



New York State Assembly Committee on Governmental Operations

Winter 2013-2014 Newsletter

Sheldon Silver, Speaker • Steve Englebright, Chair

Message from the Chair

Dear Friends,

I am pleased to write with an update from the Assembly Committee on Governmental Operations. In this newsletter you will find a brief summary of what my colleagues and I accomplished as well as some information about Committee-sponsored hearings and roundtables.

This session, the Committee and I focused on a wide array of legislation. Some of the highlights include: improving our State's preparation for and response to disasters; examining solutions for sustainable and effective rebuilding after storms; and supporting the rights of victims and their families in situations of violence and discrimination.

As we look forward to the next session, the Committee and I will continue to focus on restoring and rebuilding New York and working to make New York's communities stronger and safer.

Sincerely,

Steve Englebright, Chair

Legislative Highlights

Improving New York State's Ability to Prepare and Respond to Disasters

(Chapter 101 of the Laws of 2013/A.7971, Englebright)

In recent years, New York has experienced a number of disasters that have impacted many parts of the State and required a coordinated response to maximize the use of available local, state, federal and private resources in preparing for and responding to these disaster emergencies. This new law will improve the State's ability to make such a coordinated response.

This law authorizes the State Fire Administrator to create rules and regulations for the fire mobilization and Mutual Aid Plan. The Office of Emergency Management will now be able to accept any assistance including gifts of goods or services, excluding money, from a public or private source for the purpose of preparing for, responding to, or recovering from a state disaster emergency. To ensure transparency, a public database will be maintained to include names of donors and recipients, the type of assistance given, and the value of the assistance. This new law will also implement NY-Text, a system that allows for mass text messages to be sent to all wireless telephones in a chosen area before, during, or after an emergency.

Protecting Senior Citizens in Times of Disaster

(Chapter 176 of the Laws of 2013/A.371, Dinowitz)

The Executive had created a Disaster Preparedness Commission which would coordinate a plan in the event of a disaster for numerous state agencies. The State Office for the Aging (SOFA) was not included in this commission. This new law adds the State Office for the Aging (SOFA) to the commission. This addition will give senior citizens a voice at the table to ensure that the unique needs of older New Yorkers are considered and planned for in the event of a destructive natural event, man made disaster, or other emergency situation.

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Legislative Highlights (Continued from Page 1)

Expanding State Agencies' Ability to Purchase New York Farm Products

(Chapter 55 of the Laws of 2013)

During the 2013-2014 budget negotiations, the Committee and I worked diligently to give procurement flexibility to state agencies by allowing them to purchase New York farm products, including milk and milk products, in an amount less than \$200,000 without a formal bidding process, which helps our local farmers and producers.

Crime Scene Cleanup Awards for Family Members of Homicide Victims

(Chapter 119 of the Laws of 2013/A.6899, Hennessey)

This law authorizes the Office of Victim Services to make awards for crime scene cleanup to a surviving spouse, child, or stepchild of a homicide victim in cases where he or she shared a residence with the victim. Prior to the enactment of this law, the Office of Victim Services (OVS) could only make an award for crime scene cleanup to a surviving victim of a crime, in part, to begin the emotional healing process related to what may be the most traumatic event in his or her life.

In the instance of a homicide, however, there is no similar provision which would allow OVS to make such an award to the victim's family who lived in the same residence. While the law previously permitted OVS to provide counseling to these family members, it did not permit OVS to make an award to the same persons for crime scene cleanup.

Expanding Relocation Expenses Awards to Include Members of a Victim's Household

(Chapter 261 of the Laws of 2013/A.6900, Englebright)

The Office of Victim Services (OVS) has the authority to make an award to a crime victim for his or her relocation expenses when the move is necessary to ensure the victim's health or safety. When a victim lives with family members, however, there was no provision which would allow the OVS to make such an award that includes the moving expenses of other family or household members. This has led to OVS having to make awards based on the victim's pro rata share of the overall moving expenses of the household.

This new law amends this shortcoming in the previous law by providing that when an award is made for relocation expenses, the award shall include the reasonable costs of moving and transporting the victim's spouse and dependents with whom he or she resides. For a child victim, the award would include the expenses of the child-victim's parent, stepparent or guardian, as well as other persons who are dependent upon the parent, stepparent or guardian who also reside in the household.

Preventing Housing Discrimination against Victims of Domestic Violence

(A.5387, Englebright) Passed Assembly

Domestic violence is a crime of enormous magnitude that affects all New Yorkers - regardless of age, race, or economic status - with long-term and pervasive consequences for victims, families, communities and society. Each year, an estimated 400,000 domestic violence incidents are reported to law enforcement in New York, and approximately 300,000 calls are received by hotlines throughout the State. Nearly 165,000 orders of protection were issued in domestic violence cases in family, criminal and supreme courts in 2007 alone.

This bill would protect victims of domestic violence from housing discrimination by adding the denial of housing and other accommodations to victims to the definition of an "unlawful discriminatory practice."

Ensuring the Safety of Individuals with Disabilities in the Event of a Disaster

(A.6432, Cusick) Passed Assembly

In 2005 and 2006, the Committee on Governmental Operations held a series of statewide hearings on various aspects of disaster preparedness. In the March 2006 hearing held in Utica, NY, testimony was received that only two of sixty-two counties have a county registry of people with disabilities. Testimony was also received from State officials identifying the safety of individuals with disabilities as a vulnerability in disaster response.

This bill would enhance the safety of individuals with disabilities by requiring counties to maintain voluntary registries of people who may be in need of special assistance in the event of an emergency or disaster. Creating a standardized registry in each county in the state will allow information to be sent out quickly and efficiently in an emergency.

Hearings and Roundtables

Hearing on Risk Mitigation After Superstorm Sandy, Hurricane Irene and Tropical Storm Lee

On November 26, 2013, the Assembly Standing Committees on Governmental Operations and Local Governments held a hearing to examine the New York State Multi-Hazard Mitigation Plan and the recommendations contained in the NYS 2100 Commission report. The Governor charged the NYS 2100 Commission with identifying ways to improve State infrastructure in the wake of recent natural disasters and other related emergencies. This hearing also reviewed current funding received by the State as well as current and future mitigation and disaster preparedness projects statewide.

Roundtable on the Use of Retainage in Public Projects for Contractors, Subcontractors and Materialmen

On August 8, 2013, the Assembly Standing Committee on Governmental Operations held a roundtable to discuss the practice of retainage in the construction industry today. The roundtable provided an opportunity for parties involved to address both the advantages and disadvantages of the practice as well as identify areas of law where the practice may be modified to increase the beneficial use and decrease disadvantages in order to enhance the industry and improve economic opportunity.

Roundtable on the Use of “Cloud Computing” in New York State

On October 17, 2013 the Committees on Governmental Operations and Oversight, Analysis and Investigation held a roundtable to examine the use of “cloud computing” in New York State. The use of “cloud computing” technologies offers great opportunities for improvements in the utilization and coordination of state government resources. The use of this technology also has the potential to reshape State government interaction with the general public, including how the public accesses vital information. While “cloud computing” does offer many opportunities for streamlining state government operations there are also potential challenges that must be overcome in order to implement this new technology. This roundtable provided a forum to address these issues and inform the Legislature on this rapidly expanding technology.



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Hearing on Increasing the Efficiencies in Interaction between Government Agencies and Small Business

On June, 26, 2013, the Committees on Governmental Operations, Small Business, Banks, Economic Development, Job Creation, Commerce and Industry, and Oversight, Analysis and Investigation, held a hearing to examine ways in which New York can reduce “red tape” to ensure streamlined and efficient interactions between small businesses, municipalities and state agencies. This examination looked at how the State can better serve small businesses by coordinating its various services to reduce duplication, eliminate antiquated practices, and streamline regulatory requirements. Additionally, the hearing reviewed municipal practices regarding fines and fees that are assessed on small businesses, and discussed alternative methods of government interaction that will lead to further economic growth in small business.

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Resources

- **Department of Health Emergency Preparedness Resources for People with Disabilities:** http://www.health.ny.gov/environmental/emergency/people_with_disabilities/resources.htm
- **National Safety Council Emergency Preparedness:** http://www.nsc.org/safety_home/Resources/Pages/EmergencyPreparedness.aspx
- **American Red Cross Emergency Preparation:** <http://www.redcross.org/prepare>
- **NYS Ready Commission:** <http://www.ready.gov/>
- **NYS Disaster Preparedness Commission:** <http://www.nyalert.gov/>
- **NYS Department of Transportation – Traffic, Travel & Transit Info:** <http://www.511ny.org/>
- **NYS Division of Homeland Security and Emergency Services:** <http://www.dhSES.ny.gov>