



# This Week in New York

Covering New York State and City Government

A Publication of Pitta Bishop Del Giorno & Giblin LLC

June 28, 2013 Edition



## *In the News – New York State*

### **Governor Takes His Victory Lap**

Governor Andrew Cuomo began his 2013 statewide victory lap this week, traveling to Syracuse, Utica, and Old Westbury to discuss the highlights of the session. In addition, his office has produced a 48-page book detailing this year's programs and promises as well as the successes of the past.

Accomplishments cited by Governor Cuomo during the 2013 session include:

- ***The Third Straight Balanced, On-time Budget***, closing a \$1.3 billion gap with no new taxes.
- ***Tax Relief for Middle-Class Families*** for the second straight year.
- ***Tax Cuts for Businesses***, including an income tax cut for small business and manufacturing rate cuts.
- ***START-UP NY***, which will spur entrepreneurialism and job creation by transforming public higher education through tax-free communities across the state.
- ***NYS Business Incubator & Innovation Hot Spots*** will foster innovation and facilitate the transition from ideas and research to marketable products.
- ***Round III of Regional Economic Development Council Awards*** will enable regions to continue investing in their own future.
- ***NY Works Task Force Infrastructure Investments*** will leverage regional assets, maximize existing resources and focus on long-term job growth and economic opportunities
- ***Cutting Red Tape for Businesses***, including reforms to unemployment insurance and workers' compensation, and streamlined regulations for farmers and brewers.
- ***A Historic Commitment to Tourism*** with the largest investment in decades – nearly \$60 million -- to grow this vital job producing industry.
- ***The Upstate NY Gaming Economic Development Act*** will establish four destination gaming resorts in upstate New York and boost tourism and economic development in the regions
- ***Helping Businesses Rebuild and Reopen After Superstorm Sandy*** with an Emergency Small Business Loan Program that quickly moved funds out the door to businesses working to rebuild.

# New York By the Numbers

(source: StartUp New York, Governor Andrew Cuomo)

**336,000** new jobs added since 2011

**#5** in the nation in private sector job growth

**50,000** less unemployed than in January 2011

Unemployment rate – **7.6%** – lowest level in over four years

**56** Fortune 500 Companies

**\$24.4** billion in High Tech payroll

**\$76.9** billion in exports in 2008, with small & medium-sized businesses generating more than half of total exports

**#1** in number of first tier Universities

**\$57.3** billion tourism industry

**13th** largest economy in the world

**#2** in per capita energy consumption efficiency

**3rd** largest Grape Grower & 2nd largest Wine Producer

Almost **32** percent of all adults in New York State have four or more years of college, and nearly **350,000** scientists and engineers call the Empire State home

Home to over **50** incubator facilities

**Third** most populous state

Tourism supports nearly **714,000** jobs and employs **1** out of every **12** NYers

## *Bills Signed by the Governor*

**Chapter 67 (sponsored by M of A Farrell/ Senator Martins)** -- Establishes the financial restructuring board for local governments and relates to public arbitration panels determinations of whether public employers are fiscally eligible.

**Chapter 68 (sponsored by M of A Silver/Libous)** -- Establishes the START-UP NY program.

## *Bills Delivered to the Governor*

**A3157 Sponsored by M of A Pretlow (Senator Stewart-Cousins)** Relates to bonds and notes of the city of Yonkers.

**A4874A Sponsored by M of A Wright (MS) (Senator Golden)** Relates to the New York City Housing Authority.

**A6708 Sponsored by M of A Benedetto (Senator Martins)** Relates to the disposal of surplus computer equipment by political subdivisions.

**A7170 Sponsored by M of A Sweeney (MS) (Senator Seward)** Extends the provisions of chapter 563 of the laws of 2001 relating to providing for an emergency technician 5 year re-certification program.

**A7175 Sponsored by M of A Farrell (Senator Golden)** Relates to the sale of bonds and notes in NYC, the refunding of bonds, the down payment for projects financed by bonds, variable rate debt, and interest rate exchange agreements in NYC.

**A7806A Sponsored by M of A Silver (Senator Golden)** Amends various provisions of law relating to Lower Manhattan.

**S3708 Sponsored by Senator Martins (M of A Weisenberg)** Relates to the base proportion in approved assessing units in Nassau county.

**S4244 Sponsored by Senator Grisanti (MS) (M of A Schimminger)** -- Relates to the sale of bonds and notes of the city of Buffalo.

**S4246 Sponsored by Senator Fuschillo (M of A Titus)** -- Extends the current statute that allows for the suspension of driving privileges in cases of delinquent child support payments.

## *In the News – New York City*

### **NYC Council Approves \$70 billion FY14 Budget**

The New York City Council this week gave final approval to the City's \$70 billion Fiscal Year (FY) 2014 budget. Speaker Christine Quinn and Mayor Michael Bloomberg reached an agreement late last week and the Council gave its stamp of approval yesterday.

According to Speaker Quinn, despite significant challenges presented to the City through federal sequestration cuts, the Council was able to secure funding for services and maintain a line on taxes. The budget keeps all public libraries and community pools open, restores cuts to child care and after school services, and protects the jobs of more than 300 NYCHA employees who faced possible layoffs. The budget also ensures that senior and community centers in NYCHA properties stay open.

Also, a recent court ruling ensures the City will have new revenues from the sale of taxi medallions. The Speaker explained that the medallion revenue plus an improving New York City economy allowed leaders to keep existing programs and services at their current levels - some even with modest enhancements - without relying on non-recurring revenue.

The Mayor and leaders did not address the outstanding contracts with many of the City's employee unions in the budget.

### **City Council Approves NYPD Inspector General and Bias-based Profiling Bill**

#### *Mayoral Veto Ready*

The New York City Council this week approved two pieces of controversial law enforcement legislation – NYPD Inspector General and Bias-based Profiling – setting the stage for another battle with the Bloomberg administration.

The NYPD Inspector General bill (Introduction 1079 - Council Member Williams et al) would task the Commissioner of the Department of Investigation (DOI) with the duty to review, study, audit, and make recommendations relating to the operations, policies, programs and practices – including ongoing partnerships with other law enforcement agencies – of the NYPD. The DOI commissioner could carry out these duties, task an existing staff member with the duties or hire someone new. The Mayor, in consultation with DOI and the NYPD, will decide how sensitive information – including information related to security threats, intelligence work and ongoing investigations – should be treated, and will create guidelines regarding the treatment of such information and share them with the Council.

In addition, according to the Council, the Executive Director of the Civilian Complaint Review Board (CCRB) and the Chief of the NYPD's internal affairs bureau would also have to report any problems they have reason to believe would adversely affect the Department, public safety, civil liberties and civil rights, or the public's confidence in the police to the DOI. There are protections for whistleblowers who report to the DOI about problems and the DOI's website will have a link for the public to anonymously report complaints.

Finally, the DOI would be required to produce two reports to the Mayor, Council and Police Commissioner and promptly post the reports to the web.

The Bias-Based profiling bill (Introduction 1080 – Council Member Williams et al) would change the City's prohibition on racial profiling by re-characterizing the prohibited act as "bias-based" profiling and amend its definition to include more categories of people who may not be profiled. It would also create causes of action for those who feel they have been unlawfully profiled.

Mayor Michael Bloomberg has opposed the bills since their initial release, asserting the bills are "dangerous."

"Last year, there were a record-low number of murders – and a record-low number of shootings – in our city, and this year, we're on pace to break both of those records," Mayor Bloomberg explained. "Unfortunately, these dangerous pieces of legislation will only hurt our police officers' ability to protect New Yorkers and sustain this tremendous record of accomplishment. We have demonstrated why these bills are bad for public safety, and I will veto this harmful legislation and continue to make our case to Council Members over the coming days and weeks."

## **Supreme Court Decision Clears Way for Governor's Decision on Lever Voting Machines**

The United States Supreme Court's 5-4 decision this week to strike down Section 4 of the Voting Rights Act has placed the fate of the upcoming New York primaries in the hands of Governor Andrew Cuomo as he considers legislation to change the date of the upcoming primary and possible runoff and to allow the use of lever voting machines.

The Supreme Court decision removes the requirement that state election law changes must be approved by the Department of Justice. Therefore, if Governor Cuomo signs the Cusick-Golden bill (see *TWNY* 6/24/13), the City Board of Election could move ahead with the September 10<sup>th</sup> primary and the October 1st runoff with a plan to use lever voting machines. City elections officials assert that they can not count the votes on the newer electronic machines fast enough to smoothly administer the primary.

The November 5<sup>th</sup> general election will use electronic machines.

A spokesman for Governor Cuomo said that he is still reviewing the legislation. The bill is awaiting formal transmittal to the Governor.

## **Briefs**

### **Troopers Announce Upcoming Examination**

On-line applications are now available for the upcoming statewide Trooper examination. Exams are scheduled for October 5, October 12, October 19, and October 26, 2013, and will be offered at several convenient locations around the State.

Currently, a Trooper's starting salary is \$50,374 during Academy training. Upon Academy graduation, the salary increases to \$66,905, and after one year to \$71,261, with additional salary steps during the first five years of service. After 5 years, a Trooper's salary increases to \$84,739, with additional longevity payments through 25 years of service. Additional location compensation is provided for troopers assigned to NYC, Dutchess, Nassau, Orange, Putnam, Rockland, Suffolk, and Westchester counties.

Applications may be accessed on-line at [www.NYTROOPER.com](http://www.NYTROOPER.com) or by calling 1-866-NYSP-EXAM. On-line applications must be submitted by Midnight EST September 8, 2013. Results from the examination will establish an eligibility list that may remain in effect for a maximum of four years.

### **NYS Building Congress Applications**

The New York Building Foundation Hurricane Sandy Recovery Fund announced this week that it will be offering 10 additional individual grants. The Foundation was established in November 2012 to help assist affected families, support selected recovery programs, and sponsor research on ways to improve infrastructure planning and design. The grants will be given to employees of member organizations, nominated by their employer, and subject to an equal employer matching donation of up to \$2,500.

Those seeking assistance, or recommending a colleague, are encouraged to visit [nybuildingfoundation.org](http://nybuildingfoundation.org). For help with the application, please call Events Director Jeanine M. Badalamenti at 212.481.9099.

Assistance is limited to those working at New York Building Congress member organizations who have measurable damages directly related to the impacts of Hurricane Sandy.

## **Council Overrides Mayor's Veto of the Paid Sick Time Act**

As anticipated, the City Council voted this week to override the Mayor Michael Bloomberg's veto of the Paid Sick Time Act (Introduction 97-A – Council Member Brewer at the Request of the Public Advocate). The legislation will require businesses with 20 or more employees to provide five paid sick days to their employees beginning April 1, 2014. The mandate will extend to businesses with 15 or more employees on October 1, 2015. Implementation of the legislation is tied to the City's economic standing.

## **Council Votes to Allow Sidewalk Cafes to Operate on Sundays Beginning at 10 a.m.**

The City Council this week approved legislation (Introduction 875-a – Council Member Garodnick) to expand hours of operation at sidewalk cafés. Restrictions currently in place prohibit sidewalk cafés from opening before noon on Sundays. Under the legislation, sidewalk cafes will be permitted to open by 10:00 am on Sundays.

“New Yorkers will not be denied their Sunday brunch in the beautiful weather,” said Council Member Dan Garodnick. “This regulation is outdated, widely disregarded, and hostile to business.”

## ***Coming Up***

### ***New York State***

*There are no scheduled meetings for the week of July 1st*

### ***New York City***

*There are no scheduled meetings for the week of July 1st*

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**Happy 4th of July!!**

*The next edition of This Week in New York will be published on July 12<sup>th</sup>.*

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