



Assemblyman

Steve Otis



Legislative Update

Winter 2014

Dear Friends,

As I conclude my first term representing you in the State Assembly, I am very pleased to report that the last two years have been productive and busy. I have kept my focus on the issues that Sound Shore residents have identified as important.

These include maintaining quality schools, property tax relief and lowering costs, assisting small businesses, promoting economic development and improving emergency management. In addition to progress on these issues, I have been successful in the passage of statewide legislation on a variety of concerns.

I also work closely with municipal government officials and local not-for-profits to help them solve problems, locate outside funding opportunities, and fulfill their missions.

It is an honor and privilege to serve you in the State Assembly. Please contact me with ideas for legislation or on issues where I can be of assistance. The problems you encounter with state agencies, as a consumer or in daily life, may lead to legislation or to other ways that I can help resolve the issues you are confronting. Part of the excitement of serving is having the opportunity to address those concerns.

In this holiday season, I wish you and your family great happiness and good luck in the New Year.

Warm regards,

State Undertakes Increased Oversight of Utility Storm Preparedness

In December, I took part in a hearing to review implementation of the Public Service Commission's (PSC) increased oversight and authority over utility companies in relation to emergency preparedness and response. The purpose was to follow up on the 2013 changes we made in state law, mandating a more comprehensive PSC review of utility planning and performance. Utilities are now required to adopt more comprehensive emergency planning and preparedness and certify annually that they comply with state laws and requirements. The PSC has new powers to review, direct, fine, modify or revoke a utility company's certificate to operate based upon compliance with storm preparedness standards and performance.

The hearing confirmed that the PSC is looking very closely at submissions from the utilities, responding with detailed evaluations and, where appropriate, requiring corrections to bring plans up to performance standards. I am pleased that the integrated oversight we sought by increasing the PSC's authority appears to have been embraced by the Commission. The PSC is also reviewing utility manpower capabilities to make sure utilities are properly staffed to respond to natural disasters and decrease service interruptions.

This is especially significant in Westchester where utility performance, communications with customers and coordination with local governments are vitally important during storm events. Last year, I testified before the Moreland Act Commission established by Governor Cuomo to review utility company accountability in these storms.

The Governor has made emergency preparedness a major priority of his administration.

The granting of increased powers to the PSC is an important part of that program. In response, Con Ed is spending hundreds of millions of dollars in Westchester to upgrade the electric and gas infrastructure we depend upon. I will continue to follow all facets of this issue closely. The December hearing was a joint meeting of the Assembly Committee on Corporations, Commissions and Authorities and the Assembly Energy Committee.



Assemblyman Otis at an important legislative hearing reviewing the Public Service Commission's increased oversight of utility companies' preparedness for storm events.

State Must Help Meet Local Infrastructure Needs in 2015

Finding prudent ways to address New York's aging physical infrastructure needs is a major issue

Municipalities and counties are responsible for significant brick and mortar facilities, including roads, bridges, sewers and stormwater pipes. A recent report by State Comptroller Tom DiNapoli identified the increasing challenges that local governments face in matching much-needed infrastructure projects with available funds. Property taxpayers certainly cannot afford tax increases to pay for all the work that needs to be done.

Maintaining aging infrastructure in the Northeast comes at a high cost. The Comptroller's report indicates that local governments are spending less than one third of what is needed on vital infrastructure. Many infrastructure projects involve important health and safety issues. As residents of coastal communities along Long Island Sound, we bear the twin burdens of needing to maintain water quality in the Sound while implementing projects to protect against flooding.

New York State has about \$5 billion in unexpected revenue from litigation, settlement and enforcement penalties. These funds will be dedicated to a variety of uses. While the state will use some of the money to solidify its improved economic position, it is my hope that a portion of the funds can be used to address one-time infrastructure repairs, thereby shielding the bulk of these costs from the property taxpayer. I will be working towards increased state assistance to local infrastructure projects in the new year.



In September, Assemblyman Otis was honored by the Adirondack Council for his leadership on environmental issues. Presenting the award to the Assemblyman is Kevin Chlad, Legislative Director of the Adirondack Council.

New Law Sharply Limits Sale of Ivory to Protect Endangered Species

Governor Cuomo has signed new legislation to severely limit the sale of elephant ivory and rhinoceros horns

The market for ivory and horn products is helping to drive elephant and rhinoceros populations to the brink of extinction in Africa and Asia. Animals are being slaughtered at an alarming rate to meet the needs of the largely unlicensed and illegal trade in ivory and horn. The Wildlife Conservation Society estimates that in Africa alone, poachers kill 96 elephants each day.

I participated in hearings that uncovered stomach-turning details of cruelty to wild animals. One of the most stunning examples is the recent death of Satao, a heralded 45-year-old Kenyan elephant believed to have been one of the world's largest elephants. His killers mutilated him almost beyond recognition to remove sweeping tusks that

nearly reached the ground when he was upright.

The increase in the ivory trade has been driven by terrorist groups who participate in the killing and sale of ivory as a means of funding their operations. We are approaching the point where elephants are at real risk of extinction within a few years.

I co-sponsored this legislation, which sharply limits the sale, trade and barter of ivory articles and rhinoceros horns by removing loopholes that allowed previous bans to be circumvented. It will also deter the illegal trade in these items by significantly increasing the criminal and civil penalties for their unlawful sale. The bill was signed into law on World Elephant Day in August.

Veterans' Tax Exemption Increase Signed into Law

For many veterans in our area, property taxes are the largest expense in their household budget. Unfortunately for some living on fixed incomes, they are also the chief factor in making the tough decision to move from their longtime family homes.

While existing law provides property tax breaks to veterans, the value of these exemptions has been eroded by infla-

tion. I co-sponsored a bill to increase the veterans' property tax exemption from \$5,000 to \$7,500 of the assessed value of the property. Governor Cuomo signed this measure into law in November. This long overdue increase will improve the actual value of the exemption and I hope make it easier for veterans to remain in their homes.

New Rochelle Library Director Tom Geoffino and Board President, Haina Just-Michael, with Senator Andrea Stewart-Cousins and Assemblyman Otis at an event thanking the legislators for their assistance in obtaining a state construction grant for the library.





Assemblyman Otis at the Helping Hands for the Homeless and Hungry fundraiser with Father Hilario Albert of St. Peter's Episcopal Church of Port Chester and Helping Hands Board member Jane O'Sullivan. St. Peter's provides a variety of community services including a weekly neighborhood dinner. Helping Hands purchases and donates food, clothing, and school supplies and makes cash grants to organizations and churches supporting those in need.

Small Business Conference Offers Practical Strategies for Keeping Sensitive Customer and Business Data Secure

In October, I co-hosted an informative Small Business & Economic Development Forum with the Women's Enterprise Development Center (WEDC). The forum focused on cyber security and offered practical strategies for small businesses to better safeguard sensitive customer data from potential hacking and theft. While security breaches at Target and other high profile retailers have made national news, it is small businesses that are especially vulnerable to – and most often victimized by – cyber-attacks and damaging disclosures of confidential information.

The forum featured a distinguished panel of industry, law enforcement and security experts. I am grateful to Brian Rauer, Executive Director of the Mid-Hudson Better Business Bureau (BBB) and General Counsel of the Metro New York BBB, Bruce Rutherford, Group Head of Enterprise Security Solutions at MasterCard and Clark Russell, Deputy Bureau Chief of the Internet Bureau of the New York Attorney General's office, for sharing their expertise. While each focused on a different aspect of the problem, some common themes emerged.

First, data breaches involving sensitive customer information are on the rise and are imposing enormous costs on individuals, businesses and our economy. According to a recent report by the NYS Attorney General, nearly 5,000 data breaches were reported in New York between 2006 and 2013. Those breaches exposed 22.8 million personal records of New Yorkers and are estimated to have cost entities doing business in the state more than \$1.37 billion. New York is one of many states that require merchants to notify the public when a security breach has exposed the personal information of its customers. A copy of the Attorney General's report can be found at http://www.ag.ny.gov/pdfs/data_breach_report071414.pdf.

Second, while security breaches at large scale retailers or corporations typically involve sophisticated criminal activity, small business data breaches can often result from inadver-

tence or simple carelessness. The panelists shared stories of malware being introduced into a business' computer network when a computer is used for personal, as well as business purposes, or when employees are given remote access to the network. Panelists offered advice on how to limit these types of breaches.

Most importantly, there are practical, proactive and cost-effective strategies that small business owners can employ to minimize their exposure to cyber thievery. The panelists stressed a simple, yet highly effective, rule of thumb – ***if you don't need to store a customer's information, do not retain it.*** Brian Rauer of the BBB urged all small businesses to develop a data protection plan. To get started, he recommended that owners conduct an inventory of the types of information that are collected from customers, as well as how that data is stored, accessed, secured and/or deleted. The BBB has simple-to-follow guidelines and checklists, specifically tailored for small businesses, on its website, <http://www.bbb.org/data-security/>.

Bruce Rutherford of MasterCard also urged small business merchants to follow the Payment Card Industry (PCI) security standards for credit and debit card transactions and ensure that their businesses are using the most up-to-date point of sale equipment. Merchants can learn more about the credit card industry's standards for combatting cyber theft on the MasterCard website, <http://www.masteryourcardusa.org/fraud-protection-pci-compliance-are-more-important-ever>.

Protecting customer data is a smart business decision that helps to promote customer trust and prevent devastating financial losses that can result from a security breach. The purpose of our annual conference is to assist small businesses with information that helps them succeed. This year's topic could not have been more timely. If you would like more information regarding cyber security, or have suggestions for an upcoming small business conference, please contact my district office.

Buy Local and Buy New York

I have been a supporter of a variety of measures to assist New York businesses and products. The "Buy Local" movement helps generate jobs here in Westchester and throughout New York State.

New York has been promoting industries that have prospered in our state including agriculture, yogurt, wine, beer, spirits and tourism. At the local level, every dollar we spend with a local merchant recirculates within the Westchester economy multiple times.

One new statewide initiative is legislation, signed into law by the Governor, to assist New York brewers and micro-breweries. Among them are brewers of so-called craft beer, wine-makers and owners of apple orchards that also produce hard cider.

State alcoholic beverage control laws are understandably strict,

but have not kept pace with the growing interest in micro-brewing and local tourism centered on visits to working farms. The new law will boost the "buy local" movement by making it easier for farmers, brewers, vintners and micro-distillers to host tastings in the same place they produce their wares.

Under the new law, small manufacturers will be able to sell their product by the glass, and brewers will be allowed to operate restaurants at their breweries. The law will also increase the maximum amount of beer and cider a micro-brewer can produce.

This is a real boost to small producers who are trying to expand the market for their locally made and sourced items. I was a co-sponsor of this measure and am pleased we are finding new ways to promote business and jobs in our state.

Law Allows Students with Allergies and Diabetes to Carry Inhalers and Other Medical Treatments

Out of an abundance of caution, public schools restrict the administration of medicine and medical treatments to school nurses and other health professionals. As a result, students with serious conditions are allowed to attend school, participate in extracurricular programs and still take the medicine they need throughout the day. But they must visit the nurse's office each time a dose is scheduled.

Recent improvements in portable medical devices have made it safe for students to carry and self-administer prescribed medications for allergies, asthma and diabetes. In the extreme, these devices can save the lives of students in a medical emergency.

With guidance from the State Education Department and its School Health Services Center, we formulated a law that helps students manage their medical conditions, while restricting the liability of school districts that allow it. It also lets licensed health care providers give injections in an emergency and permits them to train unlicensed school personnel to do so in their absence.

New Steps Help Local Planners Anticipate Storm Damage Impacts

With the greater frequency of major storm events, there is little doubt that government at every level must take prudent steps to anticipate storm impacts and make planning decisions that protect our infrastructure and taxpayer dollars. We need to make building and rebuilding decisions based upon reducing vulnerability and increasing resilience.

I am pleased to report that significant legislation to accomplish this was signed by Governor Cuomo in September of this year. The Community Risk and Resiliency Act, which I co-sponsored, was based upon hearings of the Assembly Environmental Conservation Committee that were held in the aftermath of Superstorm Sandy. Now government planning decisions will have to consider the impact of storm damage and climate change. This approach makes sense, and it is my hope that it will lead to better decisions. The law does not require specific outcomes, only that storm and climate issues be considered in the planning process. We will all have to encourage good judgment by our policy-makers.

Protecting Small Children from Dangerous Chemicals

In the past, children's sleepwear was made with fabric containing the chemical TRIS to safeguard children from burns. TRIS is the common name for a family of chlorinated flame-retardant chemicals. Although the intention was a noble one, we have since learned that TRIS is linked to serious health concerns, including cancer and birth defects.

When the federal Consumer Product Safety Commission banned TRIS, sleepwear manufacturers substituted a related chemical, TDCPP, which initially seemed safe. Subsequent tests showed that this was also problematic, so manufacturers voluntarily stopped adding it to pajamas. Nonetheless,

TDCPP is still used in plastics, resins and polyurethanes typically applied to car seats and baby products. TDCPP gets into the indoor air and dust and makes its way into human tissue. Babies and young children are particularly vulnerable to its effects because their small bodies are still developing.

In September, the Governor approved legislation I co-sponsored that will prohibit the use of TDCPP in products likely to come into contact with children. The new law will limit children's exposure to a chemical that has significant adverse health effects.



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College Internships Available

Legislative internships are available to college students in my District and Albany offices. Internships focus on legislative research, analysis of state issues and assisting constituents with problems they may be having with governmental agencies. Internship applications are now being accepted for the spring academic term and for the summer. If you would like to receive an internship description and application, please contact my office at (914) 939-7028.

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