/ (Delegation CoSponsors)	Status	Notes/ Justification
1	Budgetary	Support the Governor's proposal to make County sales tax authorization permanent		Requested in 2020 and 2021. Included in previous Budgets by former Governor	Support Governor Hochul's measure to make County sales taxes no longer require state legislation for renewal. Our current authorization would expire in 2023.
2	Budgetary	Ensure Sunset of Distressed Provider Assistance Account		New request	The Distressed Provider Assistance Account, which allows NYS to withhold roughly \$1 million per quarter from counties outside of NYC for hospitals, puts significant pressure as a recurring expense on property and sales tax. Governor Hochul's Executive Budget would make this program permanent, but as many hospitals now express confidence in their surge capacity – Westchester County believes that this account is not sustainable in the long term and should be allowed to sunset.
3	Budgetary	Support the Expansion of Downstate Casino Licenses and Mobile Sports Betting		Requested in 2020 and 2021; FY22-23 budget authorizes mobile sports betting and authorizes NYS's Gaming Commission to issue Requests for Information - indicating state interest in issuance of new licenses	MGM's request for Empire City Casino to become a fully licensed casino would generate significant revenue for Westchester County, the City of Yonkers, and the Yonkers City School District. It will also be a significant vehicle for job creation in both Westchester & the Bronx. As such, Westchester County requests that downstate casino licenses be supported.
4	Budgetary	Support Gov. Hochul's effort to lift the burden of AIM payments from counties		Requested in 2021; NYS shifted these costs gradually under the previous admin, completing that process in the FY21-22 budget.	Aid and Incentives to Municipalities (AIM) payments were shifted to draw from county sales tax through FY2021, but this put significant pressure on local property taxes. We support Governor Hochul's initiative to remove the burden of these fees from counties.
5	Budgetary	Support the Governor's Executive Budget increase for the Income Threshold for Child Care Subsidy Programs		New request	The current State threshold for families seeking support through the Child Care Subsidy Program is 200% of the federal poverty level. The cost of living and median income in Westchester exempt many needy families from this support. In her Executive Budget, Governor Hochul increased this threshold to 300% of the federal poverty level. Westchester supports this move, as it accounts for our local cost of living.
6	Budgetary	Amend the STOA Formula		Requested every year since 2008. NYS increased Westchester's STOA aid from \$51.8 to \$59.8 million in the FY21-22 budget; this is still less than parity with Nassau despite our larger ridership; Nassau receives a greater share as the STOA formula provides more funding for mileage than ridership	Increase Westchester County's STOA to provide financial parity with Nassau County's transit assistance. Westchester County's ridership and number of buses is significantly higher than Nassau's, but Westchester receives less aid due to the way the aid formula is structured.
7	Budgetary	Urge Governor Hochul to set aside emergency funding to address massive cuts to New York's essential victims' services			FY21 Victims of Crime Act (VOCA) funding is \$140M less than FY18. Cuts of 10-15% have been proposed for FY22-23. Potential relief if Governor uses emergency funding process to dedicate a portion of the state's surplus to address these cuts or ARPA funding to maintain services at current levels for next two year cycle
8	Budgetary	Allow Westchester County to set its own gun permit fees		New Request S6659 (Mayer)/A7939 (Otis) of 2021-2022	Westchester noted that its gun permit fees are dramatically lower than those of surrounding counties, and asked for authority to manage them locally going forwards. Senator Mayer and Assemblyman Otis sponsored legislation providing this authority last year.

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9	Budgetary	Allocate \$3 million in funding to cover the cost of WCDPS patrol of New York State Parkways		<p>2022 – New York State cut all funding for this program in the Executive Budget; Westchester anticipates costs of \$6 million</p> <p>2021 – New York State appropriated \$2.2 million; Westchester incurred costs of \$5.8 million</p> <p>2020 – New York State appropriated \$2.2 million and re-appropriated \$1.2 million; Westchester incurred costs of \$5.5 million and received no funding</p> <p>2019 – New York State appropriated \$1.9 million; Westchester incurred costs of \$5.3 million and received re-appropriated funding of \$1.2 million.</p> <p>This allocation is historically cut in the executive budget each year and has been restored through the State Legislative Package since 2019</p>	Westchester County's Department of Public Safety patrols State parkways in Westchester (the Hutchinson River Parkway, Saw Mill Parkway and Cross County Parkway); Westchester receives no revenue from tickets issued in these patrols (while New York State receives \$2 million and local municipalities receive \$4 million). Performing this service costs the County over \$5 million each year - and although New York State typically issues roughly \$2 million to fund the service, Westchester loses \$3 million annually in these patrols. Funding at a higher level is necessary to cover the cost of the County's patrols and to shift this burden from County taxpayers.
10	Budgetary	Request Funding for Federal Infrastructure Projects		New request; Westchester requested State support for different local infrastructure projects in FY21-22 but this federal money is a new opportunity for high dollar projects	<p>Following federal approval of the Build Back Better Infrastructure Plan, Westchester County requests support in delivering infrastructure improvements for its residents.</p> <ul style="list-style-type: none"> • RGI04 Glen Island Bridge Replacement: \$58M • RB180 Central Park Avenue: \$19M • RB04B Boston Post Road Bridge over Playland Parkway: \$10.15M
11	Budgetary	Request for Consolidated Local Street and Highway Improvement Program (CHIPS) increase			Additional funding for repairing roads in Westchester
1	Legislative	Support the Passage of a Statewide Right to Counsel Bill		First requested in 2021 S.5388 (Parker)/A.4465 (Walker) of 2021-2022; S.5009 (Parker)/A.5199 (Walker) of 2019-2020; S.2230 (Parker)/A.6248 (Walker) of 2017-2018; S.1937 (Parker)/A.6802 (Walker) of 2015-2016	Develop a State program providing right to counsel for evictions on a Statewide basis, ensuring universal application of and response to this issue
2	Legislative	Amends procedures related to the custodial interrogation of children and taking juveniles into custody	A5891B - Joyner S2800B - Bailey	Assembly - Rules (3rd Reading) Senate - Children and Families	Would require that children under 18 consult with an attorney before they can be subjected to custodial interrogation by law enforcement, thereby ensuring any waiver of rights under Miranda is genuinely knowing, voluntary, and intelligent. The bill also requires that a child arrested without a warrant be brought directly to court, as opposed to the police station, if a parent or legally responsible adult is not expected to appear for them and they are not being questioned, unless otherwise required under the Criminal Procedure Law.
3	Legislative	Establishes the crime of forcible touching of a correction officer and increases criminal penalties for certain sexual offenses committed against correction officers	A8647 - Weprin S8027 - Savino	Assembly - Codes Senate - Codes	Raises penalties for sexually touching or assaulting a female corrections officer to a Class E Felony

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4	Legislative	Amend NYS Civil Service Rules as outlined in the recommendations put forth in the Westchester County Police Reform & Reimagining Task Force			a) Change hiring age limits b) Broaden recruitment criteria c) Revision of the rule of 3 d) Increase the frequency of offering the civil service exam e) allow departments to access multiple civil service lists
5	Legislative	Acquisition of North County Trailway by Westchester County	S1138 - Harckham A4017 - Abinanti	Senate - On Floor, Adv. 3rd Reading Assembly - Government Operations	
6	Legislative	Installation of Climb Deterrent Fencing on Bridges	S7310 - Harckham A8273 - Gunther (Burdick)	Senate - Transportation Assembly - Transportation	Requires installation of barriers on NYS bridges to help prevent successful suicides
7	Legislative	Tax abatement for rent-controlled and rent regulated properties for seniors or disabled individuals	S4216 - Stavisky A480 - Rozic	Senate - Aging Assembly - Aging	To allow localities to raise the income eligibility limits for the Senior Citizen Rent Increase Exemption (SCRIE) or Disabled Rent Increase Exemption (DRIE) program to \$55,000 beginning on July 1, 2016.
1	State Del Support	Hurricane Ida relief fund and recovery program	S8135 - Mayer	Senate - Finance	Establishes the Hurricane Ida relief fund and recovery program; provides financial assistance as compensation/reimbursement for property damage for uninsured or underinsured property not otherwise eligible for FEMA assistance or other federal, state or local disaster relief programs.
2	State Del Support	Examination of building code requirements and future requirements for flood mitigation	S7582 - Mayer	Senate - Housing, Construction And Community Development Committee	Requires the examination of current and the recommendation of future standardized building code requirements for flood mitigation; adds the director of the office of emergency management and an individual with significant professional technical experience in flood mitigation in the built environment to the state fire prevention and building code council.
3	State Del Support	Relates to enhancing the state's flood mitigation and coastal resiliency activities	S7530 - Mayer A4245 - Englebright (Otis, Abinanti)	Senate - Environmental Conservation	Relates to enhancing the state's flood mitigation and coastal resiliency activities; establishes a restriction on alienation.
4	State Del Support	Traffic Study of Route 9A in Ossining and Mount Pleasant	S2988 - Harckham (Reichlin-Melnick) A5925 - Galef	Senate - Transportation Assembly - Transportation	Rt. 9A is a frequently traveled, essential roadway in Rockland and Westchester. Heavily trafficked sections of Route 9A, such as the stretch between Briarcliff and Ossining, see more than 40,000 vehicles every day with high number of accidents along this stretch (120 accidents occurred in 2018, or one every three days). Primarily as a result of outdated, unsafe infrastructure that is nearly ninety years old that is ill-equipped to accommodate large commercial vehicles, with narrow shoulders, low-clearance underpasses, and general design deficiencies which pose a significant risk to motorists. This bill will requires NYSDOT to study, at minimum, costs of new guardrails, underpass renovations, and the impact of improvements on local traffic and environment, and report its findings to governor and legislature.
5	State Del Support	Include certain employees or volunteers of youth organizations as mandated reporters	A7462 - Galef S6635 - Harckham	Assembly - Children and Families Senate - Children and Families	expand mandated reporters to include employees and volunteers of an organizations whose primary purpose is to interact with youth (Boy Scouts, Girl Scouts...)
6	State Del Support	Raise the Maximum Senior Citizen Tax Exemption in Westchester	A6324 - Galef (Paulin, Abinanti)	Assembly - Aging	Allow the raising of the maximum Senior Citizen Exemption in Westchester, bringing tax relief to seniors in Westchester.
7	State Del Support	Increase foundation aid to Westchester Schools	A2514 - Sayegh (Galef)	Assembly - Education	Increases foundation aid for school districts that meet five variables impacting academic success: free or reduced lunch, English language learners, wealth ratio, enrollment, special education, and being located in a high wealth ratio county.

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8	State Del Support	Exempt diapers from all sales and use taxes	A8528 - Sayegh (Galef, Paulin) S8033 - Bailey	Assembly - Ways and Means Senate - Budget and Revenue	Diapers are often a very large, if not the largest expense for both parents caring for infants, as well as for seniors. Whilst the state has decided effective April. 1, 2006 that adult and children's diapers (including disposable) are exempt from the New York State 4% sales tax, there are multiple counties/jurisdictions which do not provide for the local exemption. This bill would therefore ensure that specifically adult and children's diapers (including disposable) are not subject to this tax by the counties/jurisdictions and follow the state exemption.
9	State Del Support	Use updated census numbers used to calculate certain education funding	A8533 - Sayegh (Galef) S7681 - Jackson	Assembly - Education Senate - Education	Provides for more equitable funding to school districts by using more up to date census figures
10	State Del Support	Provide statistics on childbirth complications, fetal loss, and other injuries for maternity patients	S3052 - Rivera (Biaggi) A5509 - Richardson	Senate - Health Assembly - Health	Includes statistics on childbirth complications, fetal losses, other injuries and other maternity outcomes in information for maternity patients.