



Assemblyman

Steve Otis



Legislative Update

Spring 2019

Dear Friends,

The first 100 days of the 2019 legislative session have been the most productive in memory. The fast-paced agenda resulted in the passage of bills on key policy issues during the same months we focused on the adoption of the state budget.

There has been a major commitment on the part of the Governor, Assembly and Senate to work together, often passing agreed-upon bills in both houses of the legislature on the same day.

On all issues, your e-mails, letters and comments are valuable to me in representing Westchester and the Sound Shore communities in the 91st Assembly District. A concern of yours may well become the source for new legislation or outreach to a state agency to find a solution. Please feel free to contact my office at (914) 939-7028, if I can be of any assistance.

Warm regards,

Steve

Steven Otis
State Assemblyman

Clean Water Grant Program Continues to Grow

I am happy to report that an additional \$500 million has been added to water quality programs for the 2019-20 FY. This is the first installment of a new five-year, \$2.5 billion program to address water quality issues proposed by Governor Cuomo.

These funds will supplement the 2017 five-year, \$2.5 billion program that is already bringing important grant money to Westchester local governments through the Water Infrastructure Improvement Act (WIIA) that I helped create in 2015.

In the 2018 round of WIIA funding, our mid-Hudson region led New York with \$49.1 million in grants to support 38 critical municipal water infrastructure projects, the largest dollar total of any region in the state.

I am especially pleased that the 2018 grants included nine projects in Westchester County including the Village of Port Chester, which will receive a \$316,250 grant and the City of Rye, which was awarded \$489,750. Westchester County will receive a \$1,228,349 grant. For the mid-Hudson region, the 2018 round of funding provides \$104.5 million in cost savings to local governments and supports the creation of more than 2,500 jobs. In previous years, grants were awarded to Larchmont, the Village and Town of Mamaroneck, New Rochelle and Port Chester.

State Aid to Local School Districts Increased

A major focus of my work in the budget process each year is to increase state aid to schools in Westchester and statewide. One key issue is Foundation Aid, the name given to the largest state assistance each district receives. For a number of years I have organized legislators representing districts that receive less than a certain threshold of Foundation Aid in an effort to increase their share of the aid.

This year, I am pleased to report that we were able to increase Foundation Aid by \$618 million, almost \$300 million more than the original executive budget proposal. Although both the Assembly and Senate initially proposed larger increases, the numbers were reduced to produce a balanced budget.

State aid to local school districts is one of the biggest pieces of the state budget totaling \$27.86 billion, an increase of \$1 billion, or 3.7 percent, over the 2018-19 school year. The total for Foundation Aid will rise to \$18.4 billion.

In addition to state financial aid, I supported the following policies to help school districts: The final budget maintains building aid and a number of expense-based aids that are important to ensure that suburban districts receive increases in total aid; To facilitate in planning budget stability, school districts can now establish a reserve to plan for teacher retirement system contributions similar to reserves previously set aside for non-teaching employees; An agreement was reached to separate BOCES capital from the tax cap calculation for school districts, a change long sought by school districts to help sta-

bilize their operating budgets. BOCES is a shared service provider delivering specialized programs for most Westchester school districts at a lower cost than each district could provide individually.



Assemblyman Otis and Port Chester Mayor Fritz Falanka visit Port Chester Middle School to support additional state aid to school districts. They helped judge student drawings to be used on postcards supporting more school funding. The adopted state budget increased aid to every school district on the Sound Shore.

PSC Issues Report on Utility Company 2018 Storm Response

The NYS Public Service Commission (PSC) released its report on “Utility Preparation and Response to Power Outages During the March 2018 Winter and Spring Storms” in response to widespread shortcomings of numerous utility companies during the storms Riley and Quinn last year. The commission’s recommendations include an issue I have prioritized, which is the ability of utility companies to deploy necessary staff in response to a storm. The report also specifies that “Emergency Management Plans” include more precise details regarding utility storm response and the admonition that emergency plans are followed in storm recovery.

Utility companies must be able to deploy staff before and after a storm to restore power in a timely fashion. In the 2018 storms, some New York utilities took days to bring in necessary outside crews. This delayed serious restoration efforts and left some customers without power for a week or more. In the report, the PSC ordered Con Ed and NYSEG to restore their internal line crew staff to levels they had maintained a decade ago. Chairman John Rhodes clearly stated the duty NYS expects of utility companies, “When storms knock out power, it is the job of the utilities to restore electricity to customers in a timely and safe manner.”

Last year I proposed legislation requiring that the state-mandated “Emergency Management Plans” include more specifics on what manpower is needed to get power restored quickly. The PSC actions will result in speedier restorations as more local staff will be immediately available.

I serve on the Assembly Corporations, Authorities, and Commissions Committee, which has jurisdiction over the laws affecting the PSC. Last year we held a hearing in White Plains in response to the storm and continue to work with the PSC on a regular basis. The PSC followed many of the recommendations that came from our experience in Westchester. If you would like a copy of the full report, please contact my district office.

Tackling the Challenge of College Affordability

With the exorbitant cost of higher education, I am pleased that this year’s state budget addressed a variety of educational opportunity programs that promote college affordability, an ongoing priority of mine. The budget also provides critical support to the SUNY and CUNY systems which have long provided more affordable access to higher education. It continues the Tuition Assistance Program (TAP) for 276,000 students each year and the Excelsior scholarship program, which provides free tuition to SUNY and CUNY students whose family income meets the eligibility requirements.

The final spending plan includes \$27 million to fund the New York State DREAM Act to allow undocumented students in New York to apply to the various financial aid programs.

The budget increased funding to support a variety of the higher education financial aid programs including Higher Education Opportunity Program (HEOP), Liberty Partnership Program, the Science and Technology Entry Program (STEP), the Collegiate Science and Technology Entry Program (CSTEP) and the Foster Youth Initiative. The budget will also restore funding for child care centers at SUNY and CUNY.

Reducing Reliance on High Stakes Testing in Schools

The adopted state budget includes language I co-sponsored to reduce New York’s reliance on high stakes testing for students and linking those tests to teacher evaluations, known as the Annual Professional Performance Review (APPR). School administrators, board of education members, parents and teachers have all been critical of the over-reliance on standardized tests.

The legislation will return authority for the teacher evaluation process to the local level and is a move in the right direction. The state Board of Regents is also continuing its review of best approaches for testing. Its findings will be a guide for local districts.

Important Assistance to Local Governments

One important budget priority, that I was directly involved with, was the successful effort to restore possible elimination of state local government aid (AIM funding) to most villages and towns throughout the state. I am pleased to report that AIM will be fully funded. As a former Mayor, I advocated for this and other local government issues, as I do every year.

In this year’s budget, I was also able to have language added to protect the land use authority of local governments in relation to a new NYS Department of Transportation program to lease state DOT right-of-way space to telecommunications companies. Even though the state is now authorizing DOT to enter into transactions within their right-of-way, I felt it was important to protect local land use authority.

Participation in 2020 Census Important to Westchester Communities

The state budget includes \$20 million to support community “Complete Count” efforts to prepare for the 2020 Census. Such efforts are already underway in Westchester communities and through the County government.

An accurate census count is critical because it impacts the allocation of some federal and state funding streams to communities, determines our congressional representation and guides redistricting of election districts.

In the 2020 census, please make sure you are counted. Contact your local government or public library for more information. You may also want to help in Complete Count efforts by contacting your local government or reaching out to the Westchester County Complete Count Committee at (914) 995-2000.

Key Funding for Election Reforms

Earlier this year, the legislature passed a package of election reform bills to make it easier for people to vote. Provisions were included to allow early voting, eliminate the requirement of an excuse to vote via absentee ballot, and combine state and federal primaries. Combining primaries will lower statewide costs by \$50 million annually. Other changes allow Election Day registration, automatic transfer of voter registration when the voter moves within the state

and an expanded process for pre-registering young voters before they reach the age of 18 to increase the chance they will vote when they become eligible.

Funding will also support an online voter registration system. The goal of these changes is to make voting more convenient and accessible and to further encourage New Yorkers to exercise their fundamental right to vote.

Plastic Bag Ban Becomes State Law

The state enacted legislation to ban all single-use, plastic carryout bags at any point of sale in New York State. This action was taken after the New York State Plastic Bags Task Force, led by State Department of Environmental Conservation (DEC) Commissioner Basil Seggos, issued their report in January, outlining the environmental impact of single-use plastic bags and proposed state actions to reduce pollution and protect New York's natural resources.

New York is leading by example as communities and states across the country continue to struggle with the ecological and financial costs associated with the use of plastic bags. The state will also undertake an education and outreach campaign to increase consumer awareness of the harmful impacts of single-use bags and promote reusable bags. This legislation also allows for cities and counties to pass local laws imposing a fee on paper bags. The bill exempts garment bags, trash bags and any bags used to wrap or contain certain foods, such as fruits and sliced meats. The bill would go into effect on March 1, 2020.



Commissioner Basil Seggos and Assemblyman Otis at the bill signing ceremony for New York's ban on plastic bags. The Assemblyman works closely with state environmental agencies on topics from water quality, solid waste management, climate change and issues affecting parks.

Investing in Mass Transit – Subways, Buses and Metro-North

The state budget increased funds for large capital projects of the MTA subway and bus system, and commuter rails such as Metro-North. I have continued to push for increased capacity on overcrowded Metro-North New Haven line trains.

New funding will be provided to the subway system through a congestion-tolling plan for cars traveling below 60th Street in Manhattan. This not yet designed plan is projected to raise \$15 billion dedicated to mass transit and will not be implemented before 2021. Transit will also benefit from increased charges on car services like Uber and Lyft and on certain higher priced real estate transactions in New York City.

I have continued to push for increased capacity on overcrowded Metro-North New Haven line trains which will receive funding from the entire package. In addition, the Bee-Line Bus System, which serves over 30 million passengers annually in Westchester will receive an additional \$4.2 million in operating funds, for a total of \$61.5 million.

The budget also includes organization and financial reforms to MTA to improve efficiency, quality control in contracting and better

budget management. As a member of the Assembly Committee on Corporations, Authorities and Commissions, I meet with MTA and Metro-North officials through the budget process and at other times during the year.

The biggest focus has been on the large investment needed for major repairs and upgrades to the subway system. The subway system has 26 lines and 468 stations, which operate 24-hours a day every day of the year. There are more than 840 miles of track in use. The MTA initiated an \$836 million repair plan to stabilize the subway system last year, but long-term upgrading will require billions.

MTA has also restructured its leadership to improve management of the system, provide oversight for the responsible use of increased funding and enhance its responsiveness to ridership. The economic strength of New York depends upon a modern and functional mass transit system. Ridership for all parts of the system has increased steadily in recent years. MTA needs to match demand with improved service quality, capacity and consistency that can only be accomplished through increased funding, improved management and responsiveness to ridership.

Critical Criminal Justice Reform Legislation and Funding

The budget included historic reforms to the criminal justice system. It made changes to the rules for bail, the right to a speedy trial, and the rules of discovery. In addition, it eliminated cash bail for misdemeanors and non-violent felonies and instead requires desk appearance tickets in those cases. Laws guaranteeing a speedy trial were upgraded. The rules that require prosecutors and defendants to disclose information to the other side were clarified and improved to guarantee that timely sharing of information as intended by the law becomes a reality.

Protecting Health Care Rights of Women

On the anniversary of Roe v. Wade, the Reproductive Health Act (A.21) was enacted to ensure that federal law is codified in state law. Also passed was the Comprehensive Contraception Coverage Act (A.585A), requiring that all health insurance plans in NYS include cost-free contraceptive coverage as a part of their insurance policies.

We also passed the 'Boss Bill' (A.584), to prohibit employers from accessing an employee's personal information regarding reproductive health decision-making and prohibit employer discrimination based on those decisions.

These three measures protect the right of individuals to make their own decisions regarding key medical and family-planning decisions without interference from government or employers.

Making the Affordable Care Act Protections in State Law

The state budget incorporated key protections of the federal Affordable Care Act (ACA) into state law, including coverage of pre-existing conditions. The budget also codifies New York's health care exchange, our state's marketplace for individuals seeking coverage. The exchange now covers 4.7 million residents.

Child Victims Act

I was very pleased that the Governor signed legislation to allow victims of childhood sexual abuse more time to pursue legal recourse as adults by increasing the statute of limitations. The legislation will allow prosecutors to seek criminal charges against perpetrators and expand the ability of a victim to seek a civil claim. This bill had never passed the Senate before this year. I have been a co-sponsor of the Child Victims Act (A.2683) since joining the Assembly in 2013.

Keeping New Yorkers Safe from Gun Violence

The legislature enacted common-sense gun reforms to reduce gun violence by keeping guns out of the hands of dangerous individuals. New laws close loopholes in the firearms background check process, allow New York to check on out-of-state applicant's mental health records as part of the application process and enable a court to determine if individuals are likely to cause serious harm to themselves or others.

Other measures help keep guns out of schools and prohibit the use of bump stocks. We also enacted a municipal gun buyback program for illegal guns, to be administered by the New York State Police.



Assemblyman Otis at the bill-signing ceremony for gun safety legislation on February 25th. Governor Cuomo and legislative colleagues were joined for the event by victims who lost family members to gun violence, as well as other advocates and Speaker of the House, Nancy Pelosi.

College Internships

Legislative internships are available to college students in my district and Albany offices. These internships focus on legislative research, analysis of state issues, correspondence and assisting constituents.

If you are interested in applying for a summer internship or for the fall/winter academic term of 2019, please send a cover letter and resume to me at otiss@nyassembly.gov. For more information about these opportunities, please contact my District Office at 914-939-7028.



Assemblyman Otis picks up his food scrap composting container at the City of Rye Department of Public Works. The pilot program, initiated by the Rye Sustainability Committee in partnership with the City and DPW, helps reduce waste going to the County's incinerator. Food waste is a major untapped area where waste can be diverted from the garbage and become compost. The movement to divert food waste is being joined by schools, businesses, restaurants and families throughout Westchester.

New York State Assembly, Albany, New York 12248



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