



# 2018 ANNUAL REPORT

New York State Assembly

**Carl E. Heastie**

*Speaker*

*Committee on*

**Governmental Operations**

**Crystal D. Peoples-Stokes**

*Chair*





THE ASSEMBLY  
STATE OF NEW YORK  
ALBANY

CRYSTAL D. PEOPLES-STOKES  
141<sup>st</sup> Assembly District  
Erie County

CHAIR  
Committee on  
Governmental Operations

COMMITTEES  
Alcoholism and Drug Abuse  
Environmental Conservation  
Health  
Higher Education  
Insurance

MEMBER  
Black, Puerto Rican, Hispanic and  
Asian Legislative Caucus

December 15, 2018

The Honorable Carl Heastie  
Speaker of the Assembly  
Legislative Office Building, Room 932  
Albany, NY 12248

Dear Speaker Heastie,

It is my pleasure to respectfully submit to you the 2018 Annual Report of the Assembly Standing Committee on Governmental Operations. Contained within are descriptions of the Committee's significant legislation and other activities from 2018, and an overview of the Committee's outlook for the 2019 session.

I am proud to report that the Committee successfully enacted many important pieces of legislation, and helped to ensure critical funding for various endeavors in the state budget. I am especially pleased with the work the Committee did in the areas of emergency management, human rights, gender equality, crime victims, procurement, and government reform.

In 2019, the Committee will continue to focus on improving the efficiency and fairness of government in New York State. Disaster and emergency preparedness, transparency and efficiency, and equal protection under the law for all New Yorkers will remain top priorities. It is also a goal of the Committee to encourage greater participation by small, minority- and women-owned businesses. In addition, the Committee is committed to ensuring that everyone in New York State is treated with dignity and respect.

I would like to take this opportunity to thank you, your staff and the Committee members for their continued support. I look forward to meeting the challenges ahead in the 2019 legislative session.

Sincerely,

Crystal Peoples-Stokes, Chair  
Assembly Standing Committee on Governmental Operations

**MEMBERS OF THE NEW YORK STATE ASSEMBLY**

**STANDING COMMITTEE ON  
GOVERNMENTAL OPERATIONS**

Crystal Peoples-Stokes, Chair

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Rodneyse Bichotte  
Michael Blake  
David Buchwald  
Sandra R. Galef  
Deborah J. Glick  
Alicia Hyndman  
Ron Kim  
Christine Pellegrino  
Jaime R. Williams  
Harvey Epstein

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Mark Johns  
Ranking Minority Member  
Andrew Goodell  
Kieran Michael Lalor  
Kevin M. Byrne

**COMMITTEE STAFF**

Aaron Suggs, Assistant Secretary for Program and Policy  
Brian Williams, Committee Analyst  
Nathan Kerstein, Associate Counsel  
Teneesha Young, Committee Assistant  
Paul Nickson, Committee Clerk  
Jessica Marsico, Committee Clerk  
Dawn Fowler, Secretary

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## **I. INTRODUCTION**

The Governmental Operations Committee's jurisdiction encompasses a broad spectrum of legislative and regulatory issues. The issue areas of the Committee include: governmental reform, lobbying and ethics laws, crime victims' rights, human rights, rights of individuals with disabilities, State procurement and technology policies, Freedom of Information and Open Meetings Laws, disaster preparedness, homeland security, public lands and buildings, redistricting and reapportionment, and the organization and operation of the executive and legislative branches of State government. The Committee also acts on legislation proposed to it by the Assembly Ethics and Guidance Committee, the Assembly Committee on Oversight, Analysis and Investigation, the Administrative Regulation Review Commission, and the Legislative Commission on Government Administration. In addition, the Committee oversees the Subcommittee on the Oversight of Minority- and Women-Owned Business Enterprises (MWBES), and the Subcommittee on Emergency Response/Disaster Preparedness.

## **II. DISASTER PREPAREDNESS, UNIFORM FIRE PREVENTION AND BUILDING CODE, AND PUBLIC SAFETY**

Legislation related to the delivery of emergency services and public safety within the State is often referred to the Governmental Operations Committee. The Committee examines the activities of the Division of Homeland Security and Emergency Services (DHSES), which includes the Office of Fire Prevention and Control, the State Emergency Management Office, the Office of Counterterrorism and the Office of Interoperability and Emergency Communications. The Committee is also concerned with the Office of Cyber Security within the Office of Information Technology Services, the New York State Police and the Municipal Police Training Council, and reviews the State Uniform Fire Prevention and Building Code.

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### **Dialing 911 in Public Buildings** **(A.608, Paulin)**

This bill would promote public safety by ensuring that multi-line telephone systems in public buildings can directly dial to 911, or ensure that telephone users are informed on how to use the telephone to connect to 911.

**This bill passed the Assembly.**

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### **Violations of the Uniform Fire Prevention and Building Code** **(A.1226, Zebrowski)**

This bill would impose a civil penalty up to \$7,500 upon the owner of a building determined to have had knowledge or who should have had knowledge of alterations to buildings in violation of any provision of the uniform fire prevention and building code, or any lawful order obtained thereunder that impedes exit from a building during a fire or emergency evacuation.

**This bill passed the Assembly.**

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### **Dialysis Center Emergency Preparedness** **(A.4303-B, Peoples-Stokes)**

This legislation would require facilities offering dialysis services to have an alternate power source sufficient to supply electrical power in the event of an outage or emergency.

**This bill passed the Assembly.**

---

**Ensuring the Safety of Individuals with Disabilities in the Event of a Disaster**  
**(A.6865, Weprin)**

This bill would enhance the safety of individuals with disabilities by requiring all counties to maintain confidential registries of people with disabilities who may be in need of special assistance in the event of an emergency or disaster. Superstorm Sandy highlighted the need for a more coordinated response to provide the necessary assistance to people with disabilities following a disaster or emergency. By requiring confidential registries, this bill would enhance disaster response capabilities across the State.

**This bill passed the Assembly.**

---

**Establish a Lyme and Tick-Borne Disease Working Group**  
**(A.8900-A, Hunter)**

This bill would gather experts across various disciplines within a working group for the purpose of providing recommendations on how to address the Lyme and tick-borne diseases epidemic.

**Chapter 337 of the Laws of 2018.**

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**Emergency Medical Supply Plan**  
**(A.9652, Dinowitz)**

This bill would require that the state disaster preparedness plan make provisions to ensure that medical supplies and medication can be delivered to pharmacies, hospitals and nursing homes within an area declared to be experiencing a disaster.

**This bill passed the Assembly.**

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**Online Firefighter Training**  
**(A.10311-B, Wallace)**

This bill would require a study on the feasibility of teaching certain skills to firefighters at their home departments or online.

**Chapter 410 of the Laws of 2018.**

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**Radon Task Force**  
**(A.10774-A, Lupardo)**

This bill would create a "radon task force" to conduct a comprehensive study on the prevention of human exposure to radon and make recommendations to reduce and minimize exposure to New York state residents.

**Chapter 414 of the Laws of 2018**

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**Indian Police Officer Training**  
**(A.11128, Jones)**

This legislation would allow Indian police officers to participate in the law enforcement accreditation council.

**Chapter 262 of the Laws of 2018.**

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**III. CRIME VICTIMS**

The Governmental Operations Committee considers legislation dealing with crime victims and the Office of Victim Services. This agency advocates for and is responsible for issuing awards to eligible crime victims. The Committee's interest and commitment to the concerns of crime victims go beyond issues directly relating to the Office itself. The Committee contributed several key bills to various legislative packages that seek to improve the responsiveness of the criminal justice system to domestic violence and other crime victims.

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**Directing Fines to the Office of Victim Services**  
**(A.3555, Englebright)**

This bill would grant courts the discretion to designate part or all of any fine or penalty paid by a violator of the state's antitrust law to be paid to the Office of Victim Services. The bill would also provide that funds collected from these fines and deposited with the Office of Victim Services be expended for the provision of aid, care and support of crime victims.

**This bill passed the Assembly.**

---

**Domestic Partners Eligible for Crime Victim Compensation**  
**(A.3920, Glick)**

This bill would allow people maintaining significant and long-term, yet not legally formalized, relationships with persons who become victims of homicide to be eligible for



compensation from the Office of Victim Services for actual out-of-pocket losses and counseling expenses.

**This bill passed the Assembly.**

---

**Additional Documentation for Crime Victims Awards Eligibility**  
**(A.3936, Pretlow)**

This bill would authorize the Office of Victim Services to accept other official documents in lieu of police reports for documentation of eligibility for crime victims' awards related to "family offenses," from a family court, a governmental agency responsible for child and/or adult protective services, or certain medical facilities.

**Chapter 295 of the laws of 2018.**

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**Expanding Eligibility for Certain Crime Victims Awards**  
**(A.7281, Peoples-Stokes)**

This bill would expand the list of surviving family members eligible for reimbursement of crime scene cleanup expenses to grandparents, parents, stepparents, guardians, brothers, sisters, stepbrothers, stepsisters, and grandchildren of victims, when a family member is killed in a shared residence.

**Chapter 117 of the 2018.**

---

**Reimbursement of Shelter Costs and Clean-Up Expenses to Certain Crime Victims**  
**(A.10275, Peoples-Stokes)**

This bill would permit the Office of Victim Services to reimburse certain crime victims for the shelter and crime scene cleanup expenses who would be eligible despite lack of physical injury.

**Chapter 204 of the Laws of 2018.**

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**Burial Expenses for Crime Victims**  
**(A.11016, Cook)**

This legislation would ensure appropriate burial expenses are reimbursed to certain crime victims and would increase the total emergency awards available for burial expenses.

**Chapter 494 of the Laws of 2018.**

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#### **IV. DIVISION OF HUMAN RIGHTS**

The Division of Human Rights is the agency responsible for the enforcement of the State's Human Rights Law, which protects the citizens of New York from discrimination based on race, sex, religion, marital status and several other protected categories.

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##### **Prohibiting Employers from Discriminating Against Victims of Domestic Violence** **(A.1481-A, Weinstein)**

This bill would prohibit employers from barring or discharging from employment, or refusing to hire, employ or license, a victim of domestic violence because of his or her status as a victim of such violence. In addition, employers could not discriminate against such individuals in compensation or in terms, conditions or privileges of employment. Additionally, this bill would require an employer to provide reasonable accommodation to an employee who is a victim of domestic violence when he or she must be absent from work for a reasonable time.

**This bill passed the Assembly.**

---

##### **Prohibiting Employers from Seeking Salary Histories from Prospective Employees** **(A.2040-C, Crespo)**

This bill would prohibit an employer from requesting, requiring, seeking or relying on a current or prospective employee's salary or wage history as a condition to receive an interview, an offer of employment, as a condition for continued employment or promotion. The bill would also prohibit retaliation by an employer against a prospective employee based on the employee's refusal to provide salary or wage history, as well as retaliation against a prospective, future or former employee based on filing a complaint with the Department of Labor alleging a violation of this section. Under the bill, a prospective employee could voluntarily disclose salary or wage history, and a prospective employer would be allowed to confirm salary history only if the prospective employee provides prior wage information.

**This bill passed the Assembly.**

---

##### **Protecting State Employees with Disabilities** **(A.2546, Lifton)**

This bill would waive the state's sovereign immunity from liability under the Americans with Disabilities Act (ADA). Under this legislation, employees of the state would attain the right to seek damages in state court for violations of their rights under the ADA. In addition,

this bill would allow citizens with disabilities to seek damages if the state does not meet the ADA's standards for access to government buildings, programs and services.

**This bill passed the Assembly.**

---

**Prohibiting Discrimination on the Basis of Gender Identity or Expression**  
**(A.3358, Gottfried)**

This bill, known as the Gender Identity or Expression Non-Discrimination Act (GENDA), would prohibit discrimination based on gender identity or expression in matters of employment, credit, education, housing, public accommodation and ownership, the use or occupancy of public space, and membership in any firehouse or fire department. Additionally, this bill would include violent crimes against individuals based on their gender identity or expression as a hate crime. This bill would also include gender identity or expression as one of the specific areas identified in the Human Rights Law for which the Division may form an advisory council in order to study the problems of discrimination and develop plans and policies.

**This bill passed the Assembly.**

---

**Prohibiting Discrimination Against Religious Attire**  
**(A.4977, Weprin)**

This bill would provide that it would be an unlawful discriminatory practice for any employer, or an employee or agent thereof, to impose upon a person as a condition of obtaining or retaining employment any terms or conditions that would require such person to forgo the wearing of any attire, clothing, or facial hair in accordance with his or her religion. The bill would also allow an employer, after engaging in a bona fide effort to accommodate the employee's religious observances or practice, to demonstrate that to do so would cause undue hardship on the employer's business.

**This bill passed the Assembly.**

---

**Gender Neutral Single Occupancy Bathrooms in State-Owned or -Operated Buildings**  
**(A.5137-A, Rosenthal)**

This bill would require the Commissioner of the Office of General Services to ensure that all single occupancy bathrooms in state-owned or -operated buildings be designated as gender neutral.

**This bill passed the Assembly.**

---

**Statement on Preventing Human Trafficking**  
**(A.6380-C, Titone)**

This bill would require a statement from parties submitting bids for competitively bid procurements affirming that it will not transact business with any organization, person or entity engaged in human trafficking. In addition, if an entity submitting a bid has a human trafficking prevention policy, such policy would be required to be submitted with its bid.

**This bill passed the Assembly.**

---

**Expanding the Scope of Unlawful Discriminatory Practices**  
**(A.6659, Dilan)**

This bill would require public educational institutions to comply with anti-discrimination provisions of the Human Rights Law.

**This bill passed the Assembly.**

---

**Updating Terms within the Human Rights Law**  
**(A.7178, Englebright)**

This bill would change terminology throughout New York State law related to individuals who are deaf or hard of hearing by changing the term "hearing impaired" to "deaf or hard of hearing."

**Chapter 221 of the Laws of 2018.**

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**Reasonable Accommodations to Allow the Use of a Service Animal in Housing**  
**(A.7283, Dilan)**

This bill would amend the Human Rights Law to clarify that reasonable accommodations include the use of an animal to alleviate symptoms or effects of a disability in public and private housing.

**This bill passed the Assembly.**

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**Discrimination Prevention in the Workplace**  
**(A.10461, Wright)**

This bill would amend the sexual harassment and discrimination laws enacted in the 2018-2019 State Budget to include that all protected classes covered by the Human Rights Law be afforded the same protection that was afforded to sexual harassment as part of the new law.

**This bill passed the Assembly.**

---

**V. OPEN GOVERNMENT**

The Freedom of Information Law (FOIL) governs the public's right to know about governmental decision-making by allowing for review of documents that form the basis of governmental decisions and actions. The Open Meetings Law enables the public to monitor the performance of public officials by observing the deliberations and decisions that go into the making of public policy. FOIL and the Open Meetings Law, as well as other laws, help to ensure governments' accountability to the people.

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**Waiving of State Copyright Claims for Public Records**  
**(A.2401, Galef)**

This bill would increase access to records that are required to be disclosed pursuant to FOIL by waiving government copyrights in records that are prepared by public bodies and are required to be disclosed pursuant to FOIL, except where the record reflects artistic creation, scientific or academic research, or if the body intends to sell the record to the public. This bill responds to governmental entities' practice of copyrighting certain government documents.

**This bill passed the Assembly.**

---

**Appeals for the Denial of a FOIL Request**  
**(A.2879, Paulin)**

This bill would provide that certain proceedings related to FOIL's trade secret protections be given preference and be brought on for argument on such terms and conditions as the presiding justice may direct, not to exceed forty-five days.

**This bill passed the Assembly.**

---

**Public Employee Retirees**  
**(A.3306, Englebright)**

This bill would clarify that the name of a retiree in a public employees' retirement system is subject to disclosure under FOIL by amending the Public Officers Law to define "retiree" as a former officer or employee of a state agency, the legislature, or the judiciary who is also a member of a public employees' retirement system. This bill would also define "beneficiary" as a person chosen by a retiree to receive pension benefits following the retiree's death.

**This bill passed the Assembly.**

---

**Open and Transparent Public Records**  
**(A.3463, Englebright)**

This bill would require a particularized and specific justification for the denial of access to records under FOIL. In addition, this bill would provide that when an agency is considering denying access to records under the law enforcement exception to FOIL because disclosure would interfere with a judicial proceeding, then the decision of whether to grant access would be made by the judge presiding over that judicial proceeding. This bill would also clarify that a denial of access to records under FOIL does not prevent a person from obtaining records under any other law, and that parties to any civil or criminal action or proceeding can use FOIL to obtain records concerning the action or proceeding. Furthermore, this bill would clarify that access to a record cannot be withheld due to the type or category of record or solely because it relates in some manner to an investigation or criminal proceeding.

**This bill passed the Assembly.**

---

**Hearing Impaired Accommodations in Public Buildings for Certain Hearings**  
**(A.8158, Dickens)**

This bill would require public bodies and public officers responsible for the scheduling of public hearings to provide the services of a qualified interpreter, if available, at no charge to persons who are hearing impaired and who make a written request for those services. In addition, public bodies and public officers responsible for the scheduling of public hearings would be required to equip any rooms that accommodate more than one hundred people and that are used for public hearings with assistive listening systems by January 1, 2020.

**This bill passed for the Assembly.**

---

**Clarification of Privacy Provisions of FOIL**

**(A.8255, Buchwald)**

This bill would clarify certain provisions of FOIL related to the personal privacy protections for lists of names and addresses if such a list would be used for solicitation or fundraising purposes only. Such disclosure would only apply to natural persons and residential addresses. This bill would also clarify how agencies respond to FOIL requests within certain time frames.

**This bill passed the Assembly.**

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**VI. GOVERNMENTAL ADMINISTRATION AND REFORM**

The Governmental Operations Committee has jurisdiction over bills that seek to amend the Public Officers Law, the Legislative Law and other laws that regulate many of the actions of state government and public employees. Many of these laws are important components of efforts to make government more open and responsive.

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**Study on Electronic Legal Materials**

**(A.1922-C, Lifton)**

This bill would require the Department of State to study the practices for the authentication and maintenance of legal material in an electronic format to guarantee the authenticity of and access to legal materials of the State of New York. The study would be submitted to the executive and legislature and be published on the Department's website.

**This bill passed the Assembly.**

---

**Electronic Filing of Applications**

**(A.3660-A, Lavine)**

This bill would attempt to reduce unnecessary barriers to electronic filing of applications for business permits with state agencies by allowing agency regulations to substitute an affirmation under penalty of perjury for a required sworn acknowledgement or oath.

**This bill passed the Assembly.**

---

**Increasing the Comment Period during the Rule Making Process**

**(A.9643, Wallace)**

This bill would extend the public comment period under the State Administrative Procedure Act (SAPA) from thirty days to forty-five days.

**Chapter 408 of the Laws of 2018.**

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**Audit Recommendation Reporting Timeframes**

**(A.11012, Peoples-Stokes)**

This bill would increase the amount of time in which a state agency or authority has to report on the implementation status of recommendations contained in an Office of the State Comptroller audit report from 90 to 180 days after the release of such audit report.

**This bill passed the Assembly.**

---

**Paid Leave for Certain State Employees who are Veterans**

**(A.10650-A, Paulin)**

This bill would allow municipalities to provide additional paid leave to certain local government public officers or employees with military combat experience so that they may obtain health-related services related to their duty in a combat theater or combat zone of operations.

**This bill passed the Assembly.**

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**VII. PROCUREMENT AND STATE CONTRACTS**

One important function of the Governmental Operations Committee is to review the procurement laws and regulations. The Committee is also interested in monitoring the contracts of the state.

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**Cost Effectiveness of Consultant Contract**

**(A.2022, Bronson)**

This bill would set forth conditions when an agency shall enter into a contract for consultant services by requiring agencies to conduct a cost comparison prior to entering into a contract for consultant services to determine if there is a less expensive alternative.

**Veto Memo Number 272**

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**Centralized Library Procurement**

**(A.7265-A, Abinanti)**

This legislation would provide state agencies and other authorized users with access to books, in both printed and electronic formats, and a variety of other non-print library materials and related ancillary services. This legislation would also require the State Library to periodically assess and advise the Office of General Services (OGS) of the requirements of state agencies, public libraries and library systems related ancillary services.

**Veto Memo Number 282**

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**State Contracts for Landscape Architecture**

**(A.7819-A, Buchwald)**

This bill would add landscape architecture services to the current list of professional services procured through a qualifications-based selection process.

**Chapter 405 of the Laws of 2018.**

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**Procurement Procedures**

**(A.8156, Peoples-Stokes)**

This legislation would implement various procurement related measures, including authorizing the Commissioner of the Office of General Services and state agencies to develop alternative procurement methods not otherwise authorized by law under certain circumstances, and clarify the use of best and final offers for invitations for bids and requests for proposals for goods, services and technology.

**Veto Memo Number 336**

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**Public Authority Use of Centralized Services**

**(A.11019, Walker)**

This bill would authorize public authorities and public benefit corporations to acquire electricity as a centralized service through the Office of General Services.

**This bill passed the Assembly.**

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## **VIII. MINORITY- AND WOMEN-OWNED BUSINESS ENTERPRISES (MWBEs)**

### **MWBE Contract Waivers** **(A.228, Bichotte)**

This bill would require a contracting agency, within 30 days of the issuance of a partial or total waiver of compliance, to report the issuance of the waiver to the director of the Division of Minority and Women's Business Development. The Division would be required to keep records of such waivers, and make such records publicly available on its website.

**This bill passed the Assembly.**

---

### **MWBE Mentorship Program** **(A.230, Bichotte)**

This bill would require the Empire State Development Corporation to conduct a study to explore the feasibility of an MWBE capacity mentorship program, the feasibility of using such program to pre-qualify MWBEs, and to examine how each program could be tailored to better prepare MWBEs for bidding on contracts.

**This bill passed the Assembly.**

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### **Annual Report of the Division of Minority and Women's Business Development** **(A.287, Bichotte)**

This bill would require the Division of Minority and Women's Business Development to report on contracts in a more detailed manner, including providing data related to MWBE participation in state contracts in a manner so as it may be sorted and reviewed more readily.

**This bill passed the Assembly.**

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### **Ensuring the Integrity of the MWBE Program** **(A.702, Rodriguez)**

This bill would reduce fraud and abuse related to the MWBE program by, amongst other measures, requiring the development of standardized certification forms to be completed under penalty of perjury, which would require a certification from the prime contractor that the MWBE in fact performed the services or provided the materials. The MWBE would also be required to certify that they in fact performed the services or provided the materials they were contracted to perform or provide. In addition, this bill would

establish the “Minority- and Women-Owned Business Enterprise Fund” as a fund of the State.

**This bill passed the Assembly.**

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**Indian Nation Owned Business Certification**

**(A.1789, Peoples-Stokes)**

This bill would require the Director of the Division of Minority and Women’s Business Development to establish a procedure enabling the office to approve an application by a business entity that is wholly owned by an Indian nation or tribe in lieu of requiring the applicant to complete the state certification process.

**Veto Memo Number 328**

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**Deposits and Specifications for Public Work**

**(A.7991, Bichotte)**

This bill would amend State Finance Law relating to deposits on plans and specifications for contracts for public works. State agencies would be required to waive the deposit upon request by a certified minority- or women-owned business enterprise or by a certified service-disabled veteran-owned business enterprise. State agencies would be permitted to waive the deposit when the plans and specifications are made available electronically or in another non-paper format.

**This bill passed the Assembly.**

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**Update of Eligibility Definition**

**(A.9820, Bichotte)**

This bill is would clarify the definition of “Hispanic” to include "Latino.”

**This bill passed the Assembly.**

---

**Applications for MWBE Certification by Veterans**

**(A.9886, Bichotte)**

This bill would create a process for veterans to become recognized as a certified minority- and women-owned business enterprise by using discharge papers as part of the application process.

**Chapter 409 of the Laws of 2018**

---

**Expanding Eligibility for MWBE Certification**  
**(A.10744-A, Peoples-Stokes)**

This bill would provide a pathway for minority- or women-owned businesses that are not eligible to become certified as MWBEs due to exceeding small business or personal net worth thresholds to become a certified as an MWBE, provided certain conditions are met.

**Veto Memo Number 345**

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**IX. MISCELLANEOUS**

**Closed Captioning on Televisions at Public Places**  
**(A.1547, Zebrowski)**

This bill would require accommodations be made for individuals by requiring places of public accommodation to turn on closed captioning upon request on all public televisions.

**This bill passed the Assembly.**

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**Notification on Solicitations Used by or on Behalf of Any Charitable Organization**  
**(A.2688-B, Steck)**

This bill would require solicitations used by any charity or by a professional fundraiser on behalf of a charity to include a statement identifying the website and telephone number of the New York State Office of the Attorney General where an individual can receive information on charitable organizations.

**Chapter 373 of the Laws of 2018.**

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**Prohibiting the Unnecessary Filing of Personal Identifying Information**  
**(A.3349, Englebright)**

This bill would help protect New York State residents from identity theft by prohibiting businesses from filing personal identifying information with an agency if such personal identifying information is not required to be filed by state or federal law. Public records such as mortgage or judgment documents often contain personal identifying information that is not required by statute. When these documents are available to the public, this creates an opportunity for identity theft. By prohibiting businesses from filing unnecessary personal

identifying information with the State or any state entity, residents are further protected from identity theft.

**This bill passed the Assembly.**

---

**Women in Policymaking Roles**  
**(A.5487, Seawright)**

This bill would require the Secretary of State to maintain a list of public officers at all state agencies that hold policymaking positions, and to record how long such positions have been held, and the number of positions held by women as compared to the number held by men.

**Chapter 461 of the Laws of 2018.**

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**New York State 2020 Complete Count Commission**  
**(A.4348-A, Crespo)**

This bill would establish the New York State 2020 Complete Count Commission to identify issues that may have led to past U.S. Census undercounts in New York State and to make recommendations to ensure an accurate count in the 2020 U.S. Census.

**This bill passed the Assembly, and was included in the enacted 2018-2019 State Budget.**

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**Sanitation Worker Residency Requirements in the City of New York**  
**(A.7070-A, Abbate)**

This legislation would allow New York City sanitation employees who have served for at least two years to reside in a political subdivision or municipal corporation which is not located more than 15 miles from the city of New York.

**Chapter 220 of the Laws of 2018.**

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**The Official State Military Hymn of Remembrance**  
**(A.8704-A, Magnarelli)**

The purpose of this legislation is to designate "Here Rests in Honored Glory" as the official state hymn of remembrance in honor of all American veterans.

**Chapter 466 of the Laws of 2018.**

---

**Commission to Study Artificial Intelligence**  
**(A.8821, Vanel)**

This bill would establish a temporary state commission, known as the New York State Artificial Intelligence Commission. The Commission would be required to study report on issues including current laws addressing artificial intelligence and the impact of artificial intelligence on employment in this State.

**This bill passed the Assembly.**

---

**Deputy Sheriff Residency in Chenango County**  
**(A.9021, Crouch)**

This bill would exempt deputy sheriffs in the county of Chenango from the requirement that they be a resident of such county.

**Chapter 340 of the Laws of 2018.**

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**Albany County Peace Officer Residency Requirement**  
**(A.9877, McDonald)**

This bill would authorize non-residents of Albany County to be appointed as peace officers for the society for the prevention of cruelty to animals.

**Chapter 145 of the Laws of 2018.**

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**Establishing the Office of the Advocate for People with Disabilities**  
**(A.10706, Skoufis)**

This bill would establish an “Office of the Advocate for People with Disabilities” within the Department of State to advise and assist state agencies in developing policies designed to help meet the needs of persons with disabilities.

**This bill passed the Assembly.**

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**Peace Officers in Rockland County**  
**(A.10815, Zebrowski)**

This legislation allows for qualified persons residing in the counties of Orange or Westchester to be appointed as peace officers in the Rockland County society for prevention of cruelty for animals.

**Chapter 175 of the Laws of 2018.**

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**Assistant District Attorney in Oswego County**  
**(A.11061-A, Barclay)**

This bill authorizes a person to holding the office of assistant district attorney in the county of Oswego to reside in an adjoining county within the state.

**Chapter 185 of the Laws of 2018.**

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**Land Transfer**  
**(A.7559, Buchwald)**

This bill authorizes the Commissioner of General Services to transfer and convey certain unappropriated state land to the town of Bedford.

**Chapter 126 of the Laws of 2018.**

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**Land Transfer**  
**(A.11005, Cahill)**

This legislation authorizes the transfer of certain unused state land which was part of the New York State Department of Environmental Conservation Region Three Head-quarters property to MCB-Eagle New Paltz, LLC.

**Chapter 350 of the Laws of 2018.**

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**X. COMMITTEE HEARINGS AND ROUNDTABLES**

**NEW YORK STATE AND EMERGING TECHNOLOGIES**

On Thursday May 31, 2018, the Committee, in conjunction with the Committee on Economic Development, Job Creation, Commerce and Industry, and the Subcommittee on Internet and New Technology held a roundtable to examine and discuss emerging technology and the impact that it will have on the State of New York. Emerging technology may have massive implications on the workforce of the state and the way that

the government administers itself in the future. These emerging technologies include block chain technology, artificial intelligence, crypto currency, digital currency, and quantum computing.

### **SUBCONTRACTING PROCESS UNDER NEW YORK STATE PROCUREMENT LAWS**

On February 28, 2018, the Committee, in conjunction with the Committee on Oversight, Analysis and Investigations, held a roundtable to examine and discuss how with respect to public projects, subcontractors are impacted by various provisions of law; including, retainage contract provisions, and the subcontracting process, generally. The dialogue on these allowed stakeholders to obtain a better understanding on the issues of the climate subcontractors on public projects face and explore possible legislative solutions. The Committee is eager to continue this important conversation into the upcoming legislative session.

### **REGULATING THE LEGAL ADULT USE OF NON-MEDICAL CANNABIS**

The Committee, along with the Assembly Standing Committees on Codes, Alcoholism and Drug Abuse, and Health held four public hearings on “Allowing Adult Use of Marijuana.” The series of hearings began on October 16, 2018, in NYC, followed by hearings in Buffalo on November 19, Binghamton on November 20, and Long Island on December 3. The Committees and attendees learned a great deal on the various considerations that accompany the issue of cannabis and marijuana legalization; the hemp industry; and the current landscape of the medical marijuana program. Stakeholders from all over the State and country testified on a broad range of topics, and particularly highlighted the overwhelming need for legalization to be done in conjunction with social and economic justice; and repairing the harms of disproportionate drug policing. This includes the automatic sealing or expungement of certain past marijuana convictions, and significant community reinvestment in impacted communities. Additionally, it became very apparent that legalization must be and diverse and inclusive, and provide entrepreneurial opportunities for people in areas of the state devastated by the history of mass incarceration from over-policing of drug laws.

### **COMMUNITY SERVICE BLOCK GRANTS**

On June 6, 2018, the Committee, in conjunction with the committee on Social Services and the Senate Committees on Finance and Social Services held a public hearing to obtain input regarding the Department of State’s CSBG Application and plan. The hearing focused on the Application and the plan for the funds. The hearing focused on how to utilize the funds that are awarded to grantees in all counties to community action



agencies, community-based organizations, and Indian tribes or tribal organizations, including advocacy, outreach, services and programs for economically disadvantaged persons in their local communities.

### **FOSTER CARE AND CHILD SEPARATION**

On October 15, 2018, the Committee in conjunction the committee on Children and Families, and the Subcommittee on Foster Care held a roundtable to examine and discuss the array of supports and services currently available for foster care agencies throughout the state and how such agencies have been affected by the recent influx of children into the State's foster care system due to President Trump's "zero tolerance" policy. The dialogue focused on the issues of foster care, the services and resources available for foster care providers and how the State can better support such agencies.

## **XI. OUTLOOK FOR THE 2019 LEGISLATIVE SESSION**

During the 2019 legislative session, the Committee on Governmental Operations will continue to focus on protecting the safety and rights of New Yorkers and increasing the efficiency and openness of government. The Committee will continue to advance legislation advocating more effective disaster preparedness, greater fairness for crime victims and increased opportunities and economic equity for small businesses. In addition, the Committee will continue to investigate solutions to protect the State and its citizens from various cybersecurity threats, and ensure that the State is well prepared for emerging technologies.

The Committee will continue its oversight over Article 15-A of the Executive Law and the implementation of the Business Diversification Act of 2010, both of which regulate the participation of minority- and women-owned businesses in State contracts. In June 2017 the committee received the Minority- and Women-owned Business Enterprise (MWBE) Disparity Study. With the MWBE program set to expire at the end of 2019, it is critical to initiate a careful and thoughtful review of the guiding statutes. The committee will continue to work toward improvements to facilitate meaningful participation by MWBEs on state contracts.

The committee will also continue its research on important issues such as an equitable and inclusive process for the legalization and regulation of marijuana, and the protection of individuals under the sexual harassment policy.

Additionally, the Committee will continue to monitor and review the State's procurement laws in order to ensure that the procurement process remains fair, open, transparent and competitive.

APPENDIX A

2018 SUMMARY OF ACTION ON ALL BILLS REFERRED TO  
THE ASSEMBLY COMMITTEE ON GOVERNMENTAL OPERATIONS

<b>2018 SUMMARY SHEET</b>
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SUMMARY OF ACTION ON ALL BILLS  
REFERRED TO THE COMMITTEE ON

Governmental Operations

TOTAL NUMBER OF COMMITTEE MEETINGS  
HELD   7  

ASSEMBLY SENATE TOTAL  
  BILLS  BILLS  BILLS

**BILLS REPORTED FAVORABLE TO:**

	ASSEMBLY BILLS	SENATE BILLS	TOTAL BILLS
Codes	16	0	16
Judiciary	0	0	0
Ways and Means	21	0	21
Rules	12	0	12
Floor	9	0	9
<b>TOTAL</b>	<b>58</b>	<b>0</b>	<b>58</b>

**COMMITTEE ACTION**

Held For Consideration	71	0	71
Defeated	0	0	0
Enacting Clause Stricken	12	0	12

REMAINING IN COMMITTEE	540	53	593
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BILLS REFERENCE CHANGED TO:

Local Governments

TOTAL	1	0	1
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**APPENDIX B  
CHAPTERS OF 2018**

A.7559	Buchwald	Authorizes the commissioner of general services to transfer and convey certain unappropriated state land to the town of Bedford. <b>Chapter 126 of the Laws of 2018.</b>
A.7070-A	Abbate	Relates to residency requirements for members of municipal departments of sanitation. <b>Chapter 220 of the Laws of 2018.</b>
A.7819-A	Buchwald	Relates to state contracts for landscape architecture. <b>Chapter 405 of the Laws of 2018.</b>
A.8900	Hunter	Establishes a Lyme and tick-borne disease working group to review current best practices for the diagnosis, treatment and prevention of Lyme and tick-borne diseases. <b>Chapter 337 of the Laws of 2018.</b>
A.9021	Crouch	Provides that a deputy sheriff of the county of Chenango need not be a resident of such county. <b>Chapter 340 of the laws of 2018.</b>
A.9643	Wallace	Relates to increasing the revised rule public comment period from thirty days to forty-five days. <b>Chapter 408 of the Laws of 2018.</b>
A.9877	McDonald	Authorized non-residents of Albany county to be appointed as peace officers for the society for the prevention of cruelty to animals. <b>Chapter 145 of the Laws of 2018.</b>
A.9886	Bichotte	Authorizes the division of minority and women's business development to accept the DD Form 214 issued by the U.S. department of defense as proof of an applicant's race or ethnicity. <b>Chapter 409 of the Laws of New York.</b>
A.10275	Peoples-Stokes	Relates to the reimbursement of shelter costs and crime scene cleanup for certain, non-injured victims. <b>Chapter 204 of the Laws of 2018.</b>
A.10311-B	Wallace	Develops a plan for skill training for firefighters to occur at such trainee's home department or online. <b>Chapter 410 of the Laws of 2018.</b>

A.10774-A	Lupardo	Relates to creating the radon task force. <b>Chapter 414 of the Laws of 2018.</b>
A.10815	Zebrowski	Allows for qualified persons residing in the counties of Orange or Westchester to be appointed as peace officers in the Rockland County society. <b>Chapter 175 of the Laws of 2018.</b>
A.10831-A	Zebrowski	Relates to the registration of real estate appraisal management companies by the department of state. <b>Chapter 517 of the Laws of 2018.</b>
A.11005	Cahill	Authorizes the commissioner of general services to convey certain unused state lands to MCB-Eagle New Paltz, LLC. <b>Chapter 350 of the Laws of New York.</b>
A.11016	Cook	Relates to the award of burial expenses by the office of victims services. <b>Chapter 494 of the Laws of 2018.</b>
A.11061-A	Barclay	Authorizes a person holding the office of assistant district attorney in the county of Oswego to reside in an adjoining county within the state. <b>Chapter 185 of the Laws of 2018.</b>
A.11128	Jones	Includes persons appointed as Indian police officers within the definition of the term "law enforcement agency" for the purposes of the law enforcement accreditation council. <b>Chapter 262 of the Laws of 2018.</b>

**APPENDIX C  
VETOES OF 2018**

A.1789	Peoples-Stokes	Directs the director of the division of minority and women's business development to provide for the minority and women-owned business certification of business entities owned by Indian nations or tribes. <b>Veto Memo 328 of 2018.</b>
A.7265-A	Abinanti	Would establish a comprehensive centralized system to coordinate procurement of books and non-print library materials and related ancillary services. <b>Veto Memo 282 of 2018.</b>
A.10744-A	Peoples-Stokes	Relates to the certification classifications for businesses owned by minority group members or women. <b>Veto Memo 345 of 2018.</b>

**APPENDIX D  
BILLS THAT PASSED THE ASSEMBLY**

A.1922	Lifton	Directs the Department of State to conduct a study on the use of legal material in an electronic format and access to such legal materials
A.8158	Dickens	Requires public officers and bodies to provide interpreters and assistive listening devices for the hearing impaired at public hearings under certain conditions
A.8255	Buchwald	Relates to accessing records under the freedom of information law
A.8821	Vanel	Creates a temporary state commission to study and investigate how to regulate artificial intelligence
A.9652	Dinowitz	Relates to disaster preparedness
A.9820	Bichotte	Expands the definition of "minority group member" for purposes of participation by minority group members and women with respect to state contracts
A.10201-A	Skoufis	Establishes emergency evacuation plan for individuals with disabilities; and establishes \$500 fine for failure to comply
A.10461	Wright	Relates to the prevention of discrimination
A.10650-A	Paulin	Authorizes additional paid leave for health-related services for certain employees
A.10706	Skoufis	Establishes the office of the advocate for people with disabilities
A.11012	Peoples-Stokes	Relates to the timeframe for the implementation of recommendations included within final reports for corrective action
A.11019	Walker	Relates to the use of centralized services by public authorities