



# This Week in New York

## Covering New York State and City Government

*A Publication of Pitta Bishop Del Giorno & Giblin LLC*  
*March 5, 2010 Edition*



## *In the News – New York State*

### **Expiring Legislation Waits for No Man**

As the clock continues to tick on the 2010 legislative session, the State legislative leaders continue to legislate. The April 1<sup>st</sup> start of the fiscal year is a mere one calendar page away and statutory “musts” (laws set to expire) need to be addressed.



M. of A. Destito

For example, portions of New York’s Procurement Lobbying Law – which outlines when lobbyists may and may not contact any and all State agency representatives on behalf of clients – are set to expire on Wednesday, March 10<sup>th</sup>. Legislation (A9949A/S6924A) modifying and extending the provisions is sponsored by M. of A. Roann Destito and Senator Carl Kruger. The bill passed the Assembly this week and is poised to be approved by the Senate next week. It will be considered by the Senate



Senate Kruger

Finance Committee on Tuesday, March 9<sup>th</sup> and could be brought before the entire body on Wednesday, leaving time for the Governor’s signature prior to expiration at midnight (see page 5 for bill description).

Late Monday, Paterson's budget director and the Legislature's fiscal committees issued a joint revenue forecast adding \$850 million to a projected \$8.2 billion shortfall for the fiscal year that starts April 1. With the release of the “agreed-upon” revenue figures, the legislative conference committees will be next, as the Legislature begins to craft its suggested spending plan for 2010-2011.

Meanwhile, the rank and file legislators have begun floating their own fiscal suggestions. Assemblymembers Sandy Galef, Amy Paulin, and George Latimer are renewing their call for no member item spending in the 2010-2011 New York State Budget. (Member items include state funding allocated by individual Assembly and Senate members to community projects, civic projects, public health initiatives, or other public use specifically in the recipient members’ districts.) According to the members, curtailing expenditures for member items can save the State between \$140 to \$200 million in this year’s budget. In December 2009 the three members of the Assembly introduced legislation (A. 9427) calling for no member item spending in this fiscal year’s budget and encouraged their colleagues to support this new budgetary policy. According to legislative bill drafting, Assemblymembers Teresa Sayward, David Koon, Phil Boyle, Jane Corwin, Clifford Crouch, Annie Rabbit, and Fred Thiele have signed on the legislation. Currently, there is no companion legislation in the Senate.

Also, the Legislature this week passed a concurrent resolution to re-elect six members of the New York State Board of Regents. The Board is comprised of 17 members elected by the Legislature for five-year terms. The Regents are responsible for the general supervision of all educational activities within the State, presiding over The University and the New York State Education Department.

## Speaker Silver Announces Appointments To Leadership Positions And Committee Chairs

### ***Majority Leadership***

Speaker Pro Tempore  
Secretary, Majority Conference  
Vice Chair, Majority Steering

Peter M. Rivera  
Crystal D. Peoples-Stokes  
Barbara S. Lifton

### ***Standing Committees***

Chair, Alcoholism & Drug Abuse  
Chair, Ethics & Guidance  
Chair, Libraries & Education Technology  
Chair, Mental Health  
Chair, Oversight, Analysis & Investigation  
Chair, Small Business  
Chair, Veterans Affairs

Amy Paulin  
Daniel O'Donnell  
Jonathan L. Bing  
Felix Ortiz  
Michele Titus  
Adriano Espaillat  
William B. Magnarelli

### ***Task Forces and Legislative Commissions***

Chair, People with Disabilities

Michael J. Cusick

## Comptroller DiNapoli Releases Public Authority Regulations

New York State Comptroller Thomas P. DiNapoli this week released draft regulations for reviewing state public authority contracts. Under the Public Authorities Reform Act of 2009, which went into effect on Monday, Comptroller DiNapoli is authorized to provide oversight of certain state public authority contracts valued at \$1 million or greater.

According to the Comptroller, his office is responsible for reviewing all state agency contracts that exceed a certain dollar threshold, generally \$50,000. The Public Authorities Reform Act of 2009 includes provisions, which requires state public authorities to meet new oversight requirements.

The draft regulations, available at [www.dos.state.ny.us/info/register/2010.html](http://www.dos.state.ny.us/info/register/2010.html) in the March 3 issue of the *State Register*, establish guidelines for state authority contracts, including:

- ▶ Standards for the Comptroller's determination of state authority contracts and contract amendments subject to the Comptroller's approval;
- ▶ Criteria for the Comptroller's approval of such contracts and contract amendments;

- ▶ Responsibilities of state authorities with respect to the filing of exempt contracts and any amendments thereto, certain eligible contracts and certain eligible contract amendments as defined in the regulations; and
- ▶ Procedural requirements for overall compliance with Section 2879-a of the Public Authorities Law.

The public has 45 days to provide comment on the draft regulations.

## *In the News – New York City*

### **Manhattan Council Members Call for Funding Requests**

#### *Council Website Contains Outreach For Funding Proposals*

The New York City Council Manhattan Delegation is utilizing the City Council's website to reach groups interested in submitting budget funding requests. The Delegation solicitation includes application instructions and deadlines, links to the necessary applications, and council staff contact information for questions.

Below is the Delegation's solicitation (as it appears on the City Council's webpage):

#### [FY 2011 Council Funding: Manhattan Delegation](#)

If you are seeking city funding this year (FY2011), you are invited to submit application materials to the Manhattan Delegation of the New York City Council. Please note the deadline dates listed below.

As in past years, the Manhattan Delegation will receive expense and capital funding proposals from a variety of organizations. This spring, the Manhattan Delegation is changing the process from previous years. Due to strict time constraints, the Manhattan Delegation is not scheduling hearings on expense and capital requests for funding but we will review all paper submissions. If we find that we need any additional information from individual applicants we will contact those specific organizations individually.

This is a list of important documents your organization must complete and submit: (1) [Manhattan Delegation Expense Funding Request Form](#); (2) [Manhattan Delegation Capital Funding Request Form](#); (3) [FY 2011 Organization Qualification Form](#); and (4) [Frequently Asked Questions](#) about the budget process and simple answers.

In order to request expense funding from the Delegation, please submit a completed expense funding request form together with the notarized Organization Qualification Form to the Manhattan Delegation, c/o Council Member Gale A. Brewer, 250 Broadway, Suite 1744, NY, NY 10007. These documents must be delivered together and received by Wednesday, March 10th, 2010.

In order to be eligible to receive capital funding from the Manhattan Delegation, all groups are required to submit two items by Monday, April 5, 2010: (1) a completed Manhattan Delegation Capital Request Form and (2) a Non-City Capital Form (if applicable). The Non-City Capital Form must be submitted ELECTRONICALLY by April 5, 2010. The Manhattan Delegation Capital Request Form should be sent to the Manhattan Delegation, c/o Council Member Gale A. Brewer, 250 Broadway, Suite 1744, NY, NY 10007 by April 5, 2010. This form can be submitted in paper format. Note that a group may make both an expense and a capital request. Please do not include any additional pages or materials with your submission.

If you have questions about the application process, contact Kunal Malhotra in the Office of Council Member Brewer at [Kunal.Malhotra@council.nyc.gov](mailto:Kunal.Malhotra@council.nyc.gov) / (212) 788-6975 or Joanna Levin in the Office of Council Member Garodnick at [jlevin@council.nyc.gov](mailto:jlevin@council.nyc.gov) / (212) 788-7393.

## **Speaker Quinn & Councilmember Vacca Deliver Petitions to MTA**

Council Speaker Christine C. Quinn and Transportation Committee Chair James Vacca, along with Gene Russianoff of Straphangers, Paul Steely White of Transportation Alternatives and Bobbie Sackman of the Council of Senior Centers and Services, delivered over 40,000 petitions to MTA Headquarters protesting extensive service reductions and programming cuts to New York City's transit system.

Facing a \$400 million deficit, the MTA is threatening to phase out student MetroCards, scale back Access-A-Ride, eliminate the W and M subway lines, and reduce service on a dozen other subway lines and over 50 local and express bus routes.

Since these service reductions were announced by the MTA in December, Council Members and advocates have educated commuters about the service cuts the MTA is expected to make in communities across the City. They collected petitions against the cuts from commuters at subway stations, bus stops, senior centers, and on the City Council's website.

## *In Brief*

### **Procurement Lobbying Law Set to Expire**

Portions of New York State's Procurement Lobbying Law are set to expire Wednesday (March 10th). Senator Carl Kruger and M. of A. Roann Destito have introduced legislation to extend and clarify the provisions. Specifically, the legislation would provide further definition to the term "governmental procurement" as the public **announcement, public notice, or public communication to any potential vendor of a determination of need for a procurement, which shall include, but not be limited to, the public notification** of the specifications, bid documents, request for proposals, or evaluation criteria for a procurement contract (new language in bold). In addition, the term "procurement contract" is expanded to mean any contract or other agreement, **including an amendment, extension, renewal, or change order to an existing contract (other than amendments, extensions, renewals, or change orders that are authorized and payable under the terms of the contract as it was finally awarded or approved by the comptroller, as applicable)**, for an article of procurement involving an estimated annualized expenditure in excess of fifteen thousand dollars (new language in bold). These provisions would be extended until 2014.

### **Senate Announces Task Force on Government Efficiency**

The Senate Majority Conference announced the formation of a new bipartisan task force on government efficiency. Chaired by Deputy Senate Majority Leader Jeff Klein, the twelve-member task force will conduct a statewide investigation into the spending practices of state agencies and operations to uncover areas of administrative inefficiencies and government waste. Participating in the task force will be Senators Darrel Aubertine, Brian X. Foley, Craig Johnson, Elizabeth "Betty" Little, George Maziarz, Tom Morahan, Diane Savino, Jose M. Serrano, William T. Stachowski, Andrea Stewart-Cousins, and David J. Valesky.

### **Emergency Funding For Saint Vincent Catholic Medical Center**

Governor David A. Paterson this week announced that additional emergency funding has been secured for Saint Vincent Catholic Medical Center (SVCMC), providing the Stakeholder Task Force with more time to develop a viable, long-term strategy for the hospital's future. The funds were provided by GE Capital and TD Bank, which committed \$5 million, and the State Assembly Majority, which committed \$1 million.

Governor Paterson convened the SVCMC Stakeholder Task Force last month to review how the hospital could continue its operations and preserve access to its critical medical services. The Task Force is comprised of representatives from SVCMC and its sponsors, lenders, 1199SEIU, the New York State Nurses Association, the Greater New York Hospital Association, and federal, state and local elected officials.

# Coming Up

## New York City

### **Monday, March 8<sup>th</sup>**

**Committee on Environmental Protection**, 250 Broadway - Hearing Room, 14th Fl., 10 a.m.  
T2010-0245 Preliminary Budget Hearing - Environmental Protection Oversight New York City Council  
Fiscal Year 2011 Preliminary Budget, Mayor's FY '10

- Preliminary Management Report and Agency Oversight Hearings 10 a.m.
- Department of Environmental Protection (Capital) 11:15 a.m.
- Department of Environmental Protection (Expense) 12:30 p.m. Public

**Committees on General Welfare & Women's Issues**, Council Chambers - City Hall, 10 a.m.  
T2010-0264 Preliminary Budget Hearing - General Welfare Oversight New York City  
Council Fiscal Year 2011 Preliminary Budget, Mayor's FY '10

- Preliminary Management Report and Agency Oversight Hearings 10:00 a.m.
- Department of Homeless Services 12:00 p.m.
- Human Resources Administration / Department of Social Services \* 1:30 p.m.  
\* Joint with the Committee on Women's Issues
- Administration for Children's Services (Agency for Child Development) 3:30 p.m. Public

**Committee on Oversight and Investigations**, 250 Broadway - Hearing Room, 16th Fl., 1 p.m.  
T2010-0249 Preliminary Budget Hearing - Oversight and Investigations Oversight New York City  
Council Fiscal Year 2011 Preliminary Budget, Mayor's FY '10

- Preliminary Management Report and Agency Oversight Hearings 1:00 p.m.
- Department of Investigation 2:15 p.m. Public

### **Tuesday, March 9<sup>th</sup>**

**Subcommittee on Zoning and Franchises**, 250 Broadway - Hearing Room, 16th Fl. 9:30 a.m.

**Committee on Aging & Subcommittee on Senior Centers**, Council Chambers - City Hall, 10 a.m.  
T2010-0247 Preliminary Budget Hearing - Aging Oversight New York City Council Fiscal Year 2011  
Preliminary Budget, Mayor's FY '10

- Preliminary Management Report and Agency Oversight Hearings \*10:00 a.m.  
\* Joint with the Subcommittee on Senior Centers
- Department For The Aging 11:00 a.m. Public

**Committee on Juvenile Justice**, 250 Broadway - Hearing Room, 14th Fl., 11 a.m.  
T2010-0250 Preliminary Budget Hearing - Juvenile Justice Oversight New York City Council Fiscal  
Year 2011 Preliminary Budget, Mayor's FY '10

- Preliminary Management Report and Agency Oversight Hearings 11:00 a.m.
- Department of Juvenile Justice 11:45 a.m. Public

***Subcommittee on Landmarks, Public Siting and Maritime Uses***, 250 Broadway - Hearing Room, 16th Fl., 11 a.m.

***Subcommittee on Planning, Dispositions and Concessions***, 250 Broadway - Hearing Room, 16th Fl., 1 p.m.

***Wednesday, March 10<sup>h</sup>***

***Committee on Fire and Criminal Justice Services***, Council Chambers - City Hall, 10 a.m.

T2010-0251 Preliminary Budget Hearing - Fire and Criminal Justice Services Oversight New York City Council Fiscal Year 2011 Preliminary Budget, Mayor's FY'10

- Preliminary Management Report and Agency Oversight Hearings 10 a.m.
- Fire/Emergency Medical Service Noon.
- Department of Probation 12:30 p.m.
- Department of Correction 1 p.m.
- Criminal Justice Coordinator (Indigent Defense Services) 2 p.m.
- Legal Aid 3:00 p.m. Public

***Thursday, March 11<sup>th</sup>***

***Committee on Public Safety, Council Chambers*** - City Hall, 10 a.m.

T2010-0252 Preliminary Budget Hearing - Public Safety Oversight New York City Council Fiscal Year 2011 Preliminary Budget, Mayor's FY '10

- Preliminary Management Report and Agency Oversight Hearings 10:00 a.m.
- Police Department Noon
- District Attorneys/Special Narcotics Prosecutor 1:15 p.m.
- Office of Emergency Management 2 p.m.
- Civilian Complaint Review Board 3 p.m. Public

***Committee on Land Use & Committee on Technology***, 250 Broadway -Hearing Room, 14th Fl., 11 a.m.

T2010-0266 Preliminary Budget Hearing - Land Use Oversight New York City Council Fiscal Year 2011 Preliminary Budget, Mayor's FY '10

- Preliminary Management Report and Agency Oversight Hearings 11:00 a.m.
- Landmarks Preservation Commission 12:00 p.m.
- Department of City Planning \*1:00 p.m.  
\* *Joint with the Committee on Technology*
- Department of Information, Technology & Telecommunications 2:00 p.m.\* Public \* *Joint with the Committee on Technology*

***Committee on Mental Health, Mental Retardation, Alcoholism, Drug Abuse and Disability Services & Subcommittee on Drug Abuse***, 250 Broadway - Hearing Room, 16th Fl., 1:30 p.m.

T2010-0268 Preliminary Budget Hearing - Mental Health, Mental Retardation, Alcoholism, Drug Abuse and Disability Services Oversight New York City Council Fiscal Year 2011 Preliminary Budget, Mayor's FY '10

- Preliminary Management Report and Agency Oversight Hearings 1:30 p.m.
- Department of Health & Mental Hygiene 3:00 p.m. Public

***Friday, March 12<sup>th</sup>***

***Committees on Consumer Affairs & Parks and Recreation***, Council Chambers - City Hall, 10 a.m.

- Int 0035-2010 In relation to the regulation of horse drawn cabs.
- Int 0086-2010 In relation to replacing horse drawn carriages with alternative fuel powered classic cars.
- Int 0092-2010 In relation to repealing all provisions allowing for the operation of horse drawn cabs.
- Int 0093-2010 In relation to horse drawn cabs.

***Committees on Education & Transportation***, Council Chambers - City Hall, 1 p.m.

*How will cutting metrocards impact student access to education?*

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