



## 2017 State of the State



Greater Rochester International Airport



JFK International Airport



Second Avenue Subway

**Andrew M. Cuomo**  
Governor



**New York State: Ever Upward  
2017 State of the State  
Governor Andrew M. Cuomo**

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**GOVERNOR ANDREW M. CUOMO**  
**NEW YORK: EVER UPWARD**

New York's Constitution requires that the governor shall provide an annual message of the state of the state.

What is the state of the state as 2017 begins? Well, to put it shortly, the positive news is the ship of state is doing very well and is stronger than in decades. There are 49 other governors in this country that give this type of report and I wouldn't change positions with any of them.

New York has made remarkable economic and social progress. Not since the time of FDR and Robert Moses has our government produced more impactful legislation, achieved more or built more for the people. But at the same time the troubling reality is, the sea upon which our ship of state sails is as rough and tempest tossed as it has been in over 50 years.

Our New York credo—indeed our American credo—our progressive philosophy in providing opportunity for all, welcoming immigrants, fostering community, providing for the poor, respecting individual

and religious freedom, and our country's progressive philosophy is all being questioned, blamed and attacked.

The generations of progress that we made on women's rights, climate change, public education, and affordable health care are being threatened. There is a recent and powerful belief that America's diversity, openness and acceptance is in conflict with the success of America's middle class working families.

That belief is both misguided and incredibly dangerous. It tears at our social fabric, and threatens to turn America's strength into a weakness.

We all heard the roar on Election Day. And we must respond. But we cannot lose ourselves in an apparent attempt to save ourselves.

We must follow two paths forward. First, to admit, acknowledge and address the very real economic problems of our struggling middle class and second, to prevent misdirected anger from doing damage to our country's core values.

This year, New York will enact a new economic program—the Middle Class Economic Recovery Act and institute a New York Promise agenda to protect and advance our progressive values and principles of social justice that are being challenged today.



To begin, New York must continue be strong and move forward. New York has maintained a level of fiscal responsibility unknown in the postwar era. After years of spending more than we took in, we have finally done what every family in the state of New York has had to do: we set a budget and kept to it.

Our annual spending increases are lower than at any time since they have been keeping budget numbers. Our credit rating is as high as it has been in 60 years. Our unemployment is down from 8.4 percent six years ago to 5.1 percent today—and the good news is our economic success is felt all across the state. Today, New York has 7.95 million private sector jobs, the most in the history of the state of New York.

The state's increase in spending is down because we are governing smarter. We cut the waste and we have prioritized better. We have invested more in education than any other time in history and more than any other state in the nation—SUNY, CUNY; the Master Teacher Program; and our statewide Universal Pre-K program. And I am proud to announce that this year we will increase funding for education to a new record level all-time high all across the state.

And we are building a new New York, from Montauk Point to Niagara Falls. We're not just starting projects. But we are getting them done. And that's government's responsibility, and we are performing for the people of the state of New York.

And what makes our economic progress even sweeter is that it is matched by unprecedented social progress. At the same time we did all of our economic work and our infrastructure, we passed Marriage Equality, Paid Family Leave, common sense gun safety laws, \$15 Minimum Wage: New York one again is truly the progressive capital of the nation.

I am proud of the work we have done and how far New York has come over the last six years. But this is not the time for self-congratulation. It is the time to prepare for the future.

We will not stop working until the bright light of opportunity shines on all New Yorkers. We still have two educational systems—one for the rich and one for the poor. Separate and unequal and that my friends, is intolerable in 2017.

We still have a judicial system that is supposed to be blind, but that all too often finds the scales of justice tipped by resources or race. We still have an electoral

system that protects the prerogatives of politicians at the expense of voters.

Our country's economic transformation has made a handful rich and masses redundant.

Our people still lack trust in government and for good cause. And the government must do more to earn trust.

Our safety net is tattered and we have record numbers of homeless on our streets, our jails have become the mental health system of last resort and acts of discrimination, hate crimes and racism are on the rise.

Most pervasive, our middle class is hurting and angry at their lack of progress. In terms of real wages, the earning potential of working families is less than it was 20 years ago. They are paying the bills, but lacking security.

Our middle class feels abused. They were collateral damage in the economic shift from a manufacturing economy to a high-tech economy. And they feel that their government did nothing to help.

In the recession of 2007 the middle class saw their hard earned equity in their homes stolen. Nearly half the homes of our middle class are not yet back to their pre-recession value. Just think of it. That home

equity was their life's work, their security blanket, the payment for their daughter's wedding, it was their business loan, and their child's college tuition. It was taken through no fault of their own. But they never got it back and no one even went to jail. Justice was never done. And that is not the American way.

The dream that their children would have a better life seems more and more elusive as the cost of college and housing goes up and up. Student debt now surpasses credit card debt and consumer debt and more college graduates are living at home than in decades.

We can quote economic recovery numbers all day long; it's not their reality. Talk to the people from my home county of Queens. Go to the gas station on Hillside Avenue where I worked, the pizzeria where we hung out. It's not what they feel. It's not their reality. And this opposition and conflict is what is causing the rough waters we see and feel all around us.

We understand the anger and we will address it.

This year, I am proposing a Middle Class Recovery Act. It has three components: jobs and infrastructure; access to education; and lower taxes.

Our top objective is to keep growing and attracting jobs to New York. Especially middle-class jobs.

We must continue our investment in building the infrastructure that will support 21st century economies. New York has lived off its inheritance for too long. We must build for tomorrow or other states and countries will continue to pass us by.

New York will lead by completing the Hudson River Valley Greenway and Erie Canalway trails by 2020 to create the Empire State Trail, the largest state multi-use trail in the nation. To drive economic growth and boost tourism, the state will develop 350 miles of new trail in three phases to create a 750-mile pathway for hiking and biking along scenic vistas and through charming, historic communities. The Empire State Trail will span much of the state, from the New York Harbor up through the Adirondack Mountains to the Canadian border—and from the shores of Lake Erie along the historic Erie Canal to the heart of the Capital Region.

The state will also invest a record \$2 billion in critical water infrastructure across New York. This historic investment in drinking water infrastructure will improve our municipal and wastewater systems through advanced treatment and filtration, upgrading aging distribution systems, ensuring proper management and

storage of common contaminants and providing clean water to all New Yorkers.

By expanding access to ridesharing services in upstate New York, we will increase economic opportunity and provide a cost-effective form of alternate transportation. The current limitations on the availability of ridesharing has meant that millions of New Yorkers are not only missing out on this alternative, but thousands more are being prevented from pursuing new flexible job opportunities as rideshare drivers.

Today, we have the exciting opportunity to create new opportunities across the state.

We are attracting new jobs because the economic cycle has turned. Many corporations that went overseas for cheap labor have learned a very important lesson—they learned that sometimes you get what you pay for. They are coming back to the US and we want them to come back to New York.

But the key to getting the jobs of tomorrow is having an education. Advanced manufacturing requires skill and an education.

The truth is that automation has taken American jobs far more than any immigrant has taken American jobs.

But it has always been that way.

During the industrial revolution, textile workers protested that machines and steam engines would destroy their livelihoods.

In 1928, a New York Times headline proclaimed “March of Machines Make Idle Hands.”

In 1961, President Kennedy declared that the major domestic challenge of the 1960s was to “maintain full employment when automation...is replacing men.”

We have been through this before.

Technology takes jobs, but then it creates more jobs than it destroys. Who gets them? People with an education get them.

That is why this session I am proposing tuition-free college at our SUNY and CUNY schools and our community colleges for students or families making up to \$125,000. That’s 80 percent of our people. One million families. It will change lives. It will restore hope for thousands of children who never believed they would make it to college.

This program is a statement of New York values. Education is a right, not a privilege, it shouldn’t be about income, zip code, or ethnicity and that’s why I will also

propose the Dream Act to help make all our children's dreams come true.

To further level the playing field we will offer additional help to children in schools with poor districts. In 2017, the P word, poverty, is still a challenge we must address.

We are proud that we pioneered our statewide pre-k program, the first in the nation, but we need more. Today, we are announcing a new pilot after-school program that will target our poorest communities. It will provide extended school hours for after-school mentoring, tutoring, and recreation—all in a safe environment.

We will build the best educated workforce in the world, and create a state that is economically competitive—keeping regulations sensible, our government entrepreneurial, and taxes low. This year I propose we provide additional relief with a Middle Class Child Care Tax Credit. The average cost to send a child to day care is \$25,000. This year, we will double the credit to help reduce child care costs for more than 200,000 working-class families. That will make a difference.

But the reform that will make the greatest difference will be to reduce property taxes.



Reducing property taxes is probably the state's greatest challenge, one that has defied resolution for over 80 years, mostly because the state doesn't control them—local governments do.

That's why I am putting forward a sensible plan to empower voters to approve locally-designed plans that eliminate duplicative services to lower the cost of local government. This initiative will incentivize county officials to develop new plans that find real, recurring property tax savings by coordinating and eliminating duplicative services.

The plan will be prepared by the county's Chief Executive Official, such as the County Executive or County Manager. County officials will get public input through public hearings and engaging with the community, business, labor and civic leaders and reach consensus on the plans.

I believe these measures will help alleviate the middle class anger. Properly focused, the energy generated by that anger, in a positive way, it can become a great force for reform. But misdirected anger can be destructive. It can scapegoat and it can demonize, it can spread fear of those who are different, and it can destroy

the uniquely American values and progressive principles that are the foundation of this society.

The number of hate crimes that has erupted recently in New York is disturbing: KKK flyers, swastikas, white supremacist and anti-Semitic rants. Happening all across the state.

It is as disgusting as it is ignorant and anti-American.

We know in New York better than anywhere – we are all immigrants, unless you are native American – we all come from different places—and we not only coexist in America, we cooperate and work together and forge community. That is what makes this nation unique on the globe. We share benefits and we share burdens without discrimination or judgement. That is the American promise and that is the New York legacy.

New York knows that our progressive principles of acceptance and diversity are not the enemy of our middle class and we know that the middle class success is not the enemy of our progressive beliefs. In fact, it was the progressive policies that created the nation's middle class in the first place. President Roosevelt put people back to work, while he regulated banks, establishing a minimum wage, creating labor rights that built labor

unions, social security, and building infrastructure, all at the same time.

The answer for people who believe they are not getting a big enough piece of the American pie is not to try to take the piece of pie from your neighbor, it's not to fight for the scraps left by the rich, the answer is to grow the pie for all. And that's what we have to do.

And if this is going to be a debate in this nation—you have heard our philosophy.

We stand with Abraham Lincoln, who said, "America will never be destroyed from the outside. If we falter and lose our freedoms, it will be because we destroyed ourselves." We stand with Mario Cuomo who said... "Some believe that the wagon train will not make it to the frontier unless some of the old, some of the young, some of the weak are left behind by the side of the trail. We believe in something else. We believe that we can make it all the way with the whole family intact."

At these stormy times of instability and confusion—let the great state of New York serve as a safe harbor for the progressive principles and social justice that made America. We will hold the torch high to light the way. That is New York's promise. And it is unequivocal. This promise is not just in words; it will be

in actions. We will protect the social progress we have made and we will push even harder. Or New York promise starts with a public-private partnership with law firms so every new immigrant is protected with legal representation, even if they can't afford it.

Next, we will expand indigent legal services for criminal defendants to honor the constitutional promise of *Gideon v. Wainwright*.

We will be the state of law and order but also the state of compassion and common sense. We will work to improve the justice system and end racial and resource inequities. We will propose groundbreaking reforms: We will video tape interrogations, improve fairness in lineups, and raise the age of criminal liability from 16 to 18. We will reform our bail system to weigh the public safety risk posed by an individual because we accomplish absolutely nothing locking up people for years who pose no threat to the public who haven't even had the right to a trial. We will honor the promise of a speedy trial because Riker's Island is an insult to Lady Justice.

The New York promise continues, because we believe individual health is public health and quality affordable health care is a human right. We will not go

back to a place where nearly three million New Yorkers are uninsured or Medicaid is decimated and our world-class New York healthcare system is dismantled. We will not allow that to happen in the state of New York. We're going to work with 1199 and the greater New York Hospital Association to make sure that doesn't happen.

We will protect our environment because we believe in the Native American proverb that we did not inherit the earth from our parents but that we are borrowing it from our children. We will invest a record amount in our Environmental Protection Fund, develop off shore wind power, and lower the RGGI emissions cap by 30 percent by 2030.

And we will take bold steps to make us safer. New York City sits 30 miles from a ticking time bomb: the Indian Point Nuclear Power Plant. Nuclear power can be a useful bridge as we transition to renewables, there is no doubt, but Indian Point is located in the most densely populated area of the state, and in the most densely populated area on the globe. There is no nuclear power plant closer in such a densely populated area. An evacuation of this region would be all but impossible.

I have been there many times to review operational issues at the plant. And there have been

many operational issues. I have been personally trying to close it down for 15 years. Finally, this year, I am proud to announce that we have an agreement. Indian Point will close in four years, 14 years ahead of schedule—at no cost to the state. Our plan identifies sources of replacement power and transitions workers to new jobs. This agreement eliminates a major risk and provides welcome relief—New Yorkers can sleep a little better.

We will improve our democratic processes and propose early voting and automatic voter registration because we should do everything we can do to actually get people to vote.

We will advance women's rights and equal pay by adopting salary history blind hiring practices and requiring all state contractors to report employees' gender and pay.

And make no mistake, New York will always stand up—and stand tall and stand firm—to protect a woman's right to choose.

We will fight the scourge of homelessness. Last year we made a historic \$20 billion commitment to fight pervasive homelessness and the affordable housing shortage. The money is there, the largest state commitment in history and six months ago I signed the

memorandum of understanding to release the funds. Neither the Assembly nor Senate has joined me in moving this forward. Today, I call on the Legislature to advance the historic affordable housing plan initiated in 2016, providing 100,000 units of affordable housing across the state, and 6,000 units of supportive housing, primarily in New York City where the homeless crisis is most dire. We need it now, we need it in the winter, we need it in the cold, it is time for the State Legislature to act.

We will enforce our anti-discrimination and our hate crimes laws in every instance of prejudice. I am proposing a new State Police and Department of Human Rights Education and Enforcement Task Force because hate and discrimination have no home in New York and no infraction will be tolerated, period. We will also come together as New Yorkers under Cardinal Dolan's efforts to organize interfaith religious leaders and congregations to share and educate New Yorkers about the commonalities in our different faiths because religious freedom and individual liberty are New York hallmarks and we need to focus on commonalties opposed to artificial distinctions.

In closing my friends, yes we have challenges, it is a challenging time, but we have been challenged before time and time again, and if there is one thing New York knows it is to get up and we know how to rise above. It is who we are in our essence. We will calm the waters, we will stop the opposing currents and we will align the energy of both. When all are headed in the same direction that will create a current that is so strong it pulls all forward. As New Yorkers living in this great state of diversity, we know that inherently that anger one against the other doesn't work, and the only thing that works is engendering a spirit where we help one another.

We today gather at a site of 9/11. This is the site of the greatest hatred and the greatest cowardice and anger in modern history. But this is also the site of the greatest response, which was love and reaching out and understanding and people coming together and not seeing differences but seeing souls and character and fellow human beings and seeing Americans, and we saw that unity is undefeatable. People from all across the state and all across the country and all across the world came together and said we're not New Yorkers, but we're here to help because we're human beings.



When we are at our best, we don't focus on disparity, we focus on commonality. That's what this is all about. In New York we know it because New York was the stepping-off place of America. It is the laboratory of experiment in America. If you want to start to point fingers at people who are different, you'll be pointing all day long. There is only one strategy to make this work—come together and see humanity and cooperate. It's about pulling people together.

We know that it's not upstate or downstate, it's upstate and downstate, it's not Democrat or Republican, it's Democrat and Republican, it's not gay or straight, it's gay and straight, it's not Christian or Muslim or Jew, it's Christian and Muslim and Jew. Its old immigrant and new immigrant.

Forging community from that group and that alliance. And that is New York. That is what we do.

Our founding fathers said it in three words—it is *e pluribus unum*—out of many one. The founding premise of the nation. And that is the enduring promise of the nation. That is a lesson that lives in this state. Our people need to know today that yes the winds are strong and yes the seas are rough and yes our principles are being challenged. But New York will show this nation

once again how to heed our better angels and that the greatest success is shared success and that we build the brightest future together.

Excelsior and god bless you.

# THE MIDDLE CLASS RECOVERY

## 1. JOBS AND INFRASTRUCTURE

The Great Recession dealt New York State a double blow: regions of the state distressed from decades of industrial decline experienced skyrocketing unemployment—reaching some of the highest levels in a generation. In Upstate, the strain on working-class New Yorkers was exacerbated by the lack of meaningful attention from State government. Local property taxes were rising at double the rate of inflation, uprooting families from their community; local economic development organizations were still holding onto the economy of yesterday; and our state’s infrastructure was literally crumbling from a lack of adequate investment

and planning. State spending was out of control, taxes were rising, and budgets were chronically late.

Today, under the leadership of Governor Cuomo, New York State's economy has transformed into a state of growth. Communities determine their own destiny, empowered by New York State through a strategic approach—the Regional Economic Development Councils—that has boosted greater investment in Upstate than any other time in history, and is actively supporting tens of thousands of jobs across the state.

Property taxes are finally under control; Governor Cuomo's innovative Property Tax Cap and Property Tax Freeze have brought sense to municipality and school district budgets, saving New Yorkers more than \$17 billion through 2016. But New Yorkers still face the highest local property tax bills in the nation—and there is more the State must do to provide fundamental reform to the system.

To grow New York's competitiveness in the 21st century economy, New York State is building today for a better tomorrow with a \$100 billion infrastructure plan to build the new New York. An investment that is constructing a new Tappan Zee Bridge on time and on budget; a new LaGuardia Airport that's already

underway; a 1.2 million square foot expansion of Javits Convention Center; a record \$27 billion to strengthen our roads and bridges Upstate; an unprecedented \$27 billion MTA Capital Plan that is expanding capacity and reimagining the regional transportation system downstate; and much more.

New York State will continue stimulating growth across the state's regional economies—from the ground up—while remaining the globe's beacon of economic opportunity.

## **Part 1. Rebuilding and Reimagining New York Infrastructure**

After nearly a century of false starts, Governor Cuomo opened the long-awaited Second Avenue Subway for service on New Year's Day 2017. As its tens of thousands of daily users can attest, the hallmark of the administration of Governor Cuomo is not to make plans—but to make progress. Now that New York's fiscal house is in order, we are ready to build for the future.

The State is executing an unprecedented \$100 billion infrastructure plan to build the new New York. The State's investments are well underway—constructing a new Tappan Zee Bridge—on budget with

an on-time 2018 opening; a new airport at LaGuardia; a new Pennsylvania Station-Farley Complex, including the state-of-the-art Moynihan Train Hall and a new LIRR Concourse, featuring a wider, brighter and more welcoming experience for LIRR passengers; a \$200 million competition to reimagine our Upstate airports; a 1.2 million square foot expansion of Javits Convention Center; and a record \$27 billion to strengthen our roads and bridges upstate.

Under the leadership of Governor Cuomo, the new MTA is here—powered by a record \$27 billion capital plan. To expand capacity across its public transit system, the MTA is completing the Double Track between Ronkonkoma and Farmingdale and moving forward with the Third Track Mainline proposal to reduce delays and increase reliability for thousands of riders. The MTA is reimagining 33 subway stations; introducing thousands of state-of-the-art subway cars and buses; bringing the LIRR to Grand Central Terminal through the East Side Access project; building four new Metro-North stations in the Bronx, bringing the line to Penn Station for the first time; and transforming New York City's river crossings by removing toll booths and installing state-of-the-art all-electronic toll systems.

Together, these investments will keep New York's economy growing into the next century while creating 250,000 construction jobs.

***Proposal: Reimagine JFK International Airport for the Next Century of Growth***

John F. Kennedy International Airport was built in 1948, and in the nearly 70 years since opening, the aviation industry has seen massive technological and organizational change—and the airport has grown to six separate terminals and four runways. Today JFK is the nation's busiest airport for international passengers and serves the largest and densest population in the country.<sup>1</sup>

In 2016, 60 million passengers passed through JFK through more than 70 airlines to 100 international nonstop destinations. Over the last five years, passenger demand at the Airport has grown 22 percent.<sup>2</sup> The Airport is a major driving force in the regional economy, generating \$15 billion in wages and nearly 285,000 jobs.<sup>3</sup> As early as the mid-2020s, JFK demand will exceed capacity by up to three million passengers annually. For each million passengers not accommodated, the New York/New Jersey

region loses approximately \$140 million in annual wages, \$400 million in annual sales, and 2,500 jobs.<sup>4</sup> Despite its importance to the region, JFK is not the airport passengers expect when arriving in one of the greatest cities in the world, and it is hardly surprising that the airport is consistently given poor marks by the passengers it serves. Skytrax recently ranked JFK as 59<sup>th</sup> out of the world's top 100 airports.<sup>5</sup>

In 2015, Governor Cuomo established the Airport Advisory Panel to develop comprehensive recommendations to reimagine and modernize New York's Airports. In July 2015, the Advisory Panel delivered recommendations to build a new airport at LaGuardia—and in less than a year later, the Governor turned a plan into reality—the new airport at LaGuardia is already under construction. Next, the Advisory Panel turned its focus to JFK International Airport and this January delivered its recommendations to reimagine the complex.

The Airport Advisory Panel found that JFK is in its current condition due to a lack of overall master planning to guide the Airport's development—ultimately causing an inconsistent passenger experience, facilities that are quickly running out of space, on-airport roadways that



are confusing to navigate, and an airport that is increasingly difficult to access. The Airport Advisory Panel is advancing a set of recommendations composed of three parts:

1. *Transform JFK into a unified, interconnected, world-class airport:* JFK's Airport-Wide Master Plan will: Ensure consistent and state-of-the-art standards for all facilities throughout JFK; increase capacity to accommodate projected passenger growth; ensure security incorporates most-advanced technologies; enhance quality of terminals and interconnection to create a more unified passenger experience; reduce on-airport traffic congestion; improve airport operations by expanding taxiways and increase landings and takeoffs; and consolidate cargo footprint and increase efficiency. As the Port Authority moves to approve its new capital plan, it has the opportunity to deliver new terminal projects that can drive more than \$7 billion of private-investment—potentially higher levels than the 2/3 private investment in a new LaGuardia.
2. *Reduce congestion and improve road access to the airport:* To improve access to JFK, the Panel's recommendations include for the State Department of Transportation to improve a major bottleneck—the Interchange between the Grand Central Parkway and Van Wyck Expressway—going from two lanes to three lanes in each

direction for the Interchange. The recommendations also call for the expansion of the Van Wyck Expressway—from three to four lanes in each direction, utilizing existing right of way and to be used as a managed use lane to be used for express bus service and other high occupancy vehicles.

3. *Expand rail mass transit meet projected growth of the airport:* Under the recommendations, the MTA and Port Authority will evaluate two proposals—expanding JFK AirTrain service and determining the feasibility of a one-seat ride to the airport. Since its opening in 2003, the JFK AirTrain has exceeded all projections, but overcrowding has become inevitable as a result. The Plan calls for doubling the JFK AirTrain's capacity from two cars to four cars, increasing JFK AirTrain frequency, while improving the ease of connection from subway or LIRR through a complete overhaul of LIRR's Jamaica Station and the Sutphin Boulevard/Archer Avenue subway station. JFK's AirTrain capacity will be increased from over 20 million annual passengers today to more than 40 million. The Panel also recommends the MTA and its partners jointly explore the feasibility of a one-seat ride to JFK.

***Proposal: Implement Round Two of the Successful Airport Economic Development and Revitalization Competition***

The \$200 million Upstate Airport Economic Development and Revitalization Competition announced by Governor Cuomo last year challenged upstate commercial and general aviation airports to envision bold new plans and designs to enhance safety, improve operations and access, reduce environmental impact and create a better passenger experience.

The first two winners, Elmira Corning Regional Airport and Greater Rochester International Airport, submitted innovative and transformative plans. Elmira was awarded \$40 million to support a \$60 million reimagination of the airport—increasing capacity, enhancing security, improving retail options, and modernizing the airport to compete in the 21<sup>st</sup> century global economy. Rochester was awarded \$39.8 million to support its \$64 million reimagination—building new sustainability features into the airport, increasing capacity and safety, and promoting innovation at the site.

Elmira and Rochester are proving the success of competitive, targeted investment in New York's Upstate airports. To build on this success, Governor Cuomo will

implement Round Two of the Upstate Airport Economic Development and Revitalization Competition by announcing winners eligible for \$110 million in awards this year.

Syracuse-Hancock International Airport (SYR) will receive \$40 million to support a \$54 million project that reimagines the traveler's journey through an airport totally redesigned to capture the spirit of central New York—from yesterday to today. The new funds will continue the completion of a state-of-the-art centralized security checkpoint, a revitalized food, beverage, and retail concession program, a rainwater collection system, new lighting, flooring and furniture, a new terminal façade and canopy, a redesigned grand hall and two completely redesigned concourses.

Plattsburgh International Airport (PBG) will be awarded \$38 million dollars to support a \$43 million re-imagination of the airport that will increase capacity, add new retail and concession options, and improve the passenger experience. The construction of a new air cargo receiving and distribution center, establishment of a new general aviation customs facility, and completion of a multimodal transit facility will create jobs, improve mobility options, and position PBG well to support the

growing transportation equipment and aerospace industry in and around Plattsburgh and the entire North Country region.

***Proposal: Invest in Long Island's Transformation***

With a population of nearly eight million,<sup>6</sup> Long Island is one of our state's largest population centers. Last year, under Governor Cuomo's leadership, New York State invested in a wide array of transformative infrastructure projects on Long Island. From the \$50 million Hofstra University School of Engineering and Applied Sciences hub, to the \$50 million Brookhaven National Laboratory, to the \$25 million Cold Spring Harbor Laboratory Center for Therapeutics Research, these projects are smart investments to create jobs and stimulate economic growth in Nassau and Suffolk Counties.

Governor Cuomo proposes investing \$160 million in transformative projects on Long Island. This includes \$120 million for the LIRR—to provide state-of-the-art enhancements to 16 stations and improve system connectivity with a new terminal at MacArthur Airport and a new stop at Brookhaven National Laboratory—and

\$40 million to build sewers that will support economic growth and environmental sustainability in Smithtown and Kings Park. These transformative infrastructure projects contribute to the resiliency and strength of Long Island, and provide vital support to bolster the continued growth of the region.

***Proposal: Create the Town of Woodbury Transit and Economic Development Hub***

The Route 17/32 corridor in Orange County is a critical junction relied upon heavily by commuters, shoppers, students and residents alike. Routes 17 and 32 provide a direct connection to Metro North Harriman railroad station and host significant commuter bus routes. Local residents, commuters, and shoppers all are negatively impacted by severe traffic congestion on State Route 32 at the Route 17 Exit 131 interchange, which serves more than 70,000 vehicles daily. Due to its proximity to Woodbury Common Premium Outlets, a regional economic engine, the interchange routinely swells to even higher traffic volumes during peak seasonal shopping seasons.

Governor Cuomo proposes to accelerate a \$150 million project to address the issue of congestion in the corridor. The project will include:

- Improved access to Woodbury Common Premium Outlets;
- Replacing the Route 32 bridge over Route 17, which will include standard Interstate height clearance over Route 17;
- Reconstruction and expansion of Park and Ride facilities which will include a bus stop and solar-powered bus station to promote public transit;
- Reconfiguring the Route 17, Exit 131 eastbound ramp leading to the Thruway;
- A new interconnected and adaptive traffic signal system along Route 32 to minimize delays and enhance access to local businesses and schools; and
- Intelligent Transportation Systems to optimize traffic conditions.

These actions will reduce travel time for drivers and transit rail and bus riders by relieving congestion while significantly improving access and reducing bottlenecks. Commuter bus usage will increase from the improved commuter parking facilities, allowing commuters to spend less time traveling to work, reducing carbon emissions and lowering vehicle operating costs. Construction of the project will begin this year and create nearly 600 jobs.

***Proposal: Initiate New Study to Determine Viability of Tunnel Options to Transform Outdated I-81 Viaduct in Syracuse***

Investing in our roads, bridges, and tunnels is key to ensure New York remains connected and competitive. The I-81 viaduct, which runs through downtown Syracuse, is reaching the end of its useful life the community's concern over its replacement is growing. All possible options must be carefully studied to ensure what is best for the economic vitality of Syracuse and Central New York.

The Department of Transportation began a formal environmental review under the National Environmental Policy Act, which requires reviewing multiple options to determine the best alternative for construction. To ensure this project advances, Governor Cuomo proposes that the New York State Department of Transportation procure an independent expert with international tunnel expertise to review the following options: a community grid, a tunnel, a depressed highway, a tunnel with a community grid or a depressed highway with a community grid. The feasibility report will be made available to the public upon completion.



### ***Proposal: Build a New Amtrak Station at Schenectady***

Governor Cuomo has brought forth a new era of infrastructure investment in New York State. From the Second Avenue Subway, to the New Tappan Zee Bridge, to airport investments throughout the state, Governor Cuomo has been a champion of transportation projects that connect New Yorkers to new opportunities and drive economic development.

In 1971, Schenectady's Union Station was demolished. Since then, the city has relied on an undersized and increasingly run-down depot. Schenectady needs a modern transportation hub linking the city with New York City, Niagara Falls, and everywhere in between, and bringing travelers to the new Rivers Casino.

Governor Cuomo proposes investing \$15 million in capital funds to build a new transportation hub in Schenectady. The hub, to be owned by Amtrak, will feature state-of-the-art accessibility for people with disabilities, new lighting and landscaping, improvements to the parking area on Liberty Street, and walkways leading to the Bus Rapid Transit areas on State Street.

***Proposal: Expand Authority for Design-Build Contracting to Certain New York State Agencies and Public Authorities***

As part of Governor Cuomo's successful actions to turn the State's fiscal situation around, the Governor spearheaded the effort in 2011 to authorize the use of the "design-build" procurement method, in which design and construction services are contracted by a single entity. This legislation, which was renewed in 2015, encourages innovation and creativity from the



***Design-build contracting helped Governor Cuomo move the new Tappan Zee Bridge project from dysfunction to construction in just 14 months while saving approximately \$1.5 billion and 18 months of development time.***

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private sector in the engineering and construction of major infrastructure projects. It has been utilized by authorized State agencies and

authorities to accelerate the completion dates for dozens of projects and has saved taxpayers billions of dollars in the process. For example, the design-build approach helped the Governor to move the new Tappan Zee Bridge project from dysfunction to construction in just 14

months. Utilizing design-build on that project resulted in savings of approximately \$1.5 billion in cost and time savings of at least 18 months on project delivery.

All design-build projects are deemed “public works” and must include prevailing wage provisions, and expressly authorize a project labor agreement to be included if a study shows it would be beneficial to reduce delay and result in cost savings advantages to the project. Today, the MTA is using design-build on nearly all of its new projects, including the Double Track project and Third Track proposal on the Long Island Rail Road; the new LIRR Concourse at the Penn-Farley Complex; all of its 33 subway station reimaginings; and in the production and manufacture of new, state-of-the-art subway cars.

Currently, several state entities undertake design and construction services across New York. For example, the Office of General Services (OGS) provides enterprise design and construction services to over 30 State agencies and needs the tools to provide their services in the most affordable and responsible way. However, OGS is statutorily authorized to only use design-bid-build contracting. This format is inefficient and costly; it requires two separate contracts, takes

longer to execute, and exposes the state to more risk. These limitations are impacting the efficiency and cost-effectiveness of too many of our State entities. To save taxpayer dollars and complete capital projects on time and on budget, the Governor proposes authorizing all State agencies and authorities focused on construction activities to enter into design-build construction contracts.

***Proposal: Pass the New York Buy American Act for Domestic Preference in State Procurement***

Manufacturing jobs make up approximately 5 percent of the state's overall workforce and close to \$70 billion in goods are manufactured in New York each year, which is over 6 percent of the State's economic output.<sup>7</sup> Each year, New York State spends billions of dollars on procurement of goods and services. However, current State procurement regulations place little emphasis on ensuring this spending power is leveraged to support American and New York manufacturing. Existing provisions only mandate the State purchase American steel under certain circumstances—missing a critical opportunity to promote industry here at home.

New York is the financial capital of the world—the State embraces globalization and the opportunities it gives us. New Yorkers also know the value of investing in American-made products. Manufacturing is what shaped our landscape from the Atlantic coast the Erie shoreline.

Governor Cuomo will introduce the New York Buy American Act—a sweeping set of legislative reforms to require all state entities to buy American in procurements greater than \$100,000—protecting and expanding American manufacturing. The legislation will amend state procurement laws to include a buy American preference for all procurements of goods and products—not just steel, while ensuring implementation is in compliance with all federal laws and commitments New York State has made under international trade agreements.

Currently under the Act, steel is considered “American-made” if all manufacturing takes place in the United States. A manufactured product would be considered “American made” if end manufacturing processes take place in the United States, and more than 60 percent of the components of the manufactured good, by cost, are of domestic origin.

Buy American New York would be the strongest law of its kind in the nation. New York has a responsibility to lead in support of its citizens and an obligation to its taxpayers to reinvest their dollars in businesses and workers who are the backbone of American life and prosperity.

## **Part 2. Fueling a Clean Energy Economy**

New Yorkers know firsthand the devastating effects of climate change. Over the past six years, New York State has experienced some of the most extreme weather events in the state's history, including Hurricane Irene and Tropical Storm Lee in 2011, and Superstorm Sandy in 2012. The science behind a key cause of the uptick in extreme weather is undeniable: rising carbon emissions from human activity are driving global temperatures upward at an alarming rate, with 15 of the warmest years on record having occurred since 2001. As Governor Cuomo said, "Climate change is a reality, and not to address it is gross negligence by government and irresponsible as citizens."

Governor Cuomo is taking decisive action—New York State has already banned fracking and is committed

to phasing out antiquated, polluting coal plants in the state. Last year's implementation of the Governor's Clean Energy Standard ensures that New York will be powered by 50 percent renewable energy by 2030—the most aggressive clean energy mandate in state history. Further, Governor Cuomo's comprehensive energy strategy—Reforming the Energy Vision—is spurring economic growth in the clean energy economy across the state while driving down harmful greenhouse gas emissions.

These actions are already generating unprecedented growth in both large and small renewable energy systems—including the construction of 70 large wind, biomass, hydro-electric, and other renewable projects in just the last few years. Since 2011, solar power in New York State has grown 750 percent and greenhouse gas emissions from the power sector have been reduced nearly 25 percent. This past year, New York celebrated the 35,000<sup>th</sup> solar project on Long Island and the state's first Community Solar project was completed in the Southern Tier. Now, over 325 megawatts of community-owned solar has advanced in the pipeline and is slated for support from the Governor's \$1 billion NY-Sun program.

The United States now faces an unprecedented reversal of federal climate and energy policy. Regional and national emissions reductions remain a critical priority, and New York State stands ready to work with other regions and states to ensure vital progress on climate is continued. Governor Cuomo will continue to drive New York's environmental leadership and will act decisively to oppose any federal action that seeks to roll back progress.

***Proposal: Construct First Offshore Wind Project in New York State off Long Island and Develop Up to 2.4 Gigawatts of Offshore Wind by 2030***

Offshore wind power will play a critical role in meeting the ambitious objectives of Governor Cuomo's Clean Energy Standard while offering an enormous opportunity to spur economic development. As announced in the Governor's 2016 State of the State Address, the New York State Energy Research and Development Authority is developing an Offshore Wind Master Plan to capture offshore wind's vast resource potential. The Master Plan will be released by the end of 2017 and will outline specific steps the State will take to



promote offshore wind development on a large-scale and cost-effective basis.

The Governor's objective is for the State to develop up to 2.4 gigawatts of offshore wind power in the Atlantic Ocean by 2030 outside of the viewshed of the Long Island coast and in close collaboration with local communities and stakeholders. Out of a total of 16,000 square miles in New York's Offshore Wind Study Area, the combined project areas will likely occupy a total of approximately 250 square miles. New York State's commitment of up to 2.4 gigawatts is the largest in U.S. history, and will be achieved by supporting the construction of near-term projects as well as identifying additional federal wind lease areas for longer-term development. The Master Plan will guide how these additional sites can be developed with the interests of all stakeholders in mind and will set capacity targets and commercial operation dates for each site.

The first major step in the State's offshore wind development plan is a 90 megawatt, 15-turbine project off the East End of Long Island. The Governor calls on the Long Island Power Authority to approve this critical project, which would be approximately 30 miles southeast of Montauk and not visible from Long Island's

beaches. This innovative project is the least expensive proposal, including proposals for both renewable and conventional power generation, to meet the growing energy needs of the South Fork and to provide cleaner energy for all of Long Island. Electricity bill impact for the project is not expected to exceed \$1.20 per month for average customers. This dramatic first step will be the largest offshore wind farm under contract to an electric utility in the U.S. to date and is the first phase in development of a federal lease area that can support more than 1,000 megawatts of wind power.

The second project under development is expected to produce 800 megawatts of wind power 17 miles south of the Rockaway Peninsula. In December 2016, the federal Bureau of Ocean Energy Management conducted an auction for a parcel of 79,000 acres of federal waters for wind energy development. The auction received an unprecedented response from the wind energy industry and was won by the energy company Statoil Wind US LLC. The result of the auction demonstrates robust market interest in developing wind resources off New York's coast, and the Governor calls on the State's energy authorities to jointly ensure this federal lease area is developed responsibly, cost-

effectively, and with the interests of New Yorkers as the utmost priority.

***Proposal: Invest \$360 Million to Construct 11 Major Renewable Energy Projects and Leverage \$4 Billion to Build an Additional 35 Projects by 2020***

New York State is leveraging public-private partnerships to fulfill Governor Cuomo's directive that 50 percent of all electricity consumed in the state must come from clean, renewable



***To date, the State has supported the construction of enough renewable energy capacity to power over 825,000 homes every year.***

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sources by 2030. To date, the State has supported the construction of more than 2,000 megawatts of clean, renewable energy capacity—enough generation to meet the electricity needs of over 825,000 homes every year. This clean power supply comes from 70 different projects located in all parts of the state, and represents \$1.24 billion in total State investments.

Now that New York has built a foundation for the renewable energy system of the future, the State must

double down by investing in the fight against dirty fossil fuels and fracked gas from neighboring states to achieve the goals outlined in the Governor's Clean Energy Standard.

This year, NYSERDA will invest \$360 million from the Clean Energy Standard's most recent large-scale renewables program solicitation in 11 projects throughout the state. This will be the largest single State investment at one time, and an increase of \$210 million over recent awards. These awards will leverage nearly \$1 billion in private sector investments for clean technologies like wind, solar, fuel cells, and hydroelectric power. For every \$1 invested in large scale renewable projects such as these, New Yorkers will realize \$3 in economic benefits in the form of jobs, payments to public entities, in-state purchases of goods and services and land leases. Combined, the projects are expected to add 260 megawatts of clean capacity to the grid, enough to power 110,000 homes each year. The installations will reduce carbon emissions by more than 420,000 metric tons per year, the equivalent of taking 88,000 cars off the road annually.

The projects, located in each region of the state, will together create hundreds of jobs and include:

### Capital Region

Hecate Energy Green County, Greene County: Hecate Energy LLC will build a 50 MW solar facility in Coxsackie.

### Central New York

Fulton Unit 1, Oswego County: Brookfield Renewable Energy Group, will install a new 890 kW high-flow turbine-generator at a hydroelectric facility in Oswego County.

North Division Street Dam Hydroelectric Facility, Cayuga County: The City of Auburn will upgrade equipment, increase capacity and restore operation of the hydroelectric facility, resulting in a new capacity of 1.12 MW.

### Mid-Hudson

Swinging Bridge, Sullivan County: Eagle Creek Hydro Power LLC will add 0.85 MW to an existing hydroelectric facility in the town of Lumberland, resulting in a total installed capacity of more than 7 MW.

Regen DG Project, Westchester County: Bloom Energy Corp. will install a 1.05 MW fuel cell at Regeneron Pharmaceuticals, Inc. in Tarrytown.

### Mohawk Valley

Belfort Unit 3, Herkimer County: Brookfield Energy Marketing LP upgraded its existing facility in Beaver River with two modern high-efficiency runners, resulting in a total installed capacity of 2.4 MW.

### North Country

Number Three Wind Farm, Lewis County: Invenergy Wind Development LLC will build a 105.8 MW wind farm in the towns of Lowville, Harrisburg and Denmark.

Glen Park, Jefferson County: Northbrook New York LLC, a subsidiary of Cube Hydro Partners, LLC upgraded equipment at existing hydroelectric facility, resulting in a total installed capacity of more than 32 MW.

Tannery Island Hydro, Jefferson County: Ampersand Tannery Island Hydro LLC installed and upgraded new equipment resulting in a total installed capacity of more than 1.8 MW.

### Southern Tier

Eight Point Wind Energy Center, Steuben County: NextEra Energy Resources LLC will build a 101.2 MW wind farm in the towns of Greenwood, Troupsburg and West Union.

### Western New York

Burt Dam Incremental Hydro, Niagara County: Ampersand Olcott Harbor Hydro LLC recently upgraded equipment resulting in a total installed capacity of 600 kW.

Once these awards are issued, the State expects to then support an additional 35 new renewable projects by 2020, leveraging \$4 billion in public investment

statewide and up to twice that amount in private sector activity. From Long Island to Buffalo, these new projects will help power the energy system of tomorrow while protecting our environment and creating skilled jobs in emerging sectors of the economy.

***Proposal: Build 500 New Workplace Electric Vehicle Charging Stations and Install 69 New Charging Stations Along the Thruway***

Under Governor Cuomo's leadership, New York State is taking unprecedented strides to promote electric vehicles and charging infrastructure. In 2013, the Governor launched the ChargeNY initiative, which aims to reach 3,000 charging stations supporting an expected 30,000 to 40,000 personal electric vehicles on the road in New York by 2018. New York State is also a proud member of the Transportation and Climate Initiative, a collaborative of 12 northeast and mid-Atlantic jurisdictions to reduce oil dependence and greenhouse gas emissions from the transportation sector while growing the clean energy economy. In addition, New York is a leader in the multi-state Zero Emission Vehicle Action Plan.

In 2017, the New York State Energy Research and Development Authority and the New York Power Authority will invest in expansion of electric vehicle charging in the workplace, a proven method to increase New Yorkers' adoption of zero-emitting electric vehicles. NYSERDA and NYPA therefore commit to 500 new workplace charging stations by 2018.

In addition to charging at the home and workplace, the main transportation corridors of New York increasingly require a robust system of EV charging stations. The New York State Thruway has been essential to the vitality of the upstate economy by providing safe and reliable travel through the Northeast. However, today's electric vehicles must almost always exit the 570-mile highway to recharge because only four charging stations exist within the Thruway system.

To promote the use of electric vehicles in New York, the Thruway Authority will install 69 new plug-in electric vehicle charging stations along the Thruway. This commitment increases the amount of publicly accessible fast charging stations by 50 percent statewide and greatly expands their coverage along the whole of the system. The high concentration and extensive coverage of charging infrastructure that these new



stations provide will help ensure the entire Thruway is designated as a nation-leading "EV Corridor" by the U.S. Department of Transportation Alternative Fuel Corridors program. This action also supports Governor Cuomo's commitment to reduce greenhouse gas emissions 40 percent by 2030 from 1990 levels. Adding these charging stations will help bring the history-shaping Thruway into the 21st century while taking significant steps to advance Governor Cuomo's goals laid out in ChargeNY.

### **Part 3. Continuing Our E<sup>2</sup> Commercialization Strategy**

A central pillar of Governor Cuomo's successful economic development strategy is E<sup>2</sup>—education meets economic development. The economy of today and tomorrow is based on the ability to efficiently translate new knowledge into new products and services.

At the forefront of E<sup>2</sup> is the public-private NYSUNY 2020 and NYCUNY 2020 Challenge Grant Program which incentivizes bottom-up, individualized, long-term economic development plans on SUNY and CUNY. Since its creation in 2011, the Program has awarded \$580 million in new capital matching grant

funding through Empire State Development to fund innovative programs at SUNY and CUNY campuses and community colleges across the state.

Under the Governor's strategy, the State is aggressively supporting start-up businesses and entrepreneurs by investing in Innovation Hot Spots and NYS Certified Business Incubators—new programs that provide mentoring, shared facilities, and product development services to early stage companies that are tomorrow's job creators. In the program's first full year, it helped create or retain 768 jobs and generate over \$177 million in economic impact.<sup>8</sup>

The Governor is making new, strategic investments in research assets that are critical for New York's leadership in emerging technologies. Over the past five years, New York's Centers for Advanced Technology and Centers of Excellence helped create or retain 22,396 jobs and generate \$4.9 billion in economic impact.<sup>9</sup> Acting through the pioneering programs of DOH's Wadsworth Center Laboratory, Governor Cuomo has invested more than \$245.5 million to further basic, applied, translational or other research and development activities that will advance scientific discoveries in fields related to stem cell biology, breast

cancer or spinal cord injuries. And over the past two years, the High Performance Computing Consortium generated \$20.5 million in economic impact.<sup>10</sup>

In this mission, the State also launched New York Ventures, which provides financial capital to early-stage, technology-based businesses through the New York State Innovation Venture Capital Fund, a \$100 million multi-stage fund; the Innovate NY Fund, a \$45 million seed-stage fund; and the Minority-and Women-Owned Business Investment Fund, a \$2 million seed-stage fund. Together, these funds have invested in over 80 high tech startups generating over 1,200 jobs and nearly \$250 million in private sector matching investments.<sup>11</sup> And the New York Manufacturing Extension Partnership, which helps small manufacturers to design and implement product and process innovations, has helped support 20,677 jobs and generated nearly \$3.4 billion in economic impact.<sup>12</sup>

New York State's E<sup>2</sup> strategy is actively increasing the competitiveness of existing industry and also fostering important drivers of innovation and commercialization activity across the state, setting the stage for next-stage, knowledge-led economic growth.

***Proposal: Invest \$650 Million to Fuel a World-Class Life Sciences Cluster in New York***

The vitality of New York's economy into the 21<sup>st</sup> century is dependent upon the state's ability to commercialize research and translate it into private sector economic impact. New York State is an undisputed national leader in attracting cutting-edge research support in life sciences from external funding sources like National Institutes for Health. But New York does not have the state-of-the-art laboratory capacity, availability of mentors skilled in entrepreneurship, and amount of private venture capital needed to quickly and efficiently translate life science research into commercialization.

To fuel robust growth in New York's life science sector, Governor Cuomo proposes New York State:

1. *Provides \$250 Million in Tax Incentives for New and Existing Life Sciences Companies that are Expanding Research and Development.* To better compete with other states actively poaching New York's top life science research talent, the state must draw more capital to this sector from early stage and angel investors, as well as make it more attractive for existing and new firms in life sciences to locate, invent, commercialize and produce here in New York. In an effort to grow New York's share of industry-funded bioscience R&D, existing life science businesses would be eligible for an annual allocation

of \$10 million in Excelsior tax credits, while new life science businesses would receive a 15 percent tax credit on all new qualifying research and development expenditures. Small businesses in the industry could be eligible for a 20 percent credit. Additionally, angel investors would receive a credit of 25 percent of their investment, with a maximum of \$250,000 per investor.

2. *Provides \$200 Million in State Capital Grants and Offers More Than 4.2 Million Square Feet of Space and 2,038 acres of Developable Land Tax Free to Accelerate Life Science Innovation.* Innovation in the life sciences requires state-of-the-art laboratory space, equipment and technology. The Governor's initiative invests \$200 million, over ten years, to support the capital needs of life science entities, positioning New York's wet labs and innovation space to be the place where future technologies are born. Additionally, the lack of affordable and appropriate lab space has been cited as a barrier to New York reaching its potential in the life sciences. To remedy this, the state will also make more than 4.2 million square feet of innovation space and 2,038 acres of developable land available tax free at 62 colleges and universities statewide. The availability of grants, land and space creates an unprecedented opportunity to expand access to wet labs, infrastructure and other equipment essential for life sciences research, innovation and development.
3. *Provides \$100 Million in Investment Capital for Early Stage Life Sciences Initiatives, Matched by at least \$100 Million from the Private Sector.* As part of New York's commitment to the growth of this sector, the State will pledge \$100 million for additional investment for early stage life science firms. In

addition, private sector partnerships are also pledging matching funds for investment and operational support, bringing the total commitment to \$200 million. Modeled on the highly successful 43North innovation competition, New York State will host a quarterly, 13-week regional life science launch competition in which firms in the midst of conducting groundbreaking research and developing emerging technologies compete for \$25,000 grant funding. All the quarterly winners will then compete for one of five \$100,000 top business launch prizes at a statewide annual Life Sciences Summit, which will gather top researchers, commercial firms venture funders and policymakers together to strategize next steps for continued aggressive growth of the life science sector.

4. *Locates JLABS Innovation Center at NY Genome Center.* A \$17 million investment in buildout of JLABS Innovation Center at the NY Genome Center will provide entrepreneurs 35,000 sq. ft. of shared lab space and offices, access to scientific, industry and capital funding experts as they work to build important and successful early stage companies. The collaboration with Johnson & Johnson JLABS division will support entrepreneurs by helping them overcome common barriers to discovery and development, such as the large initial investment of time and money that is necessary to establish working labs and other business infrastructure.
5. *Develops Research Talent and the Entrepreneurial Skills to Launch and Grow Life Science Businesses.* Access to talent and management expertise continues to be needed in order for early stage life science firms to succeed. A new Life Sciences Internship Program will leverage New York's network of public-private

academic centers to facilitate the placement of students--or recent graduates--enrolled in a life science field of study at a college or university located in New York into paid internships with a partnering life science company. A life sciences researcher recruitment program will work with academic medical colleges and other academic programs to attract top-flight life sciences researchers. Entrepreneurial Advisory Panels in Life Sciences will match entrepreneurs and innovators to a panel of mentors that guides them in their business decisions, increasing the rate of success and growth of new firms in New York State. Additional support will come from a partnership with the Empire Clinical Research Investigator Program administered by the New York Department of Health, which provides over \$8.5 million annually to teaching hospitals that train physicians as clinical researchers in order to advance life sciences research in New York to attract and retain the best life sciences researchers.

6. *Creates a Life Sciences Advisory Board.* The Governor's multi-pronged approach will be guided by a new Life Sciences Advisory Board, comprised of leaders in multiple life science disciplines, both from industry and academia.

Beyond the advancements in science, this initiative will position New York to be a magnet for emerging manufacturing based enterprises, bolstering regional economies and creating thousands of jobs.

### ***Proposal: Launch \$10 Million Photonics Venture Challenge in Rochester***

In 2015, Governor Andrew Cuomo was joined by Vice President Joe Biden to announce Rochester's selection by the Department of Defense to lead a prestigious, multi-state Integrated Photonics Institute for Manufacturing Innovation. AIM Photonics, in Rochester, is one of only 13 Manufacturing USA Institutes that have been established in the National Network for Manufacturing Innovation. The City of Rochester and the Finger Lakes region are now nationally recognized centers of the optics, imaging and photonics (OPI) industry, with more than 100 companies<sup>13</sup> in the field.

The worldwide photonics market is estimated to reach 615 billion Euros (\$664 billion) by 2020,<sup>14</sup> with silicon photonics—the focus of AIM Photonics—as one of the fastest growing subsets of that market. To help the Finger Lakes region maintain its edge in this important field, Governor Cuomo proposes a \$10 million, two-year Photonics Venture Challenge. Modeled after successful programs such as 43North, the challenge will propel the commercialization of developing OPI technologies. The challenge will include a business accelerator program



with an initial cohort of 10-15 startups, with each receiving between \$100,000 and \$125,000 of investment in exchange for equity. Participants will go through a 4-6 month structured accelerator program where they will build products, access customers and refine their business models, and gain initial market traction. The challenge will culminate with a top award of \$1 million for the most promising company. To ensure this investment benefits the region, all awardees will commit to stay in Monroe County for at least one year after the award.

***Proposal: Continue Higher Education as Economic Generator with Another Round of SUNY and CUNY 2020 Capital Grants***

In 2011, Governor Cuomo established the public-private NYSUNY 2020 and NYCUNY 2020 Challenge Grant Program to support higher education as a driver of economic development. The Program incentivizes bottom-up, individualized, long-term economic development plans on SUNY and CUNY campuses that include public-private partnerships to benefit the campuses and surrounding communities.

Public-private projects at SUNY include the Manufacturing Alliance for Research and Technology Transfer, through which seven community colleges and Morrisville State College will collaborate to develop curricula to support the manufacturing workforce; an engineering innovation hub at SUNY New Paltz; and the North Country's first advanced manufacturing institute at Clinton County Community College. At CUNY, projects include the Science and Resilience Institute, which will focus on environmental resilience, climate change, and urban sustainability projects to revitalize Jamaica Bay; Allied Health Training for Employment in the Bronx, which will prepare students for healthcare careers; and a New Media Jobs Incubator and Innovation Hub.

To further advance SUNY and CUNY partnerships for economic development, Governor Cuomo proposes investing \$110 million for a new round of the NYSUNY 2020 and NYCUNY 2020 Challenge Grant Program.

#### **Part 4. Continuing Our Bottom-Up Economic Development Strategy**

Since taking office, Governor Cuomo has replaced the State's top-down, "one-size fits all" approach to

economic development with one that is regionally-based and performance-driven. Through the Regional Economic Development Councils (REDCs)—one in each of the state’s ten regions—the Administration has empowered communities, businesses, and academic leaders to develop strategic plans tailored to their region’s unique strengths and assets to create jobs and improve quality of life.

Since 2011, the REDCs have awarded over \$4.6 billion to more than 5,200 projects that are projected to create and retain more than 210,000 jobs statewide. Last December, the Governor announced more than \$700 million in economic and community development funding through Round VI of the REDCs. Round VI also included a new component: the Downtown Revitalization Initiative, a \$100 million effort to breathe new life into ten city centers across the state.

***Proposal: Launch Phase Two of the Successful Buffalo Billion Program***

Under the leadership of Governor Cuomo, New York State has established a laser-like focus on reviving the Upstate economy. By many measures, the hardest-hit region of Upstate was Western New York; by 2010,

Buffalo was reeling from the damaging effects of industrial decline, chronically high unemployment, and decades of inadequate investment by State government.

In his vision to restore the economic vitality of Upstate, Governor Cuomo started by securing an unprecedented investment in Western New York including the aptly named “Buffalo Billion” program. Today, just a few years after the program began, the region is stronger than at any point in generations, and the Queen City has again become a global destination to live in and work. Western New York is in the midst of a remarkable Renaissance: Canalside visitors increasing more than tenfold since 2010; new hotels being built in Niagara Falls for the first time in over a decade; unemployment falling from more than 9 percent to around 5 percent; Riverbend is rising on the ashes of Republic Steel; and a widening circle of the community is enjoying a new era of progress and growth. For the first time in generations, millennials are choosing to stay in Buffalo for jobs—currently the highest in Buffalo’s history—and quality of life, where home and property values are the highest on record.<sup>15</sup>

The time is right to extend the Buffalo Billion transformation to the neighborhood level, and

strengthen connections among downtown, suburban and surrounding areas in a new economic future for the region.

Governor Cuomo proposes investing \$500 million to launch the second phase of the Buffalo Billion. Building on a foundation of progress, complementing and connecting to the continuing work of the Western New York Regional Economic Development Council, Buffalo Billion Phase Two will: energize entrepreneurship and innovation; activate the lake and river waterfront to attract tourists and residents; revitalize the urban core, with a focus on the East Side, and the downtown cores of cities, towns and villages in Greater Buffalo; target investment in key transportation infrastructure projects that bind the region; ensure inclusive economic growth, particularly by targeting and connecting workforce development and educational opportunities to engines of job growth; and attract regional, national, and international companies in life sciences, technology, and advanced manufacturing with sustainable development that makes Buffalo a world-class city.

***Proposal: Invest \$750 Million for Round Seven of the Regional Economic Development Councils***

Governor Cuomo created the Regional Economic Development Council competition in 2011 to develop regional economic development plans through a bottom-up approach that brought together higher education, industry, and government leaders to plan the future of their region. The State has invested \$4.6 billion through the REDCs that has funded more than 5,200 projects and supports more than

210,000 jobs across the state. To build on the success of the REDC program, the Governor proposes continuing this regional economic development



***The State has invested \$4.6 billion through the REDCs that has funded more than 5,200 projects and supports more than 210,000 jobs across the state.***

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approach with a seventh round of the REDC awards with \$750 million to fund regional priority projects.

***Proposal: Continue Central New York's High Tech Boom by Bringing Saab Defense and Security USA Headquarters and R&D Capacity to Central New York***

With several U.S. companies expanding their operations in foreign countries, our nation's regional economies have had to adapt in order to continue to sustain economic growth, workforce development, and technological advancement. As a national leader, New York State has remained strong thanks to Governor Cuomo's commitment to strategic, regional, bottom-up investments across the state that are creating high-tech, high paying jobs and have continued to grow and strengthen the state's workforce and economy.

Saab North America, Inc. has seen this progress and growth throughout the state and recognizes the high-tech cluster economies that are thriving in Central New York. To seize on this opportunity, this year Governor Cuomo will partner with Saab Defense and Security USA in order to relocate their North American headquarters from Virginia to Onondaga County—a sweeping investment that bolsters Central New York's Upstate Revitalization Initiative regional economic development strategy, CNY Rising. Thanks in part to a \$30 million incentive package from the State, over 250

high-tech, well-paying jobs will be created in order to set the stage for Central New York to grow to even greater heights as a national and global hub for innovation, research, security defense, and technological advancement. Saab currently operates two facilities in Central New York, in DeWitt and East Syracuse. This project will establish the East Syracuse facility as the new North American headquarters for Saab Defense and Security USA and add to the existing local workforce of more than 450 employees.

Additionally, Central New York will serve as the home base for Saab Defense and Security USA to develop and introduce future products to the U.S. market. Governor Cuomo will leverage this partnership to drive technology and enhance Central New York's engineering, research, development, testing and production capabilities.

With its competitive business climate, highly-skilled workforce, proximity to major cities in the Northeast, strategic business incentives, and access to world-class academic institutions, New York State remains the ideal location for entity formation, base expansion, and development. With this partnership,



New York will continue to grow as a national and global leader.

***Proposal: Expand Datto in Downtown Rochester***

Governor Cuomo has been committed to taking economic development in New York to new heights. The foundation of this approach has been a bottom-up focus, tailored around regional strengths and assets. Over the last six years, New York State has proven that it can attract technology companies who can innovate and grow in upstate cities with incredibly talented workforces.

One such company is Datto, an IT company and international leader in backup and disaster recovery services. In 2014, Governor Cuomo announced Datto as the first STARTUP-NY company in the Finger Lakes, allowing them to expand from out of state into an historic building in downtown Rochester being restored by the Rochester Institute of Technology. As part of the agreement, Datto agreed to create 77 jobs over the next five years. Today, just over two years later, Datto has created nearly twice that many jobs, now with 147 employees working in high-tech, high-paying jobs,

proving that Rochester's economic transformation is accelerating.

This year, Governor Cuomo will further accelerate the growth of Datto with a \$2.1 million Upstate Revitalization Initiative capital grant that will allow them to expand into the former Chase Tower now known as The Metropolitan where they plan to have up to 350 jobs in the heart of Rochester's new Downtown Innovation Zone helping to cement the Finger Lakes as a hub for groundbreaking technologies.

### ***Proposal: Launch Second Phase of State Fair Modernization***

Since New York hosted the nation's first state fair in 1841, the event has become a family tradition for hundreds of thousands of visitors from New York and surrounding states each year.<sup>16</sup> The State Fair is an economic driver for the region—generating approximately \$100 million annually for New York State and employing more than 2,800 people while the Fair is underway.<sup>17</sup> In 2015, Governor Cuomo committed \$50 million to transform and reinvigorate the fairgrounds—building a historically significant new Main Gate, additional wide open spaces for vendors and fairgoers,

an expanded midway, a new 313-space Empire RV Park, and an improved Chevy Court.

The State's investments in the State Fairgrounds produced an immediate return; attendance in 2016 soared to a record 1,117,630 visitors—the highest in the Fair's 175-year history.<sup>18</sup> Beyond the 12 days of the Fair, the investments will contribute to Fairgrounds events year-round including sporting and entertainment events, some of our nation's most exciting car shows, and equine industry events, which utilize the fairgrounds for more than 40 horse events each year.<sup>19</sup>

Building on the success of the State's 2015 investment in the fairgrounds, the Governor appointed a special task force, to guide the next phase of the State Fairgrounds Modernization project. The task force, composed of State Legislators, agency officials, and communications, tourism and fair professionals, evaluated options identified in the 2015 Master Planning process, as well as new projects, to build upon the State's historic investment and truly make the fairgrounds a year-round source of economic activity for Central New York and beyond. On January 2, 2017, the Task Force Co-Chairs formally submitted their recommendations to the Governor. Included within the final task force report are

recommendations on how the State can further leverage its previous investments, improve and modernize fair programming as well invest future appropriations in areas of the fairgrounds that did not benefit from the State's initial capital infusion. The report will be formally released following the presentation of the 2017–2018 Executive Budget.

## **Part 5. Revitalizing Our Downtowns**

For too many American cities, the decline of industry meant a decades-long economic drain that emptied downtown urban districts, and this was especially true in upstate New York. Governor Cuomo has made it a priority to end the cycle of decline with a special focus on bringing new life to our downtowns.

The Better Buffalo Fund, a Buffalo Billion initiative, has already demonstrated that targeted, strategic investment in our downtowns works. To date, two rounds and \$20 million in State loans and grants have leveraged over \$365 million invested to encourage density and growth along transportation corridors while revitalizing neighborhood commercial districts—including notable projects like Turner Brothers' Lofts,

which converted five, long-vacant historic buildings on a Niagara Street Brownfield site into an active mixed-use development combining apartments, restaurants, and wholesale gourmet food production operations. Today downtown Buffalo is thriving and millennials and jobs are returning to the historical buildings and revitalized waterfront.

Building on the success of the Better Buffalo Fund, Governor Cuomo launched the Downtown Revitalization Initiative in 2016, which invests \$10 million in downtown neighborhoods in each region of the state—bringing new life to more communities in New York.

***Proposal: Expand the Downtown Revitalization Program by Awarding an Additional 10 Cities***

The \$100 million Downtown Revitalization Initiative (DRI) showed a tremendous will by communities across New York State to reimagine their downtown areas. Ten communities were each awarded \$10 million to execute their winning strategic plan for downtown revival.

To extend the success of the DRI, Governor Cuomo proposes investing \$100 million for a new round

of the competition. Civic and city leaders, with planning and technical assistance from the State, will be encouraged to propose locally tailored strategies that are inspired by winners of last year's DRI, the Upstate Revitalization Initiative and the Buffalo Billion. With the success of Lakeview Amphitheater in Central New York and Canalside in Western New York, DRI applicants are encouraged to include in their plans public spaces for cultural events which serve as destinations for tourists and residents alike, and draw businesses seeking to attract employees and customers who want a thriving environment.<sup>20</sup> Public cultural spaces attract diners to restaurants, lodgers to hotels, and customers to other local businesses, and these spaces revitalize underutilized areas, help define a community's civic character, and provide an enriched quality of life that plays an important role in attracting young professionals as residents of a region.<sup>21</sup>

The winning proposal in each region, nominated by the REDC, will receive a \$10 million award to be allocated over five years.

***Proposal: Expand the Innovation Economy by Enabling Ride Sharing Across New York State***

A number of ridesharing companies, such as Uber and Lyft, have successfully operated as livery services in New York City over the last several years. However, these companies are not authorized to provide ridesharing anywhere else in the state. The current limitations on the availability of ridesharing services has meant that millions of New Yorkers are not only missing out on an alternative form of transportation, but thousands more are being prevented from pursuing new flexible job opportunities as rideshare drivers.

Governor Cuomo is fighting to correct this inequity by putting forth a proposal that expands the availability of this service to all New Yorkers by establishing a uniform statewide regulatory framework that will be overseen by the Department of Motor Vehicles. The proposal includes:

- DMV licensing and oversight of rideshare companies, including providing DMV with broad auditing powers to ensure uniformity in access for all New Yorkers and compliance with all laws, rules and regulations;
- Establishing minimum standards for rideshare companies to vet their drivers including requiring background checks, explicitly disqualifying

people with certain convictions from driving to ensure rider safety, and requiring ongoing monitoring for traffic safety;

- Setting necessary consumer protections that ensure passengers receive information, such as driver identification, details of the car, and estimated fare, prior to engaging in a ride. Rideshare drivers must also display distinctive signs on their vehicles identifying the rideshare company they work for;
- Requiring rideshare companies and/or rideshare drivers to obtain and maintain insurance coverages that are double the current auto insurance limits in upstate New York and have a limit of at least one million dollars of coverage while a rideshare vehicle is on the way to pick up a passenger and while transporting a passenger;
- Establishing the first of its kind mechanism to provide rideshare drivers workers' compensation coverage by requiring participation in the Black Car Fund, which currently provides workers' compensation coverage for downstate taxi and livery drivers;
- Mandating rideshare companies adopt a zero-tolerance drug and alcohol policy and enacting common sense requirements to ensure drivers are performing in the safest way possible for both drivers and riders. This includes requiring rideshare companies provide a mechanism for passengers to report complaints when they reasonably believe a driver to be under the influence;
- Applying anti-discrimination requirements to ensure no passenger is discriminated against on the basis of his or her race, color, national origin,



sexual orientation, gender identity, or genetic predisposition and are treated equally by rideshare companies and drivers; and

- Creating a task force to review, study and make recommendations regarding accessibility needs in the rideshare industry in an effort to protect and provide transportation to vulnerable populations.

***Proposal: Encourage Recent College Graduates to Become First-Time Homeowners in Upstate Communities***

Growth and revitalization of metropolitan areas are fueled and sustained by new residents coming to the region—such as graduates from local colleges and universities. New York City leads the nation with more than 71 percent of students from colleges and universities remaining in the area following graduation.<sup>22</sup> In contrast, however, upstate communities including Rochester and Buffalo have struggled to retain graduates despite being home to some of the nation’s top colleges.<sup>23</sup>

Governor Cuomo proposes establishing a \$5 million Graduate to Homeownership Program to provide recent college graduates in select communities with additional first-time homebuyer assistance to remain

Upstate, especially in downtown areas. The program will be tailored to students and recent graduates, and include online or on-campus financial and homebuyer education courses, as well as a subsidized low-interest first-time homebuyer loan through the State of New York Mortgage Agency (SONYMA)—which has made homeownership possible for more than 8,000 New Yorkers in the last six years.

The Graduate to Homeownership Program will foster new regional magnets where businesses may access New York’s diverse and talented workforce, setting the stage for the entrepreneurial energy needed to continue revitalizing Upstate New York’s downtown areas.

## **Part 6. Growing Our Tourism and Agriculture Sectors**

Tourism and agriculture are essential economic drivers for Upstate New York and under the leadership of Governor Cuomo, the state has made it a priority to grow these pivotal industries.

To promote success in tourism—which support hospitality, transportation and entertainment jobs—Governor Cuomo successfully secured a record \$50 million in marketing last year. The State’s investment builds on record investments in previous years, and is already paying dividends; for the second year in a row,



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***The State’s record investments in tourism are paying dividends; the industry’s total economic impact grew to a record high of \$102 billion, an increase of more than 25 percent since 2010.***

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the tourism industry’s total economic impact exceeded \$100 billion—growing to a record high of \$102 billion, an

increase of more than 25 percent since 2010. New York State in 2015 reported a record 234 million visitors and more than \$63 billion in direct spending. This success is statewide; every region of the state saw an increase in the number of visitors and visitor spending as a result of the Governor's commitment to growing the industry. A 2016 1000 Islands International Tourism Council Business Survey showed the strongest growth in regional business satisfaction in more than a decade and a half.<sup>24</sup>

Governor Cuomo has also brought a greater focus to New York State's agricultural sector, an industry with tremendous growth potential. Today New York State boasts seven million acres of farmland and nearly 36,000 farms. To preserve one of New York's most valuable assets, the State has invested more than \$62 million for 82 farmland conservation projects since 2011. New York is also a national leader in agricultural production, ranking second in apple production, third for grapes and fourth for pears.<sup>25</sup> In 2015, cows' milk sales topped \$2.5 billion, nearly 48 percent of the State's total agricultural sales for that year, making New York the Nation's third largest dairy state.<sup>26</sup>

Over the last six years, New York State has transformed the farm-based beverage industry. Last year, Governor Cuomo successfully overhauled the outdated Alcohol Beverage Control Law to streamline licensing for producers and implement common sense provisions to increase sales. The legislation builds on the Governor's commitment to boosting the industry over the past five years, including enacting the Craft New York Act, expanding the Beer Production Tax Credit, and launching promotional campaigns to boost the profile of producers and manufacturers.

New York State is now home to more than 900 wineries, breweries, distilleries and cideries.<sup>27</sup> Since 2010, the number of microbreweries in the state has grown 285 percent, and in just five years, the number of farm-based craft beverage producers has increased by more than 178 percent.<sup>28</sup> Additionally, New York is the third largest wine producer in the country, producing approximately 30 million gallons of wine each year.<sup>29</sup>

New York State is strategically using the strength of both the tourism and the agriculture industry to attract new attention and growth. Taste NY and NY Grown and Certified are empowering producers and vendors to capture consumers drawn to the world-famous New York brand, which is synonymous with quality and value.

***Proposal: Complete the Empire State Trail to Create the Nation's Longest State Multi-Use Trail Network by 2020***

Under the leadership of Governor Cuomo, New York State is making historic investments in improving and expanding access to outdoor recreational opportunities, including the development of multi-use trail corridors used for hiking, biking, cross-country

skiing, and horseback riding. These investments create jobs and stimulate the local economy. Long distance, destination-quality trails generate \$1.5 to \$5 million in economic impact for surrounding communities,<sup>30</sup> and for every \$1 million invested in multi-use trails, an estimated 9.6 jobs are created.<sup>31</sup> Home buyers ranked trails as the second most important community amenity desired when searching for a new home.<sup>32</sup> Multi-use trails are also cost-effective catalysts for community health and wellness, as every \$1 invested in recreation trails yields \$3 in direct medical benefit.<sup>33</sup>

New York's existing Hudson River Valley Greenway and the Erie Canalway are two of the most renowned multi-use trailways in the United States, but both trails remain unfinished with a number of gaps across the state. Currently, the Hudson River Valley Greenway is nearly 50 percent complete and crosses the Appalachian Trail, spanning over 260 miles between the Manhattan Battery and Lake George. The trail closely, and in many places parallels State Bike Route 9, which extends the Greenway an additional 130 miles along Lake Champlain to the Canadian border. The Hudson River Valley Greenway generates more than \$21 million

in economic impact annually from visitors stopping in communities along the trails.

The Erie Canalway is nearly 80 percent complete and runs approximately 360 miles along the storied Erie Canal, connecting Buffalo to Albany. Construction of the engineering marvel began in 1817, marking 2017 as the bicentennial of the Erie Canal. Each year, approximately 1.5 million people use the Erie Canalway Trail along the historic canal, resulting in an estimated \$253 million in economic activity from visitor spending. The Buffalo-Pendleton segment is the most heavily used part of the Canalway Trail with approximately 350,000 annual users.

Governor Cuomo proposes to complete the Hudson River Valley Greenway and Erie Canalway Trails to create the Empire State Trail by 2020, the nation's longest multi-use state trail network. The Governor's strategic plan will develop nearly 350 new trail miles, ultimately creating a 750-mile multi-use trail network. The Governor will secure investments over the next four years to create an unprecedented multi-use trail network that will span the Empire State—from New York Harbor, along the Hudson River, to the Adirondack Mountains, and beyond to the Canadian border—and

from the shores of Lake Erie, along the Erie Canal, into the heart of the Capital Region.

The I Love NY, Taste NY, Path Through History, and Erie Canal Bicentennial 2017 campaigns will support trail promotion, and new trail website and mobile app will launch to further connect New Yorkers and visitors to the state's great outdoors. Both the website and app will feature a list of greenways, trails with hiking descriptions, and their level of difficulty. The app will allow users to find services and attractions nearby using location services with the option to share the user's exact location with friends, or first responders, in the case of an emergency. Social sharing options will also be available, to share photos on Instagram, Facebook and Twitter. A live tour map, walking and driving directions will be available, as well as an elevation reader that lets users know when trails cross hills and mountains.

This unprecedented trail network will provide both urban and rural communities with access to the Great Outdoors, enhancing community connectivity and supporting healthy lifestyles. Moreover, the Empire State Trail will draw tourists from around the world to explore New York State's striking landscapes and rich history. The trail system will provide travelers access to a



number of signature attractions, all of which can be found on the website and mobile app, including Battery Park, Walkway Over the Hudson, Corning Preserve, Lake George, Schenectady Rivers Casino, the Erie Canal Museum, the Buffalo Naval Military Park, local breweries, and other lodging accommodations and family-friendly destinations found along the Empire State Trail.

***Proposal: Expand Tourism Investment to \$55 Million***

Governor Cuomo proposes investing an additional \$5 million to promote New York State tourism, which at \$55 million marks one of the largest public tourism investments in the nation.

Through this investment, the State will establish welcome centers—one in each region of the state—modeled after the successful Long Island Welcome Center that feature an array of experiences including Taste NY, Path Through History, I Love New York and State Parks. Market NY grants will be increased to \$15 million, including \$2 million focused specifically on promoting destinations, attractions and special events related to the craft beverage and agritourism industry.

Additionally, a new \$500,000 special events agritourism marketing initiative will allow Taste NY to have a presence at key events, such as food and beverage festivals and high-end sporting tournaments.

The State will promote this year's landmark anniversaries of women gaining the right to vote and the construction of the Erie Canal; expand the I Love New York mobile app; launch an accessible tourism initiative; and support a new I Love NY@Tribeca short film competition centered on a tourism theme.

***Proposal: Double Visitors' Exposure to Taste NY Products in New York State Parks and Expand Presence at Major Entertainment Venues***

To support the growth and vitality of New York's food and beverage industry, Governor Cuomo launched Taste NY, and in just three years the program has blossomed. Taste NY products are now sold in Puerto Rico and throughout New York at stores, cafes, bars, Thruway rest stops, state parks, stadiums and the Great New York State Fair. The program has already helped approximately 1,100 local companies reach consumers across the globe, and this past year has more than

doubled gross sales from \$4.5 million to over \$10.5 million in 2016.

To build on the success of the Taste NY program and further support the state's agriculture industry, Governor Cuomo proposes doubling visitors' exposure to Taste NY in our state parks from 15 million last year to 30 million this year. Under the expansion, Taste NY will increase presence at some of the most traveled state parks, including Robert Moses, Bear Mountain and Saratoga Spa State Parks.

Additionally, the Governor proposes expanding sponsoring Taste NY cafés, bars, and concessions at major sporting events across New York State, such as the New York City Marathon and FedEx PGA Golf Tournament. The State will continue to expand into concessions at sports and entertainment venues across the state, including the Albany Times Union Center, Lakeview Amphitheater, and Saratoga Performing Arts Center.

## ***Proposal: Grow New York's Craft Beverage Sector to Create Jobs***

The extraordinary growth of New York's craft beverage industry is a testament to the entrepreneurial spirit of New York's skilled crafts men and women, and to the Governor's commitment to growing awareness and consumption of New York State products. While these small breweries and distilleries are focused on creating the highest quality products, they face barriers in expanding beyond the state's borders because their marketing is typically regionally-oriented.

To expand awareness of New York's world-class producers, Governor Cuomo proposes:

- *Launching the first-ever New York Craft Beverage Week.* This would be a large-scale promotional effort, partnering with the New York State Restaurant Association and the New York City Hospitality Alliance, during the fall season, to highlight local beer, wine, cider and distilled spirits on restaurant menus across the state and in advertising. Taste NY will also work with the New York State Liquor Store Association to display marketing materials and hold tastings of New York craft beverages during the same week.
- *Offering a new grant for craft beverage producers to engage in joint marketing campaigns and stipends to enter products in national and international competitions.* New York craft

beverage producers can also gain major exposure by participating in international and national competitions. For many years, New York's wine industry has entered into competitions such as the acclaimed Wine Expos in Boston, Washington, D.C, and New York City, and has also reported tremendous sales from participating in international tradeshow. This funding would assist craft beverage businesses with attending these tradeshow and competitions to further expand these critical industries.

***Proposal: Establish the Taste NY Culinary Trail System***

The extraordinary growth in New York State's food and beverage industry is coming at an opportune time: culinary tourism is a rapidly-growing sector of the travel and tourism industry, and research indicates that more visitors are seeking authentic and regional food and drink experiences.<sup>34</sup>

A key strategy to maximizing the quality of visitors' experiences and their spending is by highlighting attractions in one concerted effort. New York State currently capitalizes on this strategy by designating different types of agricultural and food trails—cuisine, apple, farm, wine, and brewery—and making them regional destinations. In fact, New York

State is already home to the nation's longest-running destination of its kind: the Cayuga Lake Wine Trail. The Cayuga Lake Wine Trail guides travelers to award-winning wines, scenic vistas and world-class dining and lodging in the Finger Lakes region—seamlessly growing Upstate tourism in partnership with the I Love NY program and promoting the state's booming wine industry.

New York's agricultural and food trail systems were born of a strategic partnership among government, local communities, and participating businesses to maximize marketing and other promotional resources. To enhance the synergies among them, Governor Cuomo proposes creating the Taste NY Culinary Trail Promotional Program, which will assist New York's branded trail systems with additional statewide promotion, as well as a one-stop shop within the Taste NY program at the Department of Agriculture and Markets in coordination with the Office of General Services and the Department of Transportation.

***Proposal: Grow the Industrial Hemp Program in the Southern Tier***

Industrial hemp, which is used in the production of clothing, building materials, paper, and animal feed, is emerging as a potentially significant agricultural product—especially in the Southern Tier.<sup>35</sup> Nationally, the industry is estimated to be worth more than \$570 million.<sup>36</sup> In the last year, two research institutions in New York were authorized to grow, process, and sell industrial hemp as an agricultural product.

Despite early successes, barriers to market development remain. To accelerate this process and support farmers in the Southern Tier and beyond, the State must help farmers tackle challenges, including growing restrictions, seed availability, and lack of best management practices.

Governor Cuomo will advance legislation to increase the number of locations authorized to grow industrial hemp, simplify compliance with security and transportation requirements, and initiate a research pilot at the Department of Agriculture and Markets to work directly with private farms. Additionally, to continue growing the industry, Governor Cuomo will convene an Industrial Hemp Summit in the Southern Tier

in 2017. Growers and industry will convene to share best practices and discuss future regulatory revisions needed to facilitate production and related job growth in New York State.

***Proposal: Create Master Plan for “Gateway to the Adirondacks” at Northway Exit 29 in North Hudson***

The Frontier Town theme park was built in the Adirondacks in 1952. For more than four decades, this entertainment destination was a boon to the local economy, drawing visitors from across the country to the Town of North Hudson. But since 1998 when the theme park was closed, this site at Exit 29 of the Northway has sat dormant. As a result, local jobs, restaurants and lodging have all but disappeared from this once thriving Adirondack community.

In 2016, recognizing a critical need to invigorate the economies of these Adirondack communities, Governor Cuomo challenged the Open Space Institute and five neighboring Adirondack towns to collaborate with the State to design a blueprint for a new recreation hub at this location. In 2017, that challenge will be met and a new world-class recreational experience will be



realized through the establishment of state, local and private partnerships led by Governor Cuomo to invest up to \$32 million to create the Gateway to the Adirondacks.

The new hub will include:

- A DEC campground and day use area along the Schroon River ;
- An equestrian camping and trail riding area, similar to DEC equestrian camping and riding facilities at Otter Creek and Brookfield, which are draw visitors from throughout the eastern United States;
- A Visitor Information Center to introduce visitors to the world class recreational opportunities in the Adirondack Park;
- An Event Center with tourist accommodations and facilities for hosting shows and festivals;
- Interactive exhibits in historic structures highlighting the past, present, and future of the Adirondack forest products and local food industries; and
- Areas designated for commercial business development including those which provide food, lodging and amenities for visitors and those which can grow at this strategic location along the Northway corridor.

As a first step, the Department of Environmental Conservation will acquire a conservation easement on approximately 300 acres of land with support from the Environmental Protection Fund. This will allow construction of the public and equestrian camping and

day use areas. Paradox Brewery will also be investing \$2.8 million to expand its operations at the site thanks in part to \$200,000 in incentives from the Empire State Development Corporation.

Governor Cuomo's goal is to promote and increase the economic vitality of the towns connected to this North Hudson location. Transforming this site into an attractive destination will link local and regional resources and provide year round recreation opportunities and services for multiple uses, users and businesses. The Gateway site will welcome, orient and connect visitors to trail networks, recreation destinations and businesses in the Adirondack Park. Drawing visitors to North Hudson to connect with premier opportunities for hiking, biking, horseback riding, snowmobiling and boating. This, coupled with commercial business development, will revitalize communities and help transform this region.

## 2. ACCESS TO EDUCATION

Over the last six years, Governor Cuomo has led the nation in ensuring that all students, from our youngest pre-kindergarteners to our college students, have the opportunity to succeed.

New York State spends more per pupil than any other state on elementary and secondary education, \$20,610 per student, while the national average is \$11,009.<sup>37</sup> The 2016-17 Enacted Budget included the highest-ever level of school aid, with total funding of \$24.8 billion, a \$1.5 billion or 6.5 percent increase from the previous year.<sup>38</sup> Not only was last year's total school aid the highest ever, it was also \$5.3 billion—or 26 percent—higher than it was five years ago.<sup>39</sup> With this funding, the State increased Foundation Aid, erased the Gap Elimination Adjustment, and invested \$175 million to transform underperforming or high need schools into community schools, now in over 225 districts throughout the state. These funds have supported doubling the investment in pre-kindergarten, supporting

school choice for all students, and rewarding effective educators.

The high school graduation rate has increased every year under Governor Cuomo, and has now reached its highest level in New York



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***New York State's high school graduation rate has consistently increased over the last six years, and today is the highest level in history.***

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history<sup>40</sup>. Under the Governor's leadership, more students are able to access a college education than ever before, including those who are the first in their family to go to college. The Governor has helped to alleviate the financial burden of college while keeping our colleges competitive nationally.

New York State currently has more than 1.2 million students enrolled in higher education programs. The State provides approximately \$7.1 billion in total support for colleges and universities. This includes \$5 billion for SUNY state-operated campuses and CUNY senior colleges. This also includes more than \$750 million for community colleges. Last year, New York State provided over \$1 billion in financial assistance to

students through the Tuition Assistance Program, various scholarships, and loan forgiveness programs.



***The average tuition and fees at New York's four-year public colleges and universities is 20 percent lower than the 2016 national average.***

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New York's support for public higher education, including local funding, is significantly higher than most other states, at an

average of \$8,830 per student in Fiscal Year 2015, 27 percent above the national average.<sup>41</sup> New York State also ranks well in terms of reigning in college costs: average tuition and fees at our four-year public institutions were \$7,710 in 2016, 20 percent less than the national average.<sup>42</sup>

Building on this success, Governor Cuomo proposes several new ideas to ensure that every student in New York has the opportunity to achieve their goals, regardless of financial circumstance.

## **Part 1. Expanding Education Opportunities for All Students**

Governor Cuomo has been a national leader in ensuring that all students, regardless of race or ethnicity, family income, zip code, or whether the student lives in urban, suburban, or rural school district, are guaranteed safe and supportive opportunities to learn. In 2013, acting on recommendations from the Governor's Education Reform Commission, the Governor advanced a suite of new programs, including the State's first-ever community schools and full-day pre-kindergarten. Now, four years later, New York State has devoted over \$175 million to community schools, and State support for pre-kindergarten has more than doubled to \$810 million annually.

Under the leadership of Governor Cuomo, students are thriving, graduation rates are climbing, and many of New York's schools are considered among the best in the country. However, there is still more work to be done. A gap still exists in achievements between different communities, and poverty is still a threat to many students' academic success. Thus, the Governor proposes a package of policy proposals to help close this

gap and ensure that every student is empowered to achieve his or her dreams.

***Proposal: Create 22,000 After School Slots in the 16 Empire State Poverty Reduction Initiative Areas***

Today approximately 600,000 New York students rely on after-school care.<sup>43</sup> The State reinvigorated its commitment to providing student learning opportunities after the traditional school day with the state's \$22 million Extended Learning grants in 2013. This on-going investment is in addition to other State and federally supported after-school programs and the \$175 million in community schools funding that may be used to extend the school day or provide after-school care.<sup>44</sup> Despite these investments, research suggests that over 500,000 students are unsupervised between the hours of 3 and 6 p.m.<sup>45</sup>

After-school programs play a major role in closing the opportunity gap as they provide the ideal setting to reach underrepresented students.<sup>46</sup> Research from Harvard University found that participation in after-school programs was associated with higher academic outcomes, lower drop-out rates, and a reduction in

juvenile crime.<sup>47</sup> Yet, many of New York State's students do not have a safe and supportive place to go after school. There are approximately 200,000 elementary school students in the sixteen Empire State Poverty Reduction Initiative (ESPRI) cities, with approximately 60,000 existing after-school spots. High quality after-school programs have been found to have a \$3 return on investment for every dollar spent.<sup>48</sup>

To help close the achievement gap, Governor Cuomo proposes investing an additional \$35 million in after-school funds to be awarded as competitive grants for extended day programs to create 22,000 new after-school spots in the sixteen ESPRI cities—increasing the number of slots in these communities by approximately 36 percent. With this investment, New Yorkers will have access to the highest number of after-school slots in state history.



## ***Proposal: Expand High Quality Pre-Kindergarten for Three- and Four-Year Olds***

Research demonstrates that high-quality pre-kindergarten, especially for high-need students, has one



***The State has more than doubled its commitment to Pre-K since 2010 and today nearly 120,000 students are enrolled in Pre-K programs.***

of the greatest returns on investment of any social policy.<sup>49</sup> Under the leadership of Governor Cuomo, the State has more than

doubled its annual commitment to pre-kindergarten from \$385 million to \$810 million. Nearly 120,000 students are enrolled in the State's pre-kindergarten programs, including many full-day spots.<sup>50</sup> In 2015, Governor Cuomo authorized the first full-day spots for three year-old students; the State has invested over \$30 million to support programs for three year-old students. These efforts have created unprecedented access to early childhood education in New York State.

The rapid expansion of pre-kindergarten has involved the creation of different programs with varying standards that, over time, can create confusion among

teachers and administrators. In addition, there are still many high-need students who do not currently have a pre-kindergarten seat, and there are limited ways to ensure the quality of existing programs.

Governor Cuomo will advance legislation to start merging the New York State-funded pre-kindergarten programs into one high-quality program. The effort will begin by merging the priority pre-kindergarten program—which is the State’s first full-day program for high need districts—with the universal pre-kindergarten program. With these proposed changes, pre-kindergarten programs will have the same rigorous program requirements as well as high health and safety standards.

Governor Cuomo also proposes investing an additional \$5 million to support pre-kindergarten expansion across the state for students who still do not have the opportunity to participate in pre-kindergarten. The few remaining high-need school districts with no current pre-kindergarten program will have preference in the grant, to help ensure that there is opportunity for a pre-kindergarten program in every high-need community in the state.

***Proposal: Cover AP Testing Exam Fee for 68,000 Low Income Students***

New York State has one of the highest rates of participation in the national Advanced Placement (AP) exams. Since 2008, an additional 40,000 students have taken an AP exam, totaling nearly 160,000 students statewide.<sup>51</sup> In the 2015 test administration, 63,500 AP tests were given to students who identified as low-income.<sup>52</sup> According to the College Board, the potential collective college tuition savings by low-income students in New York who scored a 3 or higher in an AP exam was \$22 million in 2015.<sup>53</sup> Research has demonstrated that students who take the AP exam are more likely to graduate on time than students of similar academic performance who do not take AP courses.<sup>54</sup>

Unfortunately, the exams are costly, especially for low-income families. The current fee for each AP exam is \$93.<sup>55</sup> The College Board offers a fee reduction program for students with financial need, which reduces the cost to \$53.<sup>56</sup> In 2016, New York State invested \$500,000 to pay for the \$53 fee for qualifying students. However, federal funding for AP test fees is no longer a standalone program. While some funding may be available under a

broader education appropriation, it has become unreliable. It is important that this opportunity remains for all of New York's students, regardless of income.

Additionally, low-income students currently make up only 28 percent of New York's AP test takers,<sup>57</sup> even though they comprise 52 percent of the student population.<sup>58</sup> To increase equity among test takers, New York State must ensure that the number of low-income students accessing advanced coursework continues to grow.

To ensure that cost is not a barrier for students to take the AP exam, the Governor proposes designating \$2 million to fund the remaining cost of the AP exam for students who cannot afford it.

## **Part 2. Building a 21<sup>st</sup> Century Tech Workforce in New York State**

New York's technology industry is among the fastest growing and highest paying in the state, employing more than 370,000 New Yorkers. In 2015 alone, the industry added 15,500 jobs at an average salary of \$109,000—nearly twice the State's average.<sup>59</sup> For the first time, the nation's five most valuable

businesses are tech companies, and of the nation's fastest growing companies, more than 400 call New York home. And New York State boasts some of the country's top technology research, training, and degree programs.

To spur investments and support growth of the sector, Governor Cuomo has made significant investments in the State's innovation economy, from Broadband for All and the Innovation NY Commercialization ecosystem to the State's Innovation Hot Spots.

This tech sector growth presents limitless opportunities for New Yorkers and businesses alike, but it has also presented challenges. There are an estimated 500,000 open technology jobs nationwide<sup>60</sup>—jobs that are expected to grow at twice the rate of all others in the coming years. The realities point to a real and urgent need: New York State must accelerate the evolution of its educational institutions, workforce investments, and economic development initiatives to remain competitive in the innovation economy.

In 2017, New York State will lead the country in delivering a comprehensive plan to build a 21st century economy through first-of-their-kind investments in education and workforce—investments designed to

equip every New Yorker to succeed and every community to thrive in the nation's top innovation economy.

***Proposal: Create Additional Early College High Schools to Provide Disadvantaged Students Opportunities in Tech Sector***

Early College High Schools provide disadvantaged students the opportunity to receive hands on training, a free associate's degree and first-in-line job opportunities upon graduating. Early College High Schools have a significant impact on the students who attend them; research shows that students attending Early College High Schools are substantially more likely to complete college than their peers.<sup>61</sup> Four years ago, Governor Cuomo committed the first-ever state support for Pathways in Technology Early College High School programs, or P-TECHs. P-TECHs are public-private partnerships between schools and local businesses that prepare thousands of New York students for high-skills jobs of the future in technology, manufacturing, healthcare and finance. There are now 33 P-TECHs in New York State.<sup>62</sup>

In addition, New York has led the nation in its support for efforts to turnaround and transform failing schools. Last year, an additional \$175 million was committed to transform all high-need and failing schools into community schools. Of the schools still identified as persistently failing or failing, about a third serve high school students. While New York's high school graduation rate is at an all-time high, the graduation rate at some of these schools is still considerably lower than the state average.<sup>63</sup>

To grow the successful Early College High School model in New York State and align with the state's workforce needs, Governor Cuomo proposes investing an additional \$5.3 million to expand the program to include pathways to education and employment in the tech sector, with an emphasis on computer science education. This investment will create at least ten new Early College High Schools in New York State. High schools identified as failing or persistently failing will receive preference in starting an Early College High School program. These new Early College High Schools or P-TECHS will have the program flexibility to allow students to earn an associate's degree concurrently with the high school diploma.

***Proposal: Expand NYS Master Teacher Program to Designate a Special Cohort Dedicated to Computer Science Teachers***

The New York State Master Teacher Program was launched in 2013 by Governor Cuomo to recognize the state's highest performing teachers – ensuring the best and brightest stay in the classroom and share their expertise with peers and pre-service teachers. To date, more than 800 Master Teachers across all ten regions of the state have been selected. Master Teachers receive an annual



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***To date, more than 800 Master Teachers across all 10 regions of New York State have been selected.***

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\$15,000 stipend over four years of participation, and pledge to engage in peer mentoring, participate in and lead professional development activities, and work closely with pre-service and early career teachers to foster a supportive environment for the next generation of STEM teachers.

Building on the success of the Master Teacher Program, Governor Cuomo proposes \$2 million to create a new cohort of approximately 115 teachers in grades K-



12, specifically in Computer Science. Current master teachers would help mentor the new cohort to ensure the most innovative teacher practices in the STEM fields are shared across all grades and regions.

***Proposal: Support K-12 Computer Science Education***

No other subject will open as many doors to 21<sup>st</sup> century jobs as computer science. Yet while computing jobs rank among New York's top in-demand occupations, only 267 New York State schools offered AP Computer Science in the 2015-16 school year.<sup>64</sup> To equip students for the jobs of today and tomorrow, New York State must first train its teachers to deliver computer science education in classrooms across the state.

Governor Cuomo proposes a partnership with the private tech sector to help train educators across the state to teach computer science in schools throughout New York. The State will offer professional development opportunities for teachers and modernize the curriculum to advance computer science education across New York State so that all students have the opportunity to succeed in 21st century careers.

***Proposal: Establish the New York Tech Workforce Development Task Force***

Governor Cuomo has long understood the importance of public-private partnership in advancing the State's workforce efforts. The State's 10 Regional Economic Development Councils represent dozens of business and academic leaders and its Workforce Investment Boards represent hundreds of employers working to align workforce strategies with local workforce needs.

As the tech industry continues to see explosive growth in new and emerging fields like software development, artificial intelligence, and data science, Governor Cuomo recognizes the need to engage industry leaders in defining workforce needs, building the localized training and education solutions to meet these needs, and informing workforce investments and educational alignment efforts statewide.

In 2017, Governor Cuomo will launch the New York Tech Workforce Task Force, a body of industry leaders working to inform the State's K-12, college, workforce and economic development investments and ensure their continued alignment with 21<sup>st</sup> century

workforce demands. Comprised of industry experts, academic leaders, and State officials, the Tech Workforce Task Force will assess efficacy of and deliver recommendations to modernize curricula at education institutions, create a more effective workforce training system for in-demand technology occupations, and lay a foundation for a workforce strategy that can keep pace with ever-changing technology workforce needs. Taken together, its work will bolster the Governor's efforts to grow the tech economy, ensure New Yorkers are on the path to good quality jobs, and solidify New York's position as the nation's most diverse and robust innovation economy.

***Proposal: Create the Tech Workforce Training Fund to Equip New Yorkers for 21<sup>st</sup> Century Jobs***

Technology jobs remain out of reach for many New Yorkers, most of whom lack access to quality training and educational opportunities for the new and evolving field. At the same time, a majority of Americans today report that they will need continuous training in the workforce to keep up.<sup>65</sup>

Governor Cuomo has long worked to close the skills gap in New York State and equip New Yorkers with the resources needed to connect to gainful employment. In 2016, the Governor dedicated \$3 million of discretionary Workforce Innovation and Opportunity Act (WIOA) funds to create the New York Workforce Training Fund, providing funding to skills-based job training providers for new and incumbent workers.

In 2017, we will prepare New Yorkers for the State's top in-demand occupation with industry-informed technology training across the state. Governor Cuomo proposes launching New York's Tech Workforce Training Fund—a \$5 million fund designed to support innovative training and education solutions preparing New Yorkers for tech jobs. The Tech Workforce Training Fund will leverage up to \$5 million of discretionary WIOA funds for eligible individuals in 2017 and will be disbursed to training providers through a rigorous RFP process, reviewed and informed by industry leaders. This investment would enable new pathways for New Yorkers across the state to get training and connections to employment in the state's fastest growing, highest paying sector.

### **Part 3. Supporting Great Teachers that Make Great Students**

Education research has determined that an effective educator is the most important factor for student achievement.<sup>66</sup> Under Governor Cuomo's leadership, New York has led the nation in ensuring that every student has an outstanding teacher in the classroom. In 2015, under the Education Transformation Act, Governor Cuomo modernized teacher preparation programs by requiring higher standards and accountability for admissions and teacher candidate's success on licensing exams. New York modernized its teacher licensing requirements to have higher standards for a teacher's likelihood of success in the classroom and personal conduct. New York modernized teacher tenure by establishing performance requirements to be taken into account in tenure decisions. In addition, New York modernized its professional development requirements to require 100 hours of high quality professional development. High-quality professional development for teachers has been shown to improve student outcomes.<sup>67</sup>

In addition to ensuring that all new teachers are prepared to succeed through stronger certification

programs, Governor Cuomo has specifically focused on recognizing and supporting the great work that teachers do with students every day. In 2013, the Governor launched the Master Teacher program, which provided highly effective STEM teachers with a \$15,000 bonus and enlisted them to help spread best practices by building networks of STEM teachers in every region of the state. In 2016, Governor Cuomo further extended this collaborative network of excellent educators, by awarding over 60 Empire State Excellence in Teaching awards.

This year, under the Governor's steadfast leadership, the State will continue to ensure that New York's educators are recognized for the important work they do.

***Proposal: Extend the Empire State Excellence in Teaching Awards***

New York teachers are outstanding educators who exemplify the highest professional standards and work to inspire students, instill a love of learning, and ensure school is exciting, motivating, and challenging. In 2015, Governor Cuomo successfully fought to pass the

Education Transformation Act, which ensures highly-effective teachers are in front of every student. Building on this success, last year the Governor announced the winners of the first-ever Empire State Excellence in Teaching Awards. The Teaching Awards recognize outstanding educators who embody these traits of teachers across the state. Winners were selected from every region of the state; they devote their careers to working with students in grades Pre-K to 12 and teach diverse subjects such as music, math, reading, science, technical education and art.

To highlight the high caliber of teaching in classrooms across the state each and every day, the Governor proposes investing \$400,000 to support a second round of the Excellence in Teaching awards. This funding will recognize at least 60 additional teachers, and will be awarded on a regional basis.

***Proposal: Invest in Professional Development for Teachers by Incentivizing Districts to Use Online Texts and Generate School Savings***

New York State's \$2 billion Smart Schools Bond Act is helping to modernize schools for the 21st century. Funding is already being used to purchase technology

such as wireless networks and routers, e-readers, and tablets.<sup>68</sup> However, our instructional materials are often still behind in the 20<sup>th</sup> century. Textbooks—especially for STEM – can be expensive, and become dated much more rapidly than in other disciplines. New York State’s current aid formulas for instructional materials, which comprise over \$250 million in aid.<sup>69</sup>

To provide free up-to-date instructional materials to help students get the latest STEM education, Governor Cuomo proposes offering school districts the opportunity to partner with online textbook creators, such as the CK-12 organization or other open source online textbook providers. The Governor will advance legislation allowing school districts to invest any instructional materials savings they achieve from the use of free online resources for professional development activities.

#### **Part 4. Achieving a More Affordable Higher Education**

In many job sectors, a college degree is no longer a luxury—it’s a necessity. In fact, in New York there are 143,000 job vacancies that require an Associate’s Degree



or higher – largely because New Yorkers lack the skills to fill these jobs.<sup>70</sup> According to the New York State Department of Labor, a total 3.5 million jobs in New York State roughly 420,000 more jobs than in 2014 in New York State will require an Associate’s Degree or higher by 2024.<sup>71</sup> The benefits of a degree are clear; aside from being able to fill these in-demand jobs, a person with a bachelor’s degree will earn about \$1 million more over their lifetime than a person without a degree.<sup>72</sup>

New York State is home to two of the nation’s largest public university systems, with more than 1.2 million students enrolled across all sectors. This includes over 727,000 students at SUNY and CUNY, plus 520,000 students at private colleges.<sup>73</sup>

Yet, for too many families, the cost of college is either out of reach or overly burdensome. Nationally, student loans are \$1.3 trillion, and student debt has surpassed credit card debt, car loan debt and home equity lines of credit to be the second largest source of consumer debt.<sup>74</sup>

Under the leadership of Governor Cuomo, New York State provides approximately \$7.1 billion in total support for colleges and universities – an increase of \$1 billion since 2012.

***Proposal: Make College Tuition-Free for New York's Middle Class Families at SUNY and CUNY***

Governor Cuomo has championed financial assistance and debt relief for New York students. The Governor's Get On Your Feet Loan Forgiveness Program—the nation's only state-sponsored need-based loan forgiveness program provides up to 24 months of federal student loan debt relief to recent NYS college graduates, regardless of the degree or profession. Governor Cuomo has also provided approximately \$1 billion to students through the Tuition Assistance Program. For many of our students, the generosity of the Tuition Assistance Program, with additional support from the federal Pell Grant, means that tuition is fully covered.

A significant number of students in college do not complete their degree on time, costing both students and the State more money. College completion has emerged as a significant issue—both in terms of completing a degree program on time and completing it at all. On-time graduation rates among New York's public four-year institutions are 5.4 percent higher than the national

average, but only amount to 38.7 percent of first-time full time students.<sup>75</sup> This is too low.

**College Graduation Rates<sup>76</sup>**

	<b>Students Who Graduate On Time</b>
NY Public 4-Year Colleges	38.7 percent
NY Public 2-Year Colleges	8.5 percent
NY Private Independent	55.1 percent

Governor Cuomo proposes making college tuition-free for New York’s middle-class families at SUNY and CUNY. New York’s tuition free degree program, the Excelsior Scholarship, is the first of its kind in the nation and will help alleviate the crushing burden of student debt while enabling thousands of bright young students to realize their dream of higher education.

Under this groundbreaking proposal, more than 940,000 middle-class families and individuals making up to \$125,000 annually would qualify to attend college tuition-free at SUNY or CUNY. As a college education is increasingly necessary to succeed in the 21st century workplace, the Excelsior Scholarships Program will ensure all our state’s students have access to a quality

education and the skills they need to succeed in our global economy.

Tuition-free college would begin immediately for students of families making up to \$100,000 annually and phase in over the next two years to those making \$125,000 annually. The program incentivizes on-time college completion and leverages high school efforts to minimize graduates requiring non-credit remediation college coursework. To qualify for an Excelsior Scholarship, students in both community college and four-year colleges who are residents of New York State must take a full 15 credits a semester – a pace at which students would complete their degree in only two or four years. Governor Cuomo proposes investing \$163 million to support the Excelsior Scholarships program.

***Proposal: License Student Loan Servicers to Protect New York's Students***

Although the burden of student loan debt impacts millions of consumers, student loan servicing—performed by private companies that process monthly payments, manage enrollment in repayment plans, manage borrowers' accounts and communicate with

borrowers—is an industry that has been virtually unregulated. In contrast, mortgage servicing is strictly regulated at the state and federal level.

The Consumer Financial Protection Bureau estimates that more than 1 in 4 student loan borrowers are delinquent or in default on a student loan.<sup>77</sup> Unlike mortgage loan servicers, who are licensed by the Department of Financial Services (DFS), there is no such license or standards for student loan servicers operating in New York. Further, there are no federal standards for student loan servicing, leaving the servicers with great discretion to determine how they service loans.

To ensure New York’s student loan borrowers are protected, Governor Cuomo will advance legislation authorizing DFS to license and regulate student loan servicers.

## **Part 5. Modernizing Our Workforce**

The strength of New York’s economy today is largely affected by the ability for our workforce to adapt to changing industry demand. Over the last six years, Governor Cuomo fought to strengthen New York State’s workforce training—in part to transition the Upstate

economy into the global competitive marketplace that it is becoming.

The Governor's efforts have focused on a series of successful workforce programs to connect New Yorkers with stable jobs in high-demand sectors. Last year, for example, the Governor launched a new \$44 million training hub in Western New York, which will focus primarily on training for careers in the advanced manufacturing and energy sectors.<sup>78</sup>

While New York State's unemployment continues to fall to levels unseen in nearly a decade, there are still New Yorkers who want a job; workers who need a lift up to advance in their career; and employers who struggle to find highly skilled workers to meet their 21st century needs. Research shows that employment has been rising faster in jobs requiring higher levels of preparation, and that the majority of Americans expect they will need continuous job training to keep up with ongoing demands.<sup>79</sup> At the same time, 35 percent of Americans report that they don't currently have the skills needed to get ahead.<sup>80</sup>

Governor Cuomo is committed to modernizing New York's workforce and ensuring workers have access

to training—for both the jobs of today and the jobs of tomorrow.

***Proposal: Align REDCs and Community College Regional Councils to Better Meet Workforce Needs***

Workforce development is a critical component of economic development, with leading industries facing growth constraints because of a lack of qualified labor. Governor Cuomo has sought to better-align and tighten connections between the State’s system of higher education—especially the community colleges—and efforts to bolster future economic strength through the Regional Economic Development Councils.

Community College Regional Councils are regionally-based SUNY community college collaborations charged with improving student outcomes and coordinating education and training program offerings within the region.

To better align existing higher education and training programs with local REDC goals, Governor Cuomo proposes launching an industry-driven partnership between the REDCs and Community College Regional Councils. Funding will be awarded to five

nonprofits, Community College Regional Councils, or local workforce training and education organizations to spur workforce development programs to meet the needs of local employers in emerging industries. To ensure that Career and Technical Education (CTE) opportunities are integrated into workforce development planning and partnerships, the Governor will appoint two CTE leaders to each Community College Regional Council.

In addition, to further ensure that 21st century education programs can effectively operate in New York State, the partnership between REDC and the Community College Regional Councils will evaluate the current Bureau of Proprietary School Supervision protocol with the goal of reducing obstacles for technology training providers. Currently, the State Education Department's Bureau of Proprietary School Supervision systems and reviews are time-consuming, burdensome and can hinder progress in the rapidly advancing technology education space. The partnership will be empowered to create recommendations to speed up the approval process for state-of-the-art job training curriculum. These recommendations will be completed by the end of 2017. These efforts will improve the talent



pipeline, and create stronger career pathways in New York State, combining the best education, training workforce, and business assets in the region.

***Proposal: Incentivize Employers with Tax Credit for Incumbent Worker Training***

A skilled and adaptable workforce is vital to a company's competitiveness in New York. Given the speed at which business processes evolve, enhancing employee skills becomes a crucial component of meeting market demands. A recent Pew Research report has shown that the majority of Americans believe that they will need continuous training in the workforce to keep up with ongoing demands. At the same time, 35 percent report that they do not currently have the skills needed to get ahead.<sup>81</sup>

To help employers invest in New York's workforce, Empire State Development will overhaul the Employee Training Incentive Program. The revised Program will incentivize companies to include incumbent worker training as part of their expansion and retention projects, without a requirement to create new jobs. Businesses will be eligible for Excelsior Tax Credits if they train

incumbent workers as part of their project; companies will include training costs in the total project budget.

***Proposal: Create the Empire Star Public Service Award to Promote Professional Development in State Government***

New York State government is comprised of a diverse and dedicated workforce of remarkable men and women who provide invaluable services to millions of their fellow New Yorkers every day. From plow drivers, to home health aides, to first responders, engineers, nurses, research scientists, and more, State government is privileged to rely on many of the best and brightest professionals New York has to offer.

While every employee's contribution is important and appreciated, many individual contributors often stand-out by exceeding what is simply expected of them in their day-to-day work as well as in unforeseen circumstances and emergencies.

Governor Cuomo will launch the Empire Star Public Service Award to acknowledge those public employees who are recognized by their peers as going above and beyond the call of duty. The Governor will honor State employees who have distinguished

themselves through meaningful contributions to State government, demonstrating their dedication to serve New Yorkers with a high level of performance, integrity and pride. Individuals or teams will be nominated by their fellow State employees and receive a \$5,000 professional development scholarship.



## 3. LOWER TAXES

Creating a state that is economically competitive means keeping regulations sensible, the government entrepreneurial, and most importantly, taxes low. We have made laudable progress in New York. The manufacturing tax is the lowest it's been since 1917 – it's zero. Personal income taxes and business taxes are lower today than the day Governor Cuomo took office. This progress was made possible by the Governor's and the Legislature's fiscal discipline over the last six years: together, they have passed six on-time, balanced budgets and kept spending growth under two percent for the longest period of time in decades. But there is more we can do, and this year Governor Cuomo will take further action to lower the tax burden on New York's working families.

***Proposal: Reduce Local Property Taxes by  
Empowering Voters to Approve Locally-Designed  
Plans Lowering the Cost of Local Government***

The typical New York taxpayer pays 2.5 times more in local property taxes than they do in State income taxes.<sup>82</sup> While property taxes are controlled by local governments and not the State, Governor Cuomo has made it a central priority of his administration to help reduce the burden. The Governor's initiatives to relieve counties of the cost of growth in Medicaid will save local property taxpayers \$3.7 billion over five years, and when combined with reforms to the State's pension system will save \$61 billion more over 30 years.

A central pillar of the Governor's effort is the Property Tax Cap and Property Tax Freeze, which— aided by more than \$100



***The Property Tax Cap and  
Property Tax Freeze have  
driven local governments to  
control costs, saving taxpayers  
more than \$17 billion.***

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million in State efficiency programs—has driven local governments to control costs and saved taxpayers more than \$17 billion through 2016.<sup>83</sup> The Property Tax Cap

has saved the typical property owner more than \$800, and by 2017 that number will grow to \$2,100; it saved taxpayers \$4.5 billion in 2015 alone. The Property Tax Freeze Credit enacted in 2014 is saving property taxpayers \$1.2 billion over three years, and in the first two years of the program more than 2.3 million homeowners were reimbursed \$820 million in direct tax relief. In addition, a new Property Tax Relief program is just getting underway and will provide \$3.1 billion in direct tax relief over four years.<sup>84</sup>

The Governor's actions are making a real difference—but property taxpayers in New York still rank among the most beleaguered in the nation, both in the dollar amount of taxes paid or in taxes paid as a percentage of home value. Westchester, Nassau and Rockland rank among the five highest counties in the nation for the cost of property taxes. In terms of property taxes paid as a share of home value, 13 of the nation's 15 highest-taxed counties are in New York, primarily in Upstate, with Wayne, Monroe and Cattaraugus as the highest in the country.<sup>85</sup>

More can be done to reduce government costs locally if the people have the chance to drive action. Governor Cuomo's groundbreaking proposal requires

county officials to develop localized plans that find real, recurring property tax savings by coordinating and eliminating duplicative services and proposing coordinated services to enhance purchasing power, such as jointly purchasing and coordinating use of expensive transportation or emergency equipment. Taxpayers will then vote on these cost-saving plans in a referendum in the November 2017 general election.

The plan will be prepared by the county's Chief Executive Official, such as the County Executive or County Manager. County officials will get public input through public hearings and engaging with the community, business, labor and civic leaders and reach consensus on the plans. The resulting plan must demonstrate real, recurring savings in costs and not simply shift the burdens to other taxpayers. Draft plans must be submitted to each county's legislative body by August 1, 2017. The county legislative body then has 45 days to review the plan. If they do nothing, the plan is automatically put on the ballot. The voters of the county would then vote on the plan in the November 2017 general election. If the plan is not approved by a majority of voters, the county government must prepare a new plan for approval in November 2018.<sup>86</sup> This proposal



builds on Governor Cuomo's record of reducing the cost burden of local government onto families.

***Proposal: Making Child Care More Affordable for Middle Class Families***

For increasing numbers of two-earner families and working single parents, child care is an unavoidable and increasingly unaffordable expense.<sup>87</sup> In nearly half the country, child care costs more than the average rent payment.<sup>88</sup> In New York, 65 percent of children under six years old have both parents in the workforce, and the average annual child care cost for an infant and 4 year-old is \$25,844—more expensive than sending kids to college.<sup>89</sup> Additionally, the stresses of employees' unstable child care arrangements represent a considerable productivity loss for New York's businesses and economy.

New York State, under the leadership of Governor Cuomo, is committed to maximizing opportunity for families across the state. The Child and Dependent Care Credit provides important assistance to families whose child care costs strain their ability to plan and invest for

the future. Nearly 520,000 families received almost \$189 million from the program in tax year 2014.

Building on this foundation and to expand opportunity to more New Yorkers, Governor Cuomo proposes a new Enhanced Middle Class Child Care Tax Credit. Under the Governor's proposal, middle class families earning between \$50,000 and \$150,000 would see their average tax benefit double, on average from \$169 to \$376. The total program cost would be \$42 million. Families making less than \$50,000 already receive a considerable benefit.

# THE NEW YORK PROMISE

## 1. SOCIAL JUSTICE

Over the last six years, Governor Cuomo has fought on behalf of the most vulnerable New Yorkers: the poor, the homeless, and the incarcerated or formerly incarcerated. He has lifted millions by raising the minimum wage, led the nation on worker protections, and made a historic \$20 billion commitment to address the housing and homelessness crisis. The Governor has worked to give those who served their time a second chance, including by making New York the first state in the nation to seek federal approval to provide Medicaid coverage to incarcerated individuals with serious behavioral and physical health conditions prior to release.

The Governor has been an unwavering ally to new Americans, because he believes, as Governor Mario Cuomo once said, that “America was born in outrageous ambition, so bold as to be improbable. The deprived, the oppressed, the powerless from all over the globe came here with little more than the desire to realize themselves.”<sup>90</sup> That is the New York Promise; it’s the American Promise. And it’s more relevant today than it has ever been.

This year, Governor Cuomo will advance a new set of initiatives to ensure that all New Yorkers are protected, regardless of their means, and have the support they need to thrive.

## **Part 1. Fighting for New Yorkers to Get Ahead**

New Yorkers are hard-working people, and no one who works hard should be forced to live in poverty. Since taking office, Governor Cuomo has fought to level the playing field so all New Yorkers have a chance to get ahead. The 2016-2017 State Budget included a historic increase in the minimum wage that will ultimately reach \$15 an hour for all workers in all industries across the state. Last year’s budget also included the longest and

most comprehensive paid family leave program in the nation, so that workers can maintain financial stability while taking time to care for a family member. When fully phased-in, employees will be eligible for twelve weeks of paid leave to care for a new child, a family member with a serious health condition, or to relieve family pressures when someone is called to active military service. This year, Governor Cuomo will continue to fight for the security and stability of all New Yorkers.

***Proposal: Launch Taskforce to Develop Portable Benefits to Protect Workers in the Innovation Economy***

The American workforce is fundamentally changing, and New York needs to meet the needs of a flexible, 21<sup>st</sup> century economy. This new economy—led by marketplace platform companies like Uber, Lyft, Handy, and Instacart—has revolutionized the way consumers obtain services and created new income opportunities for workers. The flexible economy often provides opportunities for workers to earn more money and control their work schedules. The marketplace platform companies also provide an opportunity for

many of their workers to join the formal economy since transactions are performed almost entirely online.

In addition, more people are working for multiple employers throughout their careers, or multiple employers at the same time, and the workforce is increasingly composed of freelancers, independent contractors, and the self-employed.<sup>91</sup> More than one in three American workers are now freelancing. New York City specifically has been named the “freelancer capital of the world” because it is home to 1.3 million self-identified freelancers.<sup>92</sup> The share of self-employed workers statewide, at 9.7 percent, surpasses the share of workers in manufacturing at 6.2 percent.<sup>93</sup>

Many of these workers lack the core protections and benefits provided for in the traditional labor market, and the existing system for supporting workers is outdated. Benefits such as unemployment insurance, worker’s compensation, and leave accruals are all rigidly attached to the employer.<sup>94</sup> If workers encounter unforeseen disruptions or hardships, their only safety net is taxpayer-funded government assistance programs.

To address the new reality of New York’s workforce, Governor Cuomo will create the Portable Benefit Task Force. The Task Force will be charged with

studying creative options and making a recommendation for the State to help ensure all workers in New York, regardless of their industry, trade or skill, have affordable access to benefits. Department of Labor Commissioner Roberta Reardon and Empire State Development President and CEO Howard Zemsky will co-chair the Task Force. The Task Force will also consist of members from the insurance industry, labor unions, freelancers and gig-economy industries, and experts on traditional employee benefits and economic trends.

***Proposal: Advance Legislation to Enhance the State's Ability to Recover Unpaid Wages***

New York State has zero tolerance for worker exploitation and those who seek to deny a fair day's pay for a fair day's work. Under the leadership of Governor Cuomo, New York State has returned more stolen wages to workers than ever before. In 2015, Governor Cuomo launched the Exploited Workers Task Force to promote social and economic justice for all New Yorkers and to identify and eliminate the exploitation of workers in the state. In its first year, the Task Force directed 1,547 businesses to pay nearly \$4 million in back wages and

damages to more than 7,500 workers.<sup>95</sup> This targeted worker protection initiative enabled New York State to achieve a new record wage recovery in 2015, returning \$31.5 million in unpaid wages to over 28,000 workers.<sup>96</sup>

Though significant progress has been made on this important issue, too many workers are stuck waiting to receive their unpaid wages because businesses go bankrupt, form new businesses or conceal their assets in other ways.

To provide additional legal mechanisms to increase collection of these stolen wages, Governor Cuomo will advance legislation amending the LLC Law to hold the top ten members of out-of-state LLCs personally financially liable for unsatisfied judgments for unpaid wages. This liability already applies to in-state LLCs and both in-state and out-of-state corporations, but not out-of-state LLCs. Further, the Governor will advance legislation to empower the Labor Commissioner to directly enforce all wage liabilities on behalf of workers with unpaid wage claims. Combined, these measures will get more money back into the hands of the hardworking New Yorkers who earned it.



### ***Proposal: Continue Common Sense Workers' Compensation Reform***

New York's workers' compensation program delivers medical and lost wage benefits to thousands of injured workers a year. Since taking office, Governor Cuomo has led the effort to build a more responsive and efficient workers' compensation system that cares for workers without overburdening businesses. From enacting the Business Relief Act—which cut assessments on employers, raised the minimum benefit for workers, and helped resolve the defaulted group trust crisis—to protecting the World Trade Center workers who performed rescue, recovery and clean-up in the year after 9/11, Governor Cuomo has made workers' compensation reform a reality.

However, businesses and injured workers face continuing frustration with a system they feel is needlessly complicated and too expensive. To address these concerns, the Governor established and is actively supporting the Workers' Compensation Board's Business Process Re-engineering Program, a multi-year effort to better serve stakeholders and reduce friction costs by improving customer service and leveraging

state-of-the-art technology. Governor Cuomo believes that more can be done and is calling on both business and labor to come together and work with him on legislation that will deliver a workers' compensation system that works for everyone.

***Proposal: Improve Access to Capital for MWBEs***

Since 2011, New York State's Minority/Women-owned Business Enterprises Program has experienced significant increases in participation. Governor Cuomo established a goal of 30 percent for New York's MWBE State contract utilization in 2014 – the highest goal of any state in the

nation. In the last Fiscal Year,

almost \$2 billion in contracts were awarded to MWBEs. A robust menu of

programs and

initiatives were developed to encourage MWBEs to become certified and to provide them with the technical



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***New York State's 30 percent MWBE State contract utilization goal is the highest of any state in the nation – resulting in almost \$2 billion in contracts to MWBEs last year alone.***

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tools and financial support necessary to win larger contracts, promote job creation, enter new markets and strengthen our economy.

In 2012, Governor Cuomo launched the “Bridge to Success” loan program that invested more than \$20 million with banking partners to expand access to short term bridge loans for New York State Certified MWBEs. This program has been a key component in programming designed to provide qualified MWBEs with the short-term financial support to be able to compete and perform on State contracts. Bridge to Success has already exceeded expectations – facilitating 83 loans, totaling more than \$13 million, and leveraging over \$100 million in contracts.

Despite the availability of Bridge to Success and other state assistance programs, MWBEs continue to share their experiences of denied or discouraged efforts to secure capital to start a business or grow their existing business. In turn, the banking community has expressed their challenges in meeting their credit requirements while providing capital to small businesses which can be credit challenged. All agree that there is a clear gap between the need of MWBEs to get the financing needed

to compete and grow and the real or perceived inadequate lending environment.

Governor Cuomo proposes expanding the State's current partnerships with leaders in the banking community to increase transparency in lending practices of all financial institutions – to fully define the scope of this issue, identify lending trends, increase bank participation in the State's current lending programs, and access to debt and equity capital. Through a public private partnership, New York State will level the playing field for MWBEs who have been left out of the lending environment.

Governor Cuomo proposes launching the NYS MWBE Business Growth Initiative to assist smaller minority firms in obtaining the resources—such as networks and technical assistance—to compete for and win State contracts. The NYS MWBE Business Growth Initiative is a cohort program where participating MWBEs will receive comprehensive and long-term technical assistance and business development training. The Initiative will take advantage of technical assistance programs and providers from the public and private sectors and harness the best practices and expertise of these partners to provide well-rounded assistance to

MWBEs, which includes trainings and follow-up. The Initiative will generate inclusive processes that strengthen trust, build commitment and establish sustainable business relationships through a coordinated and dedicated team of experts to support and enhance the capabilities of MWBEs.

***Proposal: Expand Needed Assistance to 390,000 Families across New York State***

The Supplemental Nutrition Assistance Program's (SNAP) primary purpose is to increase the food purchasing power of eligible low-income households in order to improve their nutrition and alleviate hunger and malnutrition. Although the program's success in meeting this core goal has been well-documented, and while the Governor has been highly successful in helping eligible families receive their maximum SNAP benefits, there are still thousands of families who are unable to access the full amount of assistance for which they may be eligible.

Approximately 75 percent of households that receive SNAP are also eligible for the Low-Income Home Energy Assistance Program (HEAP). The federal government provides an enhanced SNAP allowance for

such families to cover the additional costs of utilities. However, households are only able to access this additional assistance if they apply for SNAP during the HEAP season. For households that apply for SNAP when the HEAP season is closed, this administrative technicality can result in up to nine months of reduced SNAP benefits, or the equivalent of hundreds of dollars for food.

To maximize the amount of SNAP benefits that Office of Temporary Disability Assistance eligible households receive, Governor Cuomo is directing the agency to keep the HEAP season open year-round, so that eligible families are able to immediately access the maximum SNAP benefit. These same families will then be eligible for the remaining HEAP benefit during winter months when they begin to incur heating expenses. This programmatic change extending the availability of HEAP year-round is a win-win strategy that will incur no additional costs to the State while generating an additional \$228 million annually in federal SNAP benefits for low-income households across New York.<sup>97</sup>

***Proposal: Leverage Federal Funds to Fight Food Insecurity***

New York State residents who experience food insecurity fall short of an adequate diet by a collective 485 million meals in a single year.<sup>98</sup> Despite SNAP being an established program with a strong track record of success, millions of Americans eligible for these important benefits don't apply for them. In New York City alone, one in four low income New Yorkers, which is approximately 500,000 individuals, are eligible for SNAP but not receiving its benefits.<sup>99</sup>

In a typical year, New York State requests and receives \$3.5 million from the U.S. Department of Agriculture Food and Nutrition Service, which is matched with private funds to support SNAP outreach efforts. This outreach effort is conducted by private contractors in the community who educate and assist eligible households with enrollment. Although these efforts are successful, certain categories of people who are eligible for the SNAP program do not participate and thus forgo nutrition assistance.

To educate and enroll more New Yorkers in SNAP, including those who are hardest to reach, Governor

Cuomo is directing the Office of Temporary Disabilities Assistance (OTDA) to develop a new SNAP Outreach Partnership Initiative. The Initiative will engage foundations and community-based organizations in developing and implementing innovative ways to connect potentially eligible individuals with SNAP benefits. OTDA will issue a new RFP for SNAP outreach, with a goal of securing plans for a SNAP outreach campaign and private funding commitments totaling \$5 million. With secured support, the State's SNAP outreach budget will increase by \$10 million, from \$7 million to \$17million, through the federal match program.

***Proposal: Increase the Number of Low Income Homes Retrofitted to Over 20,000 Statewide***

Under the leadership of Governor Cuomo, New York State is helping low-income families manage and reduce their energy bill. Overall, the state spends approximately \$700 million in energy assistance and energy efficiency programs serving low income New Yorkers every year. Last year, the Governor announced the landmark Low Income Energy Affordability Order, increasing the number of New Yorkers who receive



discounts on their energy bill from 1.1 million to 1.65 million households.<sup>100</sup> And to spur innovation, NYSERDA has committed \$234 million to low-and-moderate income clean energy investments over the first three years of its Clean Energy Fund through 2018.

Despite these actions, as recently as 2015 approximately 300,000 households in New York State were at risk of having their lights shut off by the utility, and these households were a combined \$800 million behind in their bills.<sup>101</sup> More must be done to reach the Governor's goal, originally announced in the Affordability Order, of reducing the amount of money low income New Yorkers spend on their energy bills to an average of no more than 6 percent of their income statewide.

This year, the State will take another step to deliver this reduction in utility bills by increasing the number of low-income homes that are weatherized or retrofitted by more than 25 percent, from approximately 16,000 to more than 20,000, through matching commitments from OTDA and NYSERDA. These funds will come from the Home Energy Assistance Program and NYSERDA's Clean Energy Fund. Similar commitments will be evaluated on a yearly basis to

ensure the most effective use of limited resources. State agencies will also use standardized data and customer tracking practices to ensure that bill relief and efficiency measures are best targeted to high energy use and high need homes per the recommendations of a Low Income Energy Program task force announced last year comprised of NYSERDA, OTDA, the Department of Public Service, and New York State Homes & Community Renewal.

***Proposal: Remove Barriers to Employment for New Yorkers Receiving Unemployment Insurance Benefits***

Governor Cuomo continues to create new and innovative ways to help unemployed New Yorkers get back to work. The Governor's 2013 unemployment insurance reforms have greatly strengthened the security of the State's Unemployment Insurance Fund. And the launch of the Unemployment Strikeforce in the Bronx in 2014 helped boost employment there through intensive job placement services and workplace training. The Strikeforce was later expanded to include the 10 counties in the state with the highest levels of unemployment, and in 2016, the Governor launched the Western New York Strikeforce. Since its inception, the

Strikeforce has helped more than 41,000 individuals throughout the state find employment.<sup>102</sup> Additionally in 2016, Governor Cuomo secured \$20 million in federal funding to support the State's efforts to get unemployed New Yorkers back to work—the largest grant awarded to any state.<sup>103</sup>

Governor Cuomo will keep fighting for New Yorkers until every person who wants a job, has a job. Today New York's unemployment insurance system continues to have barriers that discourage part-time employment. Because of certain measures, workers who try to return to the workforce through part-time work are sometime penalized, despite the fact that part-time work can serve as a bridge to full-time employment.<sup>104</sup> For each day in a week that a claimant works, that claimant's weekly benefit drops by 25 percent—and the penalty applies even if the individual works for only one hour.

Governor Cuomo will advance legislation allowing claimants to earn up to \$100 or 40 percent of the available full unemployment insurance benefit, whichever is greater, before any reduction in benefits. By doing so, unemployed workers are incentivized to seek greater job opportunities.

***Proposal: Ban Bad Actors from the Financial Services Industry for Egregious Conduct***

Governor Cuomo has consistently fought to protect New York consumers. In 2011, the Governor created the Department of Financial Services (DFS) by merging the former Banking and Insurance Departments. DFS has established itself as a leading financial regulator by bringing in billions of dollars through enforcement actions to protect consumers.

While the Governor has made great strides to establish a strong financial regulator and protect consumers, the financial services industry is changing. New York's approach to regulating the banking industry and lending activities must change too. Wells Fargo was recently fined for fraudulently setting up accounts and selling products to consumers without their consent or knowledge. The bad actors' misconduct was motivated by the banks' culture of giving bonuses based on volume sales. It's wrong, and DFS issued guidance that incentive compensation will not be tolerated in New York.

In an effort to further protect consumers in a dynamic financial services industry, Governor Cuomo will push to amend the Financial Services law to empower the Superintendent to ban certain bad actors

from the financial services industry for egregious misconduct like that of the Wells Fargo scandal. Specifically, new legislation will disqualify certain individuals from the banking or insurance industries, if after a hearing, the Superintendent finds they have done something so severe as to have a direct bearing on their fitness or ability to continue participating in the industry.

***Proposal: Protect Consumers through Enhancement of DFS Regulation of the Fintech Industry***

Governor Cuomo created the Department of Financial Services (DFS) in 2011 to reform the regulation of the financial services industry to keep pace with the dynamic evolution of the industries in a way that welcomes responsible innovation while protecting consumers and markets from financial crises and fraud. DFS has established itself as a national leader as a regulator and as a supporter of innovation of the financial services industry. Under Governor Cuomo's leadership, DFS established a first of its kind licensing framework for virtual currency and has approved licenses for several innovative companies and the expansion of existing regulated entities into the financial

technology, or Fintech, space. DFS is now a leading regulator of Fintech.

More and more New Yorkers are seeking to meet their financial services needs by Fintech companies that are technology startups offering consumers the services typically sought from banks and other lending providers or insurance companies, such as online lending. Without proper regulation, however, consumers are vulnerable to predatory practices. It's important for New York to welcome innovation in the financial services industry while maintaining the high consumer protection standards for which New York has long been known and that DFS enforces. Governor Cuomo will propose legislation authorizing DFS to further enhance its regulation of Fintech companies in a manner that is able to continue to keep pace with the dynamism of the industry and welcomes consumer friendly innovation while protecting consumers from bad actors.

### ***Proposal: Protect Seniors from Foreclosure***

Many New Yorkers over the age of 62 utilize lending products known as reverse mortgages. Misled and misinformed by advertisements, seniors often

choose reverse mortgages for an additional income without fully understanding that payments are still required for all taxes, insurance, and home maintenance. As a result of these deceptive practices, many senior citizens face foreclosure because of a missed tax or insurance payment.

Under current law, consumer protections available to homeowners are not provided to homeowners with a reverse mortgage. These protections include settlement conferences, which are provided to New Yorkers facing foreclosure. In order to safeguard seniors from the risks of reverse mortgages and provide equal protections to all homeowners, Governor Cuomo will take the following actions:

- *Close Consumer Protection Loopholes.* The Governor proposes amending the Real Property Actions and Proceedings Law and Civil Practice Laws and Rules to include reverse mortgages. This will require that the same consumer protections be provided to all homeowners, regardless of the lending product they utilize.
- *Launch Review of Regulations.* The Governor will direct the Department of Financial Services to revisit and revise any rules and regulations pertaining to reverse mortgages. This will help to prevent future foreclosures and further protect New York homeowners.

***Proposal: Protect a Women's Right to Choose***

Governor Cuomo's support for women's right to make their own reproductive health choices has been steadfast. For years, he has fought for codifying the Supreme Court's *Roe v. Wade* decision and other federal rulings into state law. There has never been a more critical time for protecting a woman's right to access reproductive health services.

New York has a longstanding legacy of being the progressive capital of the country. Now, more than ever, regardless of what happens at the federal level, it is time to ensure that all New Yorkers' rights are protected to the fullest extent. Women's rights are central to New York's progressive values, and nothing is more fundamental to women's equality than a woman's right to choose and to make her own medical decisions. Governor Cuomo will continue to fight to protect women's reproductive rights in New York.

***Proposal: Eliminate the Wage Gap in New York State***

In 2015, as part of the Women's Equality Act, Governor Cuomo signed important legislation to strengthen pay equity in New York by prohibiting



employers from retaliating against employees who share wage information and increasing damages and penalties for employers who underpay their workers because of gender, race or ethnicity. Governor Cuomo is committed to taking additional steps to make New York the first state in the nation to eliminate the wage gap entirely.

Women in New York earn just 87 cents on the dollar of what men earn.<sup>105</sup> Women of color, compared to white men, fare worse: African-American women earn on average 69 cents on the dollar and Latinas 58 cents on the dollar.<sup>106</sup>

Eliminating the wage gap is a family issue. According to U.S. Census Bureau, in 2015 there were 12 million single parent families in the United States—more than 80 percent of them headed by single mothers. In New York, more than a third of New York children are growing up in single-parent families.<sup>107</sup> It's also an economic issue: a McKinsey report estimates full labor force parity would lead to an additional \$4.3 *trillion* to U.S. GDP by 2025.

State government must lead by example. Governor Cuomo has issued an Executive Order to prohibit state entities from asking the salary history of prospective employees. Since companies tend to base

salary offers on a candidate's salary history, this measure will break the cycle of unfair compensation so that individuals, primarily women and minorities, are not disadvantaged through their entire career.

In addition, the State will leverage its economic power to advance wage equity. The Governor has issued a second Executive Order requiring all state government contractors to disclose data on the gender, race, ethnicity, title, and salary of its employees. This will leverage taxpayer dollars to drive transparency and progress toward wage equity.

Finally, the Governor will direct the Department of Labor to analyze the wage gap in the state and make recommendations to the Governor, including industry-specific steps, to eliminate wage disparity. The recommendations will be due to the Governor by the end of 2017.

## **Part 2. Launching the We Are All Immigrants Initiative**

New York State is home to over 4.4 million immigrants, each of whom is vital to the rich fabric of cultural, civic, and social diversity of New York State. Immigrants represent 1 out of every 5 New Yorkers<sup>108</sup>

and contribute significantly to our state's economy as business owners, workers, consumers and tax payers. In 2014, immigrant-led households earned \$145.8 billion—or 23.2 percent of all income earned by New Yorkers that year.<sup>109</sup> To ensure that New York State is well-positioned to support the success of immigrants and their families, Governor Cuomo will create the New York State We Are All Immigrants Initiative.

Governor Cuomo has been steadfast in his support for immigrant New Yorkers. Since taking office, the Governor signed a wide-reaching Executive Order to ensure language access across state agencies, suspended the State's participation in a federal program that required local law enforcement to help identify deportable individuals, and established the Office for New Americans (ONA). ONA is the first state-level office in the nation focused on increasing immigrants' participation in civic and economic life. To date, ONA has served more than 120,000 New Yorkers; including by helping many immigrants on their path to citizenship through the *Naturalize NY* campaign.

Through the *We Are All Immigrants Initiative*, Governor Cuomo will pursue the expansion of ONA services, implement the recently announced Empire

State Immigrant Defense Project, and help more eligible New Yorkers become naturalized citizens. The Governor will also convene the New York State Blue Ribbon Panel on Immigrants, which will provide recommendations to support the progress and integration of immigrants and their families, and will press for the passage of the DREAM ACT to push open the doors of higher education for young dreamers. These actions embody the welcoming spirit and unity that are the bedrock of New York.

***Proposal: Protect the Rights of Immigrants with First-in-Nation State-Led Public-Private Legal Defense Project***

In these times of uncertainty, Governor Cuomo has reaffirmed that he will stand with New York's immigrants and ensure they can access the full protections afforded under the law. Immigrants faced with deportation should receive due process and not be forced to face a judge without an attorney. Approximately 60 percent of individuals facing deportation do not have access to an attorney.<sup>110</sup> These individuals often include lawful permanent residents, asylum seekers and refugees, victims of domestic

violence, and other vulnerable immigrants with deep ties to New York State. Individuals facing removal proceedings with a lawyer are 500 percent more likely to win their cases than those without representation.<sup>111</sup> Deportation has devastating effects on families, including lasting poverty, trauma, and diminished access to healthcare and education.<sup>112</sup>

Given the possibility of increased deportations in the future, Governor Cuomo launched the first-in-the-nation, state-led, public-private legal defense project so that all immigrants, regardless of status, have access to representation and due process. This initiative will be administered by the State's Office for New Americans in partnership with advocacy organizations, major colleges and universities, law firms, and legal associations around the state.

***Proposal: Help More Eligible New Yorkers Become Naturalized Citizens***

Last year, Governor Cuomo launched *Naturalize NY* to help eligible immigrants complete their naturalization applications. Naturalize NY included a two-round lottery to cover naturalization application

fees for citizenship-eligible, low-income immigrant New Yorkers.

Nearly one million New Yorkers are eligible to become U.S. citizens today, but many are unable to do so because they cannot afford the federal processing fee, which increased to \$725 this past December. While an estimated 464,000 New Yorkers qualify to have this processing fee waived by the federal government based on their income, there are an additional 158,000 New Yorkers who do not qualify for the waiver, but for whom the fee is still a barrier to naturalization.<sup>113</sup>

To build on the success of *Naturalize NY*, ONA will invest \$1 million, through a public/private partnership, to host a second round of the *Naturalize NY* lottery and help more than 1,500 eligible immigrant New Yorkers become U.S. citizens.

Finally, ONA will partner with the Department of Financial Services, financial institutions, and community-based partners to expand low-cost or zero interest micro-loans or “lending circles” to help finance the high cost of the naturalization application for eligible legal permanent residents meeting certain residency requirements.

***Proposal: Convene the New York State Blue Ribbon Panel on Immigrants***

Government plays a unique role in helping immigrants transition from their home countries and integrate into their new communities. This is why in 2013, Governor Cuomo created the Office of New Americans to support the integration of immigrants with English language classes, naturalization assistance, and other services. Nearly 4.4 million immigrants now call New York home, and we want every single one of them to succeed.

To support the successful integration of immigrants and their families, Governor Cuomo will convene the New York State Blue Ribbon Panel on Immigrants, composed of New Yorkers whose own stories reflect the richness and depth of success that immigrants have had in our state. The Panel will assess the current landscape of state services that support the integration of immigrant families and make recommendations on how to better align resources to support new Yorkers. The Panel will also study and make recommendations to the Governor on how to remove barriers to integration in key industries.

### ***Proposal: Pass the Dream Act***

New York State is home to thousands of undocumented young people brought to the United States as children. Many of these young New Yorkers received Deferred Action for Childhood Arrival (DACA), and we are proud of the contributions they have already made to our state. Since 2002, undocumented students qualify for in-state tuition at SUNY and CUNY if they graduated from a New York high school or received the equivalent of a high school diploma in the state. Yet, each year, many talented students who graduate from New York high schools remain unable to fulfill their potential, simply because they cannot afford the tuition and lack access to tuition assistance to help pay for school. We can do better.

Governor Cuomo will advance the DREAM Act to finally open the doors of higher education to thousands of New Yorkers. The DREAM Act will give undocumented students access to the Tuition Assistance Program, as well as state-administered scholarships, helping them make even greater contributions to our community. An investment in young immigrants' futures is an investment in New York's future.



### **Part 3. Achieving Criminal Justice**

Many perceive today's criminal justice system in them U.S. to be an overpopulated, inequitable system replete with social injustice. In New York, Governor Cuomo has taken bold actions to modernize the criminal justice system and ensure that it treats everyone fairly.

Since Governor Cuomo took office in 2011, the State has invested millions of dollars in alternatives to incarceration, such as mental illness programs, pretrial services, and drug and alcohol treatment programs. The Governor also established a landmark partnership with Manhattan District Attorney Cyrus Vance to fund higher education opportunities for individuals in state correctional facilities, so they are better prepared for employment upon release.

In the absence of legislative action to raise the age of criminal responsibility from 16 to 18 years old, the Governor issued an Executive Order in 2015 to separate youth in the prison system and create a juvenile facility providing specialized, age-appropriate programming. The Governor also granted over 100 acts of clemency, including, for the first time in any state, conditional pardons to New Yorkers who were convicted of a non-

violent crime when they were minors, and who have since lived crime-free for more than a decade. These pardons will help



***Since 2011, New York State has closed 13 prisons and the State's inmate population has declined by more than 5,000.***

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ensure that these individuals face fewer barriers in attaining employment, seeking college admission, finding housing, and becoming licensed in certain occupations. Through the State's Council on Community Re-Entry and Reintegration, New York has taken the lead over the past two years to guarantee that individuals who paid their debt to society have a real second chance within their communities.

In the time since Governor Cuomo took office, New York State has closed 13 prisons—more than in any other period under one Governor in state history. The prison population has also drastically decreased by more than 5,000 in that time.<sup>114</sup> At the same time, New York remains the safest large state in the country.<sup>115</sup> Governor Cuomo remains committed to ensuring that New York State has the most modern, efficient, and fair criminal justice system in the nation. This year, the Governor

proposes a package of criminal justice proposals designed to provide the system that New Yorkers deserve. This package will ensure equality and public safety while preventing individuals from needless incarceration and repeated involvement with the justice system.

***Proposal: Raise the Age of Criminal Responsibility for 16- and 17-Year Olds***

New York stands as one of only two states that process all 16- and 17-year-olds in the adult criminal justice system, no matter their offense. The other one is North Carolina. Currently in New York, of the 27,000 teenagers arrested in 2015<sup>116</sup>, approximately 86 percent of these youth were arrested for non-violent crimes<sup>117</sup>. These teenagers enter the criminal justice system where they face potential imprisonment in local county jails or state prisons. In New York State, there are approximately 500 people under the age of 18 in local jails and state prisons.<sup>118</sup> In the absence of age-appropriate facilities and programming, these teenagers face a greater risk of being involved in a significant assault, becoming a victim of sexual violence, and committing suicide.<sup>119 120</sup>

Over the past three years, Governor Cuomo has taken dramatic actions to address this injustice. In 2014, the Governor announced the creation of the Commission on Youth, Public Safety, and Justice in his *State of the State* address to provide recommendations to improve juvenile justice in New York State. In 2015, Governor Cuomo accepted the Commission's recommendations and joined advocates to call on the state legislature to pass "Raise the Age" legislation to process 16- and 17-year olds as juveniles for all crimes except those involving serious violence, and offer rehabilitative services to all minors. Later that year, after the legislature failed to act, the Governor issued an Executive Order that directed the Department of Corrections and Community Supervision, in collaboration with the Office of Children and Family Services, to implement a plan to remove minors from adult prisons and place them in a new age-appropriate facility.

This year, Governor Cuomo renews his call to Raise the Age once and for all. The Governor will introduce legislation to ensure that 16- and 17-year-olds who commit less serious crimes receive necessary services and evidence-based treatment. Those who commit serious crimes will still be held accountable but

will have their cases heard by specially-trained judges. These measures will reduce recidivism rates, decrease youth crime, and provide significant public safety benefits for all New Yorkers.

### ***Proposal: Reform Bail and Reduce Pretrial Detention***

As national incarceration rates have fluctuated, New York has successfully reduced the state's jail and prison population by nearly a third, from 104,926 in 1999 to 76,619 in 2015.<sup>121</sup> Yet, pre-trial detention of low-risk, low-income defendants remains unacceptably high.

Today, we have individuals who have been accused of crimes, often non-violent crimes, who cannot afford bail. In New York City, for example, the median bail amount was \$5,000 for felony offenses and \$1,000 for misdemeanor offenses in 2015.<sup>122</sup> Many sit in jail for weeks, months, or even years, with their lives disrupted and their work and family situations tossed aside—primarily because they lack the financial means to post bail. That is not justice.

Now is the time to transform the State's antiquated bail system, which equates freedom with the ability to pay, to a system that accounts for an

individual's risk to public safety. This year, Governor Cuomo will propose common sense changes that will modernize the system of pretrial detention and develop alternatives for those who pose a low risk to public safety.

The Governor will seek legislative and administrative action to:

- *Allow judges to account for an individual's risk to public safety when contemplating bail.* New York is currently one of only four states that does not allow judges to consider whether an individual poses a danger to the public if released. This must change.
- *Adopt risk assessments for bail determinations.* Judges will use these assessments to determine an individual's risk to public safety. Validated and transparent risk assessments show that most people do not pose a serious risk to public safety if released before trial, and thus should be released. Meanwhile, people who pose a risk should be held, with proper due process safeguards. These assessments are conducted by instruments that are validated for legitimacy and incorporate data to ensure that there is no unintended bias in bail determinations. This adoption will ensure that low-risk individuals are allowed to be released before their trial while high-risk individuals remain behind bars. These assessments will also protect low-income New Yorkers from being

disproportionately punished in the criminal justice system.

- *Provide alternatives to pretrial detention for low-risk individuals, ensure safeguards for high-risk individuals, and examine the elimination of cash bail.* Judges should have more than two options when deciding whether or not defendants should stay in jail or be released before their trial. Allowing judges to set conditions, such as supervision or substance use testing, would decrease the number of people needlessly incarcerated while preserving public safety. Also, for the few, high-risk individuals who would otherwise be able to post an expensive bail, District Attorneys should be able to petition the court to prevent their release.

### ***Proposal: Ensure the Right to a Speedy Trial***

The Sixth Amendment to the U.S. Constitution, New York Criminal Procedure Law, and New York Civil Rights Law guarantee all citizens accused of a crime the right to a speedy and public trial. A “speedy trial” is important because being held in jail for excessive periods of time negatively impacts an individual’s social and economic standing within their community, which is unjust for those who are truly innocent or committed a low-level, non-violent crime.

Despite these protections, defendants are currently held in custody for excessive periods of time awaiting trial. Courts are also overburdened with an excessive number of criminal cases.

To ensure the right to a speedy trial in New York State, the Governor will:

- *Advance legislation to reduce unnecessary delays and adjournments in court proceedings.* Currently, people arrested for a crime and held in custody can have their trial dates delayed by their attorneys while the prosecution and defense prepare to present their cases in court. These delays may result in a loss of any meaningful speedy trial right which can lead to unnecessary periods of incarceration. As an immediate action, the Governor proposes a legislative amendment which will require that people held in custody—not their attorneys—consent to a speedy trial waiver that must be approved by a judge. These waivers will only be granted the detained defendant has appeared before a judge. Lastly, all speedy trial waivers will include a deadline so that the defendant, defense attorneys, prosecutors, and judges understand when the trial is scheduled to occur and ensure case delays do not clog the court's calendar.
- *Work with Chief Judge Janet DiFiore to develop an effective administrative approach as well as recommend additional legislative measures.* The goal will be to develop guidance and



propose legislative measures aimed at eliminating needless confusion, increasing fairness in judicial proceedings, and ensuring every New Yorker's right to a speedy trial.

***Proposal: Require Recording of Interrogations for Serious Offenses***

New York does not currently require that interrogations of criminal suspects be recorded by law enforcement agencies. Interrogations are vital to a criminal case because they often provide the needed evidence to convict guilty and exonerate innocent defendants. However, there are cases where people are wrongfully convicted based on false confessions and instances where police officers are wrongfully accused of coercion. It is widely agreed among criminal justice stakeholders that the video recording of police interrogations for criminal investigations is a highly effective means to combat the possibility of a false confession or coercion by law enforcement.

To ensure the reliability of evidence and integrity of the criminal justice system, Governor Cuomo will propose legislation that requires law enforcement to video-record the custodial interrogations of suspects for

serious offenses. This requirement is a transparent effort to prove the truth of what transpired during an interrogation and protects all participants from false allegations. This measure builds upon previous efforts by the District Attorneys Association of the State of New York, the Innocence Project, and the New York State Bar Association, which were supported by the Governor and Manhattan District Attorney Cyrus R. Vance with more than \$3.5 million in funding for police and prosecutors to purchase, install, and maintain video recording equipment.

***Proposal: Improve Witness Identification Procedures***

Mistaken eyewitness identification has been determined to be a leading contributor to wrongful convictions.<sup>123</sup> The use of best practices by police agencies can increase the accuracy and reliability of witness identifications. Research indicates that, when done properly, identification procedures are most reliable when conducted closest to the time of the crime or sighting and in the first procedure where a suspect can be identified.<sup>124</sup> Oftentimes, these identifications are made using a photo array. Photo arrays are a series of

photos displayed to a victim or witness of a crime to confirm or deny the identity of a suspect. These can be highly effective in trial to confirm if a person was, in fact, involved in a crime. New York, however, is the only state in the nation which prohibits, by law, a jury from hearing evidence of an identification made by a witness using a photo array.

To increase reliability of witness identification in New York State, Governor Cuomo will advance legislation to allow the use of photo identifications made by witnesses at trial where the identification procedures were conducted using proper safeguards, such as “blind” and “double blind” administration. This change means that juries will now be able to consider the most reliable form of identification evidence. The Governor’s proposal will improve the integrity of identification procedures and enhance public safety by safeguarding against wrongful convictions and ensuring that criminals are held responsible.

***Proposal: Extend Hurrell-Harring Settlement  
Reforms to the Rest of the State***

The provision of quality criminal defense by the government to individuals who cannot otherwise afford

counsel is of paramount importance, as the United States Supreme Court ruled in *Gideon v. Wainwright* and its progeny. Still, accounts of individuals receiving vastly disparate levels of court appointed representation are heard all too often. The quality of the representation provided to those who cannot afford an attorney must not vary from county to county. The State must ensure that these critical services are provided consistently at a high level statewide.

In 2014, the State successfully negotiated an agreement in *Hurrell-Harring et al. v. State of New York et al.*, a lawsuit filed against the State and five counties based upon an alleged failure to provide the necessary level of indigent defense services in those counties, to bring true reform to public defense systems that were failing. These improvements, which were widely heralded as groundbreaking for the State, ensured indigent criminal defendants have counsel at arraignment, established new caseload standards so that attorneys can devote sufficient attention to each case, and implemented initiatives to improve indigent defense.

The groundbreaking advances in those five counties can, and should, be extended to the rest of the

state, and this year the Governor will introduce a plan to do just that. Under this plan, the State will fund one hundred percent of the costs necessary to extend the reforms in the *Hurrell-Harring* settlement to all of the state's counties and the City of New York, with appropriate fiscal oversight through the Division of Budget. This initiative will guarantee that indigent defendants have counsel at arraignment, provide caseload relief for local judges and prosecutors, and improve the state's criminal justice system for indigent defendants. At the same time, it will require appropriate oversight and reporting to ensure that all localities are properly implementing such reforms.

### ***Proposal: Reform Post-Release Supervision***

In New York State, individuals who commit certain crimes can be placed on community supervision after they are released from a correctional facility. This post-release supervision, also known as parole, is the responsibility of the Department of Corrections and Community Supervision. This period of supervision can be effective in reducing recidivism by offering positive rewards for good behavior and immediate sanctions for

negative behavior. However, New York's outdated laws make it difficult to provide meaningful rewards that incentivize reintegration.

To correct this deficiency, Governor Cuomo will advance legislation to allow individuals on parole for certain offenses to reduce their term of supervision by three months for every six months of good conduct. This groundbreaking change will improve public safety by allowing individuals to earn an early, full reintegration to society while providing the Department with the ability to concentrate resources on the highest-risk individuals.

The Department of Corrections and Community Supervision (DOCCS) will also seek the authority to establish the conditions of parole to ensure that individuals receive the most appropriate post-release supervision, such as participation in substance use treatment and adherence to a comprehensive re-entry plan. This authority, which will only apply to individuals who are not subject to release by the Board of Parole, will improve DOCCS' use of successful community supervision models, such as the Recidivism Elimination Supervision Enhancement Teams (RESET). These teams leverage an evidence-based practice based on objective guidelines and positive incentives, such as letters of

recognition, relaxed curfew, and travel passes, to monitor parolees and ensure they avoid re-offense.<sup>125</sup>

### ***Proposal: Strengthen Police-Community Relations***

Over the last several years, a pervasive lack of trust between police officers and the neighborhoods they protect has become more visible in communities across our nation. In that time, a series of tragic deaths of unarmed civilians involving law enforcement has focused public attention on this important issue. This year, Governor Cuomo will continue taking action to bring communities and law enforcement closer together with the following plan:

1. The Governor will direct the Division of Criminal Justice Services to update the supervisory training program to offer courses emphasizing crime prevention strategies, incident management, and use-of-force policies to ensure that all police chiefs, sheriffs, and their respective deputies are ready to lead. Currently, the State's only mandatory police leadership training is for officers promoted to first-level supervisor, where they learn communication skills, counseling, and discipline techniques. Law enforcement leaders need the skills to build community relations and manage officers well, and this training will help provide these skills.

2. To modernize police training, the State will accept the unanimous recommendation of the New York State Municipal Police Training Council to fully update the curriculum and incorporate national and regional standards and best practices, such as crisis intervention training. The State's basic police officers course curriculum, which every police officer is required to take, has not undergone a comprehensive revision in nearly 20 years. This much-needed update to curriculum and training will ensure law enforcement in New York State are provided with the most advanced and pertinent training available today.
3. The Governor will advance legislation requiring all police departments to adopt a use of force policy. New York State does not presently require local police departments to implement guidelines on when police officers should use force, in self-defense or in defense of others. As cases of alleged excessive use of force by police officers spread across the nation, it is imperative that the State take a proactive approach to prevent such acts from occurring in New York. The State already developed a model policy that was approved by the Municipal Police Training Council that local jurisdictions can adopt.
4. The Governor will also continue to work with the legislature to create the Office of the Independent Special Counsel, which will be tasked with investigating deaths of unarmed civilians at the hands of law enforcement officers. In doing so, the State will expand upon the success of the Governor's Executive Order 147 which appointed the Attorney General as a special prosecutor in such cases, and ensure that the newly created



Office is truly independent, properly resourced, and permanent. This Office will be independent of any existing relationship with law enforcement avoiding any appearance of subjectivity or partiality. With an Independent Special Counsel appointed, these tragic incidents will continue to receive the fair and independent review that they deserve while also increasing the public's trust in the process.

Additionally, Governor Cuomo will host a statewide leadership forum on criminal justice focused on enhancing relations between law enforcement and the communities they protect. The forum will bring together law enforcement officials from across the state with criminal justice reform advocates to discuss procedural justice strategies and practices that build community cohesion and trust.

### ***Proposal: Decriminalize Marijuana***

In 2014, over 620,000 people across the U.S. were arrested for possession of marijuana. This figure represents more than one in twenty arrests for that year and equates to 1,700 arrests per day—more than one arrest per minute.<sup>126</sup> This past year, almost 90 percent of marijuana law violations were for possession and not

sale.<sup>127</sup> The over-prosecution of marijuana possession has significant fiscal impacts. In 2010, New York City spent \$75 million to arrest and jail individuals for the possession of mostly small amounts of marijuana.<sup>128</sup> An estimated 90 percent of those individuals had no subsequent felonies.<sup>129</sup>

The illegal sale of marijuana cannot and will not be tolerated in New York State, but data consistently show that recreational users of marijuana pose little to no threat to public safety. The unnecessary arrest of these individuals can have devastating economic and social effects on their lives. Individuals can miss work, be fired, establish a record that prevents them from finding work in the future, and spend time in jail awaiting trial if they are unable to post bail.

Continuing the Governor's commitment to reduce the number of nonviolent individuals who become needlessly entangled in the criminal justice system, Governor Cuomo will advance legislation amending the State's marijuana drug laws by removing the criminal penalties that too often result in the over-prosecution and jailing of non-violent individuals. This measure reflects the national trend and dramatic shift in public opinion. Whereas other states have sought the full

legalization of marijuana, this legislative change will specifically affect individual users and not reduce penalties on those who illegally supply and sell marijuana.

***Proposal: Provide Permanent Housing with Short-Term Supports for People Leaving State Prison without a Home***

Over the last six years, New York State has made significant progress in reducing the obstacles formerly incarcerated individuals face upon re-entering society. In February 2012, Governor Cuomo launched an employment training and placement program called Work for Success, which has prepared and assisted several thousand formerly incarcerated individuals in their pursuit of employment. In his 2014 *State of the State* address, the Governor announced the formation of the New York State Council on Community Re-Entry and Reintegration to better facilitate successful re-entry for formerly incarcerated individuals.

Building on the recommendations of that Council, the Governor is announcing a new pilot program designed to further promote stability for formerly

incarcerated individuals and to continue to stop the vicious cycle of recidivism.

Over 22,000 people return home from state correctional facilities each year to their local communities.<sup>130</sup> Some may be able to return to live with family members, while others enter residential treatment for identified substance abuse or mental health issues. A substantial number, however, have nowhere to go. In communities across the state, like Newburgh and Niagara Falls, more than 60 percent of people leaving prison go to a shelter or other unstable housing. Other upstate jurisdictions have between 40-50 percent of releases in such a category.<sup>131</sup> Research shows that people are most likely to reoffend in the six months after release; the worst place they can be in this critical period is between an emergency shelter bed and the street.<sup>132</sup>

These individuals need opportunities to find housing and employment in order to better themselves and avoid continual homelessness and incarceration. New York State will provide local social services districts with the option to enhance the Public Assistance shelter allowance for un-domiciled individuals reentering the community from prison. A short-term, enhanced rental

support, coupled with time limited, targeted case management, will provide the stability and guidance needed to significantly reduce the likelihood of recidivism, and lay the foundation for these individuals to connect with families, find employment, and move into their own housing. This will also allow the local social services districts to increase the amount paid for rental assistance for these individuals, providing them with the necessary time to stabilize in permanent housing, obtain community supports, and seek employment—then begin to make rental payments on their own.

Social services districts providing this enhanced rental support would be required to demonstrate a working relationship with a service provider in the community to provide case management to individuals in receipt of the enhanced rental support. Funds will be made available to pilot these services in two counties. Working in partnership with the Office of Temporary and Disability Assistance, and advised by the Council on Community Re-Entry and Reintegration and local County Reentry Task Forces, local social services districts will be invited to pilot this housing program.

***Proposal: Respond to the Needs of the State's Aging Incarcerated Population***

The population of incarcerated individuals in state prisons who are over 50 years old has increased by 81 percent since 2000.<sup>133</sup> This “graying” population is nearly three times more costly to take care of than younger individuals under custody. Moreover, these older individuals are often limited in their ability to develop the skills—such as using modern technology—necessary to successfully reenter society. After their release, these people are at the lowest risk of re-offense, but are often at a disadvantage in receiving appropriate health care, obtaining a job, and finding housing.<sup>134</sup>

Governor Cuomo will direct the Department of Corrections and Community Supervision to invest nearly \$500,000 to create a fifty-bed dormitory at Ulster Correctional Facility to house eligible individuals aged 55 years or older. This dormitory will operate under a therapeutic community model for senior living with programs focused on life skills, technology use, family unification, and health and wellness. Individuals placed in the dormitory will benefit from the age-appropriate

environment to better prepare them to return to their neighborhoods.

***Proposal: Modernize Sentencing Laws and Remove Mandatory Prison Terms for Minor Offenses***

Under current criminal sentencing law, certain non-violent crimes in New York State result in an indeterminate prison sentence—a range of years—as opposed to a determinate sentence with a specific number of years of imprisonment. In these cases, the actual amount of time served is determined by the Board of Parole, which is required to make over 6,000 such determinations annually, instead of the judge who oversaw the trial. Current law also requires a term of imprisonment for many minor, non-violent crimes that could otherwise be addressed more effectively through alternatives to incarceration, such as treatment for serious mental illnesses or substance use disorders. Over the next five years, the needless prison time resulting from this inconsistent sentencing scheme and unnecessary mandatory minimum sentences are projected to cost the State over \$50 million.<sup>135</sup>

Governor Cuomo proposes advancing the recommendations of Chief Judge Janet DiFiore's Permanent Commission on Sentencing to implement fully determinate sentencing for felony offenses and remove mandatory prison terms for minor repeat felonies. Determinate sentencing will result in taxpayer savings and a reduced prison population while providing transparency in sentencing and allowing victims and families to predict, with reasonable certainty, how long an individual will be incarcerated. Additionally, these changes will reduce the burden on the Board of Parole, which currently conducts thousands of parole hearings, allowing them to concentrate on only the most serious crimes.

***Proposal: Incentivize Comprehensive Rehabilitative Programming through Sentence Reductions***

Today, individuals in State custody are able to participate in specialized programs, called "limited credit time allowances," which facilitate rehabilitation and reduce their sentence by six months upon successful completion. These nine programs prepare incarcerated individuals to rejoin society by teaching them technical



skills that can improve their opportunities for employment. These programs also enhance the safety of prisons because individuals must have a positive record of rehabilitation to enroll. More than 1,000 inmates earned an early release over a six year period from 2009 to 2015 which saved taxpayers nearly \$10 million in reduced sentences.<sup>136</sup>

To build on this success, Governor Cuomo will advance legislation adding two new limited credit time allowance programs: participation in the DMV Call Center Program and completion of vocational culinary arts training. Combined, these two new programs will provide valuable job skills and save the State nearly \$1 million and help approximately 100 people earn early reintegration over the next four years.

#### **Part 4. Expanding Homeless Services**

Each night, more than 75,000 people, including families with children, sleep in homeless shelters across the state. Approximately 4,000 people sleep on the street each year.<sup>137</sup> Last year, Governor Cuomo announced an unprecedented commitment of \$10.4 billion over five years to combat homelessness throughout the state. The

Governor also ordered a multiagency Shelter Inspection Initiative that inspected every one of the state's 916 homeless shelters to ensure that facilities are clean, safe, and well-maintained. Finally, the Governor created a new Interagency Council on Homelessness to explore targeted solutions to homelessness and recommend best practices to serve the needs of this vulnerable population.

To build on these efforts, Governor Cuomo proposes a three-part strategy that will enhance and expand services for homeless families and individuals, especially for runaway homeless youth and individuals suffering from mental illness throughout New York State.

***Proposal: Expand Mental Health Services in Homeless Shelters and Community Outreach***

As part of his unprecedented commitment to combat homelessness, the Governor announced \$2.6 billion to support 6,000 units of permanent supportive housing over the next five years for individuals and households led by individuals with special needs, such as mental illness and substance use disorders. In October 2016, the Office of Mental Health announced the first conditional awards for the Empire State Supportive

Housing Initiative to support the first 1,200 units of permanent supportive housing. To complement these important efforts, additional services are needed to support individuals with mental illness and substance use disorder living in shelters or on the streets.

More than 60 percent of individuals experiencing homelessness have a diagnosed mental health and/or substance use disorder, but service delivery and the services offered differs throughout the shelter system and the state.<sup>138</sup> Few of these shelters are connected to the broader mental health treatment network. This creates a gap in services once an individual is stabilized in their shelter to continue treatment in the community.

To address this challenge, Governor Cuomo will direct a partnership among DOH, OMH, OTDA, and OASAS to engage with shelter providers and local health care networks to increase the availability of health and behavioral health services for homeless shelter residents. Together, these state agencies will work to increase access to the Medicaid Health Home Care Management system by expanding the use of on-site outreach workers in shelters and in community settings. In the Health Home model, all of an individual's caregivers communicate with one another so that a

patient's needs are addressed in a comprehensive and coordinated manner. The agencies will also work to streamline the intake process at shelters, so that individuals receive direct and immediate access to mental health services upon entering the shelter system.

Additionally, Governor Cuomo proposes to form ten new Assertive Community Treatment (ACT) teams offering targeted help for homeless individuals in need of intensive behavioral health services. Teams will be based in and around the neighborhoods where mental health shelters are located, and will also deliver comprehensive and flexible treatment, support, and rehabilitation services where individuals live, work, and socialize. ACT teams include psychiatrists, nurses, psychologists, social workers, and substance abuse and vocational rehabilitation experts. These teams provide at risk homeless individuals with intimate support by maintaining small staff-to-recipient ratios of approximately ten patients for every outreach professional. Services and counseling from the ACT teams will be provided to vulnerable individuals 24 hours a day, seven days a week, for as long as needed.

## ***Proposal: Protect and Serve Runaway and Homeless Youth***

New York State is committed to reducing the number of runaway and homeless youth and has taken affirmative steps to serve this population. Last year alone, the Governor doubled the baseline funding for services that are critical for homeless young persons including crisis shelter programs, transitional independent living programs, and non-residential services such as hotlines and street-outreach programs. In addition, the Governor's newly formed Interagency Council on Homelessness is developing recommendations focused solely on meeting the needs of runaway and homeless youth.

There are significant collateral consequences for youth and young adults who are either living on the streets or who lack consistent, stable housing. For example, homeless youth often do not complete their education, lack general life skills, and are vulnerable to violence, crime, and sexual exploitation.<sup>139 140</sup> The time limits for residential services set by law are too short and require that services be cut off before vulnerable youth get the full benefits of existing supportive programs.

To better protect and serve vulnerable youth in New York, Governor Cuomo will advance legislation to make it more financially feasible for counties to provide youth with the residential supports they need. Under the Governor's proposed legislation, counties that support runaway and homeless youth services will have the option to let youth stay in crisis shelters for 120 days, up from 30 days. The Governor's plan will also extend the maximum length of stay in a residential transitional independent living support program from 18 to 24 months. The plan embodied in this legislation is consistent with preliminary recommendations from the Interagency Council on Homelessness. These changes will give young people greater stability and longer-term access to the services needed to help them get back on their feet.

Adult homeless shelters are often inappropriate for young people's housing, even on a temporary basis. The Governor will also advance legislation to provide counties the option to serve 21 to 24 year-olds in residential programs for runaway and homeless youth. By raising the age at youth shelters, New York State will ensure that young people have a safe place to turn in their darkest and most challenging situations.

Finally, the Governor will direct state agencies to collaborate in an effort to ensure a consistent definition of homelessness is used across all agencies that work with runaway and homeless youth. This effort will allow local nonprofits to access additional federal funds and will create a more accurate picture of the needs of homeless youth.

***Proposal: Protect the Educational Rights of Homeless Students***

Governor Cuomo has committed unprecedented resources to education and to ending the homeless crisis in New York State. These investments have helped our most vulnerable young people. For example, the \$340 million pre-kindergarten expansion in 2014 increased homeless student participation in pre-kindergarten by 17 percent.<sup>141</sup>

All students, regardless of their housing situation, are entitled to a quality education at either their home schools, or the school that is within their best interest to attend. Currently, 140,000 students in New York State are classified as homeless, including 99,000 in New York City.<sup>142</sup> The federal McKinney-Vento Act, which governs

the rights of homeless students, was updated in October 2016.<sup>143</sup> Some of the changes include strengthening the role of the homeless student school liaison, clarifying that students have a right to stay in their school of origin or the school within the student's best interest, and ensuring the provision of transportation.

The Governor will advance legislation that aligns with the new federal law and further protects the rights of homeless students. In the past, student addresses were treated as directory information, but this can be embarrassing or harmful to these students. New York will require that a homeless student's address be treated as an educational record, and thus will not be public information. In addition, the changes will remove barriers, such as residency requirements, enrollment deadlines, and transportation needs to access pre-kindergarten, extra-curricular activities, and advanced coursework. Finally, New York will ensure that students are able to attend the school that is best for them even when moving from shelter to shelter, and will clarify the State's role in determining district disputes, including protecting students' rights to attend school while a dispute is on-going, and streamline coordination with social service agencies by clarifying roles and



responsibilities for school districts and local social service agencies. These legislative changes will protect students' educational rights, and help students to receive the support they need to thrive.

***Proposal: Execute \$2 Billion Homelessness and Housing MOU***

In his 2016 State of the State address, Governor Cuomo put forward a sweeping, \$20 billion blueprint to combat homelessness and expand access to affordable housing in New York State. Of the \$20 billion, \$2 billion was appropriated in the 2016-2017 State Budget, subject to a Memorandum of Understanding (MOU) between the Executive, the Senate, and the Assembly. In September 2016, Governor Cuomo directed Robert Mujica, Director of the New York State Division of the Budget, to execute a memorandum of understanding to release \$2 billion in funding to advance the creation of more than 100,000 units of affordable and supportive housing over the next five years. The executed agreement is now before the New York State Senate and Assembly for action.

The housing and homelessness crisis continues to break records—in New York City alone, the shelter population has surpassed 60,000, including more than

23,000 children.<sup>144</sup> The time to act is now, and Governor Cuomo again calls on the Legislature to sign the MOU to release in full \$2 billion in funding appropriated in the FY 2016-17 State Budget toward the creation of new affordable and supportive housing units in New York. This historic investment is urgently needed to bring transformational benefits to New York's most vulnerable residents.

## **Part 5. Honoring Our Veterans**

The New York State Division of Veterans' Affairs was established in 1945 to assist returning World War II service members with re-adjustment from military to civilian life. This objective soon expanded to encompass New York State's veterans, service members, and their families from all eras. For 70 years, the Division has connected generations of veterans, members of the armed forces, and their families and dependents to various economic, medical, and social benefits and services earned as the result of military service.

Under the leadership of Governor Cuomo, New York continues to champion programs to make New York State the most veteran-friendly state in the nation. The

Division is strengthening its ties with the approximately 860,000 veterans who live in New York while building upon the programs the Governor envisioned at the Veteran and Military Family Summit in 2014. The Division has improved its ability to deliver crucial information to veterans and their family members with the new Mobile Veterans App and enriched its directed outreach to female veterans, older veterans, and veterans with disabilities.

The Governor is committed to exceeding the goals and the needs of veterans across New York. Taken together, the following proposals will ensure that services for veterans, military members and their families in the state of New York remain a national model of excellence.

***Proposal: Continue Increasing Participation in the Service-Disabled Veteran-Owned Business Program***

In 2014, Governor Cuomo enacted the Service-Disabled Veteran-Owned Business Act. The new law created the Division of Service-Disabled Veterans' Business Development in Office of General Services to certify, promote and encourage economic development among disabled veterans throughout the state. Since

then, more than 290 Service-Disabled Veteran-Owned Businesses have been certified providing over \$32 million in contracting opportunities.

To continue building opportunities for more New Yorkers—importantly including our veterans—Governor Cuomo proposes to more than double the contracting opportunities in the Service-Disabled Veteran-Owned Business program this year. The program will continue to broaden the state-wide outreach by building its exposure at the annual New York State Purchasing Forum as well as hosting at least ten regional match-making events throughout the state.

***Proposal: Improve Access to Justice for Veterans Through Law School Partnerships***

New York State is home to 15 law schools—including some of the nation's most prestigious institutions. Through Governor Cuomo's groundbreaking Law School Consortium initiative, the Division of Veterans' Affairs has worked with these law schools in establishing and enhancing programs to help veterans and servicemembers meet their legal needs.

For example, the Health Law Clinic at Pace Law School now assists residents at the Montrose State Veterans Home. Cornell Law School's LGBT Rights Clinic now helps LGBT veterans who received less-than-honorable discharges due solely to their sexual orientation apply to receive discharge upgrades. Fordham Law School helps veterans with consumer protection issues, including cases implicating the Servicemembers' Civil Relief Act. A few law schools, such as Syracuse Law School and Touro Law School, even maintain entire clinics devoted solely to Veterans' Law work.

However, the unmet demand for further pro bono legal services for veterans and servicemembers remains significant. A nationwide study released in 2016 by the National Center for Medical Legal Partnership declared that five of the top ten unmet needs for male homeless veterans require civil legal assistance, and four of the top ten unmet legal needs for female homeless veterans require civil legal assistance as well. According to this study, some of the most prevalent unmet legal needs include representation in discharge upgrade appeals, help with child support matters, counsel regarding

outstanding warrants and fines, and assistance in preventing evictions and foreclosures.

Law schools want to help bridge this justice gap. Inspired by Governor Cuomo's Law School Consortium, many law schools now want to do more to assist veterans and servicemembers meet their unaddressed legal needs. Some are working with alumni and corporate partners to develop these ideas.

Capitalizing on this momentum, Governor Cuomo proposes investing \$250,000 to establish "Justice For Heroes"—a competitive awards program that will bring this much-needed access-to-justice initiative to fruition. This statewide program would be the first of its kind in the nation.

In a process similar to the Regional Economic Development Council competition, interested law schools will submit detailed proposals declaring how they would utilize the award money to address the unmet legal needs of veterans and increase access to justice for this population. A cornerstone of the application will be a demonstration of dollar-for-dollar private sector matching funds.

A committee consisting of representatives from the Division of Veterans' Affairs, the Division of Military

and Naval Affairs, and other stakeholders, will review each proposal and recommend awards of up to \$50,000 for as many as five winning applicants. This committee will perform oversight functions throughout the academic year, with the recipient schools submitting periodic reports to the committee for their review.

***Proposal: Ensure Statewide Access to Veterans Treatment Court***

There are over 860,000 veterans living in New York State and, sadly, many find themselves in trouble with the law because of chemical dependency, service related post-traumatic stress disorder and traumatic brain injury, and mental illness.<sup>145</sup> In fact, the number of veterans being treated for mental illness and substance use disorders has increased 38 percent since 2014.<sup>146</sup> It is estimated that out of the over 2.4 million veterans of the wars in Iraq and Afghanistan, approximately one in every five suffers from post-traumatic stress disorder or major depression.<sup>147</sup> In some cases, these disorders contribute to adverse behavior by these individuals.

New York State has pioneered a new diversion program, called Veterans Treatment Court, that gives veterans who are charged with criminal misconduct the

help they need, rather than directing them into traditional criminal court. The first Veterans Treatment Court was launched in Buffalo in January 2008. Since then, the program has helped over 4,500 veterans in 26 counties, and has been adopted by states and cities throughout the country. The Veterans Treatment Court model requires regular court appearances, mandatory attendance at treatment sessions and, most importantly, pairing with a volunteer veteran mentor who provides support to the troubled veteran as he or she goes through the rehabilitation and criminal justice process. In the coming year, Governor Cuomo will work with Chief Judge Janet DiFiore and the Office of Court Administration to ensure that justice-involved veterans have an opportunity to turn their lives around through access to these problem-solving courts. The Division of Criminal Justice Services will develop programmatic guidelines and provide assistance and funding to the veteran mentor programs that support Veterans Treatment Court. Additionally, the Governor will advance legislation amending the Criminal Procedure Law to allow the transfer of eligible cases from any local criminal court to a Veterans Treatment Court, and allow neighboring counties to share one Veterans Treatment



Court. Lastly, the State will dedicate \$1 million to help fund the veteran mentor programs that are integral to the success of these problem-solving courts.



## 2. NY WELLNESS

Time and again, Governor Cuomo has demonstrated his commitment to improving the overall wellness of residents across the State. Under the Governor's leadership, New York's Medicaid system has been fundamentally restructured to reduce costs to the lowest level in over a decade, with the resultant savings reinvested in the healthcare system to improve the quality of care.<sup>148</sup> Last year, the State also greatly improved access and coverage for breast cancer screenings to increase detection of the disease at an early stage, when treatment is most effective. And the Governor has successfully connected more of New York's farmers to schools and other institutions to improve access to healthy food, awarding 13 grants totaling \$850,000 in the last two years for farm-to-school programs across the state.

The Governor understands that ensuring wellness requires a holistic approach; one focused not only on providing access to quality, affordable medical care, but also promoting healthy lifestyles and ensuring

a clean environment. This year, the Governor will advance a multi-faceted strategy to improve physical and mental health of all New Yorkers.

## **Part 1. Ensuring Clean Drinking Water for All New Yorkers**

One of the great challenges of our time is ensuring lasting access to clean drinking water. Governor Cuomo last year established a cabinet-level, statewide Water Quality Rapid Response Team to address critical drinking water contamination concerns and develop the nation's leading drinking water quality protection program for this and future generations of New Yorkers. To ensure clean drinking water for all New Yorkers, Governor Cuomo is proposing a series of high priority legislative, programmatic, and funding initiatives based on recommendations of the Water Quality Rapid Response Team.

Facing a legacy of industrial contamination and nutrient pollution—as well as critical gaps in federal regulation and funding—states across the nation and hard-pressed municipalities are increasingly challenged to provide clean drinking water. The U.S. Environmental Protection Agency has registered more than 80,000

chemicals, yet regulates only 100 of these contaminants in drinking water. One-third of all New Yorkers—6.5 million people—get their drinking water from public water systems not required to test for any unregulated contaminants, or from private wells that are not required to test for any contaminants at all.

By deploying comprehensive testing, filling critical regulatory gaps, enhancing interagency coordination, establishing water supply specific protection programs, increasing our investment in water infrastructure and contaminant remediation, and instituting cutting edge technology and data systems, New York State will establish the country's most aggressive and effective drinking water quality protection program—a program that sets the national standard. New Yorkers expect and deserve nothing less than the best drinking water quality in the land.

***Proposal: Pass the \$2 Billion Clean Water Infrastructure Act of 2017***

Under the leadership of Governor Cuomo, New York State has marshaled unprecedented resources for drinking water and waste water infrastructure and water quality protection through the \$400 million Water

Infrastructure Improvement Act of 2015, \$300 million Environmental Protection Fund, and \$11 billion in Drinking Water and Clean Water State Revolving Fund financing. These critical investments in clean water protect public health, safeguard the environment, and create jobs. For every \$10 million invested in water infrastructure, an estimated 160 jobs are created.<sup>149</sup>

In February 2016, Governor Cuomo launched the Water Quality Rapid Response Team to swiftly identify and address drinking water quality issues across the state. In September, he signed into law landmark legislation requiring school districts to test for lead in their drinking water. As these ongoing efforts continue to identify new challenges, it is clear that the need for new infrastructure is far greater than currently-available resources.

Over the next 20 years, New York State will face the nation's third largest need for drinking water infrastructure investment at \$22.04 billion,<sup>150</sup> and the nation's largest need for waste water infrastructure investment at \$31.4 billion.<sup>151</sup> We must not only replace aging pipes and upgrade water treatment facilities—but also develop new technologies to address the presence of emerging contaminants now found in our drinking

water. We must also conserve open space and develop green infrastructure solutions to protect our lakes, rivers, streams, and groundwater—many of which are sources of drinking water—from contamination. And we must prioritize climate resilience so that our systems can withstand sea level rise, storm surge, and increased precipitation.

These complex challenges demand broad-based solutions implemented at the regional or watershed scale to avoid an inefficient, piecemeal approach. Yet, with over 1,200 local drinking water districts and nearly 1,600 sewer districts statewide, New York's highly fragmented system impedes regional collaboration, while creating layers of unnecessary bureaucracy and excess costs to property owners.

To ensure that current and future generations of New Yorkers have access to clean water, Governor Cuomo will champion the \$2 billion Clean Water Infrastructure Act as part of the Executive Budget. This historic investment in drinking water infrastructure, waste water infrastructure, and source water protection will enhance community health and wellness, safeguard our most important water resources, and create jobs. Funding across three main project types will prioritize

bottom-up, community based planning at the regional and watershed level, and incentivize consolidation and sharing of water and waste water services.

This \$2 billion capital investment will:

- *Improve municipal drinking water systems by:*
  - Installing advanced filtration systems to treat both regulated and unregulated contaminants found in drinking water;
  - Upgrading aging distribution and treatment systems, including replacement of lead service lines in low-income communities; and
  - Connecting contaminated private drinking water wells to regulated public drinking water systems.
- *Improve municipal waste water treatment systems by:*
  - Installing advanced waste water treatment systems, including those to address nitrogen loading on Long Island;
  - Upgrading aging waste water treatment plants to increase capacity and improve resiliency; and
  - Connecting existing homes in densely populated communities to sewer systems or installing advanced on-site septic systems.
- *Protect drinking water at its source by:*
  - Implementing the recommendations of community-driven Source Water Protection Plans funded by the Environmental Protection Fund beginning in 2017-2018;



- Conserving open space and building green infrastructure, like constructed wetlands, to capture runoff and filter contaminants;
- Ensuring proper management and storage of common contaminants like manure and road salt to prevent runoff; and
- Increasing the state Superfund to expedite the cleanup of hazardous waste that may impact sources of drinking water.

### ***Proposal: Require Testing of Private Wells***

New York leads the nation with the largest annual investment in municipal water quality infrastructure, including drinking water mains and treatment systems, which are regulated by the U.S. EPA. However, approximately 4 million New Yorkers get their drinking water not from municipal systems, but from private wells, which are not regulated by the EPA. In fact, the EPA does not require any testing of private wells—even during a home purchase or upon the drilling of a new well.

Governor Cuomo will advance legislation requiring the testing of private wells upon sale of property and construction of a new well. In addition, the legislation will require landlords to conduct periodic testing of private wells and notify tenants of the results.

Department of Health, in consultation with the Department of Environmental Conservation, will identify the contaminants that will be tested, including those of local or regional concern or in close proximity to a Superfund site. All results will be reported to both agencies. The Governor will also propose to provide hardship assistance for low-income homeowners and seniors.

***Proposal: Require Testing of Unregulated Contaminants in Public Water Supplies***

Governor Cuomo established the statewide Water Quality Rapid Response Team to address critical drinking water contamination concerns across the state. The Rapid Response Team, which is chaired by the Departments of Health and Environmental Conservation, is helping communities identify and address certain contaminants that have been found in drinking water, but are not yet regulated by the EPA. Identifying and addressing these unregulated contaminants is one of the State's top priorities.

The EPA has an Unregulated Contaminant Monitoring Rule that mandates testing for unregulated

contaminants in water systems serving more than 10,000 people. This means that fewer than 200 of the 9,000 public water supplies in New York—only about 5 percent of the community water systems and none among the nearly 800 non-municipal facilities, including schools with their own water supplies—are required to test. The result is that approximately 2.5 million New Yorkers are provided water to their residence or school from a system that is not required by the EPA to test for unregulated contaminants.

Because the EPA has failed to overhaul this inadequate monitoring program—despite formal requests from New York State—Governor Cuomo will advance legislation to mandate the testing of certain public water supplies for unregulated contaminants, regardless of size. The legislation will take into consideration specific issues affecting localities and modify testing requirements based on each particular circumstance. The State will provide funding opportunities for small community water systems with financial hardship.

***Proposal: Develop the Nation's Leading Water Quality Data Platform and Geographic Mapping System***

Governor Cuomo has invested considerable resources in cleaning up spills, remediating Superfund and Brownfield sites, and safeguarding drinking water supplies—all of which requires frequent testing, monitoring, and treatment. This process is ongoing, iterative, and undertaken across agencies and levels of government, creating a substantial volume of important data.

However, these data are not fully integrated, creating the opportunity to both streamline and visualize data, better predict threats to public health and the environment, and facilitate interagency coordination, especially between DOH and DEC.

Partnering with the private sector and academia, the State will use these data as a base from which to layer remediation data, geological and local land-use and development characteristics and pioneer the nation's leading technology platform for managing potential contamination and sustainability risks to drinking water supplies across the state.

## **Part 2. Leading on Climate Change and Combatting Harmful Air Pollution**

Climate change is undeniable. 2016 surpassed 2015 as the hottest year of the modern era, with extreme weather leading to considerable socio-economic losses in all regions of the world and dire projections for continued temperature rise caused by fossil fuel emissions.<sup>152</sup> Scientific consensus shows that as a result of the world's reliance on fossil fuels, extreme heatwaves and flooding are becoming more regular and sea level rise has increased exposure to storm surges associated with tropical hurricanes.<sup>153</sup> As we know in New York, natural disasters have devastating social and economic consequences. This new reality makes continued regional, national, global progress a critical priority. In the face of uncertainty at the federal level, New York State will continue to lead the fight against climate change and stands ready to work with other states and regions to continue vital progress.

***Proposal: Lower RGGI Cap by at Least 30 Percent  
between 2020 and 2030***

In the fight against climate change, market-based mechanisms like the Regional Greenhouse Gas Initiative (RGGI) play an important role in reducing emissions. Established in 2009, RGGI is the nation's first regionally-based cap and trade system for carbon dioxide emissions from the power sector. New York, along with a bipartisan group of northeastern and Mid-Atlantic states, voluntarily capped emissions, distributed emissions allowances, and fostered a secondary market for allowance trading through auctions.

RGGI has been incredibly successful with member states reducing carbon emissions by 16 percent more than other states, while experiencing 3.6 percent more economic growth.<sup>154</sup> In New York, RGGI has led to a 46 percent reduction in carbon emissions from affected power plants and a 90 percent reduction in coal-fired power generation. To date, New York State has brought in close to one billion dollars in RGGI proceeds, which help fund clean energy and emission reduction programs.

In the wake of Superstorm Sandy, Governor Cuomo successfully urged RGGI states to agree to an initial cap reduction in 2014, with additional 2.5 percent reductions each year from 2015 to 2020. This ambitious strategy has RGGI states on track to reduce carbon emissions 50 percent below 2005 levels by 2020.

The RGGI states must now decide the future of the program as they undertake a program review. According to State analysis, in the past three years, emissions have consistently been below cap levels, from five percent below the cap in 2014 to a projected eight percent below the cap in 2016. Our strong clean energy programs, like the Clean Energy Standard, will ensure that this progress continues and, in fact, accelerates. However, under the current policy, the RGGI cap stays constant after 2020 and emissions remain flat region-wide. Readjusting the RGGI cap to reflect this great progress and continuing to reduce the emissions cap annually after 2020 will ensure that power sector emission reductions continue, consistent with the Governor's objective to reduce statewide emissions 80 percent by 2050.

Therefore, Governor Cuomo calls on the other RGGI states to agree to lower the RGGI emissions cap by at least an additional 30 percent below 2020 levels by

2030. As federal climate policy remains uncertain, this bold action will renew the RGGI states' commitment to lead the fight against climate change and drive the transition to a new clean energy economy.

***Proposal: Study Strategies for Achieving 100 Percent Renewables***

Driving the Regional Greenhouse Gas Initiative (RGGI) and enacting an unprecedented mandate of 50 percent renewable electricity by 2030, Governor Cuomo is leading the nation in fighting climate change and advancing clean energy. New York State's success to date is matched only by its determination to continue innovating toward a cleaner, greener tomorrow. While Governor Cuomo's leadership has resulted in tremendous progress to date, the transition to a truly sustainable New York will not be complete until the state reaches a future powered 100 percent by renewable sources.

Therefore, Governor Cuomo will direct the Department of Environmental Conservation (DEC) and the New York State Energy Research and Development Authority (NYSERDA) to undertake a comprehensive



study to determine the timing, costs, and feasibility associated with pathways to reach 100 percent renewables statewide. This landmark study will explore various renewable technology and energy efficiency deployment scenarios, emissions reductions pathways, and economic considerations for New York businesses, residents, and consumers. DEC and NYSERDA will engage academic partners to draw upon existing clean energy research and seek input from other key stakeholders. The study will build upon relevant expertise already at the State's disposal, including analyses completed for the Clean Energy Standard, the New York State Greenhouse Gas Inventory and Pathways Analysis, and other renewable energy and energy efficiency potential studies conducted by NYSERDA.

***Proposal: Cut Potent Methane Emissions from the Waste, Agriculture, and Oil and Gas Sectors***

Under the leadership of Governor Cuomo, New York State has set ambitious emissions reduction targets, and achieved major milestones. Emissions reduction efforts have focused primarily on carbon dioxide, as it is the most prevalent greenhouse gas. Methane is second to carbon dioxide in its contribution to climate change as a

result of its high volume in the atmosphere and stronger radiative effects, and accounts for eight percent of the state's greenhouse gas emissions.<sup>155</sup> Moreover, we may not fully understand the extent of methane emissions, as estimates of methane leakage from oil and gas, landfills, and farm activities continue to increase with new research and improved reporting.

To reduce methane emissions, Governor Cuomo directed state agencies to develop proposals and policies to inventory emissions and identify strategies for methane capture and elimination. The result will be a new Methane Reduction Plan, which over the next three years will:

- Pursue methane reductions at both active and inactive landfills;
- Regulate methane emission sources from new or modified equipment in the oil and gas sector, which are not covered by the EPA, such as leakage at new and existing metering and regulatory stations;
- Support energy production or capture and combustion of methane gas at farms and landfills;
- Develop methane reduction criteria in state funding programs for agriculture;
- Conduct a pilot installation of a methane detection system to enhance detection of leaks in residential areas; and

- Develop market-based incentive programs for addressing methane leakage in utility and customer-owned pipelines that prioritizes both safety and climate change mitigation.

### **Part 3. Protecting and Restoring Our Treasured Natural Resources**

New York State has an astonishing wealth of natural resources—vast forests, pristine waters, rugged mountains and stunning landscapes make the State a world-class tourism destination. Preserving these unparalleled natural resources plays a vital role in safeguarding the health and wellness of our communities.

Under Governor Cuomo’s leadership, New York has made great strides in protecting our treasured natural resources. From completing the largest Adirondack Park land acquisition in over a century to providing a record \$300 million investment in the State’s Environmental Protection Fund, the Governor has established a legacy of conservation and stewardship that will benefit New Yorkers for generations to come.

***Proposal: Maintain Record \$300 Million  
Environmental Protection Fund***

Last year, Governor Cuomo achieved an unprecedented milestone in environmental protection, securing a record \$300 million investment for the Environmental Protection Fund (EPF). Since taking office in 2011, Governor Cuomo has increased the State's EPF by \$166 million, investing in both new and established programs to conserve natural resources, safeguard public health, and revitalize communities across the state.

The most pressing environmental challenges of our time, including climate change and industrial pollution, demand robust, steady funding. And communities across our state are primed to reap the benefits of continuing EPF investment. In fact, EPF investments support hundreds of thousands of jobs in industries that generate almost \$50 billion in revenue each year. For every \$1 invested in land and water protection through the EPF, \$7 in benefits are generated for New York State.<sup>156</sup>

Governor Cuomo proposes maintaining the State's historic \$300 million EPF. This investment will prioritize programs to protect and improve water

quality, conserve open space and farmland, build community resilience, and enhance recreational access for all New Yorkers—all while creating jobs and stimulating local economies.

***Proposal: Increase Food Donation and Recycling of Organic Waste***

Governor Cuomo has advanced a number of important food policy initiatives that impact the environment including: creating the New York State Grown and Certified program, which is the first in the nation to combine modern food safety standards with environmental stewardship to achieve a premium level of certification; providing \$200,000 to Cornell University to research expanded markets for compost use in agriculture and for erosion control; updating solid waste regulations to facilitate the establishment of new organics recycling facilities in an environmentally sound manner; and investing \$500,000 to conduct food waste audits for large generators like grocery stores, universities, and restaurants.

However, there is more work to be done to reduce the staggering amount of food that goes to waste. Each

year, Americans spend \$213 billion—one percent of GDP—to grow, transport, process, and dispose of the 62 million tons of food that goes uneaten.<sup>157</sup> This amounts to more than 20 pounds of uneaten food per person per month.<sup>158</sup> It is estimated that growing wasted food consumes 21 percent of the nation's freshwater use, 19 percent of fertilizer, 18 percent of cropland, and 21 percent of landfill volume.<sup>159</sup> Moreover, this discarded food represents a lost opportunity to assist the hungry and food insecure and also represents a lost opportunity to turn organic material into energy through processes like anaerobic digestion, or into a usable soil product through composting. Furthermore, wasted food and food scraps degrading in landfills produces methane, a potent greenhouse gas.

In New York, 1,200 large generators of food waste—such as supermarkets, restaurants, colleges, and hospitals—generate 275,000 tons annually of wasted food, much of which is edible.<sup>160</sup> DEC estimates that if just five percent of this material were donated, food banks would see an increase of 20 percent in the amount of food available for consumption.<sup>161</sup> The Vermont Food Bank projected a 60 percent increase in food donation following the implementation of a food waste landfill

disposal ban.<sup>162</sup> DEC also estimates that the annual carbon dioxide reduction that could be achieved if these food scraps are diverted from landfills would be equivalent to removing over 25,000 passenger vehicles from the road.

Governor Cuomo will implement a comprehensive program to reduce the quantity of food wasted in New York State by:

- Introducing legislation to require large generators of food waste—defined as entities generating two tons or more of organic food waste per week—to donate edible leftover food and recycle food scraps starting in 2021;
- Providing grants to municipalities to expand and establish composting programs for food waste;
- Supporting capital infrastructure improvements for food generators to divert excess food and food waste;
- Helping food banks and other providers to improve capacity to collect and receive food donations; and
- Directing DEC to develop and maintain a database to connect volunteers who collect and deliver food, like food banks, with generators of excess food, like supermarkets.

***Proposal: Bolster the Forest Products Industry,  
Conserve Open Spaces and Absorb Greenhouse Gas  
Emissions***

Sustaining New York's trees and forests is critical to the health, well-being, and economy of the state. Since establishing the Adirondack Park and Forest Preserve more than a century ago, New York has been a leader in protecting, conserving, and enhancing our vast forests, as well as our urban and community trees that help clean air, absorb carbon emissions, and filter water for the benefit and enjoyment of all of our citizens.

Governor Cuomo has advanced this proud legacy through historic achievements to protect and preserve New York's public forests and open space—from the landmark \$300 million EPF investment to the protection of over 150,000 acres in the Adirondacks through the historic Finch Pruyn land deal, the largest land acquisition in a generation.

However, there is more to be done to better protect and sustain the state's private forest lands. Private lands account for three-quarters of New York's 19 million acres of forest.<sup>163</sup> The state's forest management and timber harvesting industries support an estimated 6,000 direct jobs and provide an annual



economic contribution of \$14 billion, 90 percent of which comes from private forest lands.<sup>164</sup> Timber harvesting in New York currently generates an estimated \$250 million per year in forest landowner revenue, and the forest product industry remains in the top ten manufacturing sectors statewide.<sup>165</sup>

Unfortunately, conversion of private forests to non-forest uses like subdividing the land for development as well as unsustainable, exploitive “value liquidation harvests” remain a concern in New York State.<sup>166 167</sup> These practices negatively impact tree species diversity and long-term economic value of the land, and leave genetically inferior trees standing—and are, in large part, caused by the pressure of high property taxes. To address the property tax burden, which is the chief concern of most forest landowners, the State adopted a forest property tax reduction program known as 480-a. However, after more than 40 years, only seven percent of eligible landowners—covering just 16 percent of eligible private forest lands—participate despite the availability of significant tax benefits.

Governor Cuomo proposes establishing the Empire Forests for the Future Initiative to support private forest landholders, reduce the conversion of

forests to non-forest uses, and prevent unsustainable forestry practices. The Initiative will champion legislation that:

- Lessens the administrative burdens of participating in the current 480-a tax reduction program while maintaining existing property tax benefits;
- Creates a new real property tax law section 480-b with two new simplified enrollment tracks for landowners independently certified as sustainable or undertaking ecologically sound forest management practices, while expanding eligibility to a 25-acre minimum parcel size from the current 50-acre minimum;
- Expands eligible land under one of the 480-b tracks beyond forests to include open space, better enabling the state to protect important ecosystems and water resources;
- Establishes two new grant programs—one to help landowners implement best forest management practices, and one to support local governments and non-profits acquiring and managing community forests;
- Creates a state procurement preference for New York wood products; and
- Provides financial relief to local governments that are significantly impacted by the existing 480-a program, in which the tax breaks given to participating forest landowners are shifted to other property taxpayers.

In addition, the State will provide \$150,000 in grants to create hands-on training programs for New York's loggers, starting in the Southern Tier.

The Empire Forest for the Future Initiative will also play a role in fighting climate change. The current forest tax program contributes an estimated 800,000 tons of carbon dioxide reduction, which is equivalent to the annual emissions from about 172,000 passenger vehicles.<sup>168</sup> The potential changes to this program are likely to further increase these statistics. Increasing enrollment in the forest tax law programs by just 10 percent and expanding eligibility to a 25 acre minimum parcel size would improve the estimated annual carbon benefit by approximately one million tons of carbon dioxide due to avoided conversion and improved forest management—the equivalent of removing about 215,000 vehicles from the road each year.<sup>169</sup>

Lastly, recognizing the critical water filtration ecosystem-based service forests provide, in particular for Long Island's sole-source aquifer, New York State commits to spending \$3 million to address the Southern Pine Beetle infestation to mitigate the potentially devastating impacts of this forest pest.

***Proposal: Improve Regional Collaboration to Preserve Farmland***

The preservation of farmland is a crucial component of New York State's environmental protection strategy. Governor Cuomo's historic \$300 million Environmental Protection Fund (EPF) provided \$20 million for Farmland Protection in the FY 2017-18 Enacted Budget. Since 1996, nearly \$238 million has been awarded through the EPF's farmland protection program for conservation easements, which forever reserve the land for agricultural use. Through this program, 59,803 acres have been protected from development. In addition, in 2015, the first-ever regional grant opportunity for conservation easements was offered, making \$20 million available for farmland protection in the Hudson Valley through the Hudson Valley Agricultural Enhancement Program.

Land preservation is locally driven, and each county's Agriculture and Farmland Protection Board must endorse conservation easement proposals submitted to the Department of Agriculture and Markets (DAM). The greatest challenges facing this program are the complexity, timing and transactional costs involved

in conservation easements and their associated financial benefits. Governor Cuomo will:

- Support local stakeholders in their development of land inventory, screening process to identify parcels to be targeted for conservation, and outreach efforts to connect non-farming landowners with farmers interested in leasing or buying agricultural land;
- Help land trusts to establish revolving loan funds for land trusts to cover the cost of preliminary appraisals to improve accuracy of estimated costs identified in project proposals; and
- Provide grants to cover transaction costs for local governments and land trusts associated with donated conservation easements and to buy option periods for at-risk farmland to develop more effective conservation strategies.

#### **Part 4. Achieving Environmental Justice for All New Yorkers**

New York State defines environmental justice as the fair treatment and meaningful involvement of all people regardless of race, color, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies.<sup>170</sup> In practice, this means that no one community should bear a disproportionate share of the negative environmental

impacts from industrial, municipal, and commercial operations.

In his 2016 State of the State, Governor Cuomo advanced a vision for a broad statewide framework to advance environmental justice. This year, the Departments of Environmental Conservation, Health, and State, will develop the tools necessary to incorporate environmental justice principles into all aspects of the State's work by: 1) developing a new environmental justice screening tool to map pollution burdens and health indicators along with demographic information to more effectively target communities of greatest need; and, 2) developing an environmental justice policy and agency-specific environmental justice plans in consultation with a new Environmental Justice Working Group of external stakeholders.

In addition, in 2017, the State will launch several new environmental justice initiatives designed to: 1) protect historically underserved and disadvantaged communities from the negative effects of climate change, pollution, and other environmental impacts, and 2) pave the way for the revitalization of these communities through local capacity building and workforce

development efforts, ensuring a just transition to a clean, post-fossil fuel economy.

***Proposal: Step Up Targeted Air Monitoring and Mitigation in Environmental Justice Communities***

New York's air quality monitoring program is one of the strongest in the nation and has resulted in major reductions in air pollution across the state. The Department of Environmental Conservation (DEC) employs more than twice the number of air monitors required by the federal government, and goes above and beyond to enforce regulations and protocols that protect the health of New Yorkers. DEC recently committed \$4 million in New York Works funding to upgrade its air quality equipment, and in August 2016 invested \$500,000 through the EPF in an environmental air quality improvement program in Albany's South End, an environmental justice community burdened by heavy truck and fossil fuel transporting.

Despite this progress, the environmental health and safety of all New Yorkers—especially vulnerable populations—remains a paramount concern. The negative effects of poor air quality in environmental

justice communities are leading to increased hospitalizations and medical costs. For example, a child from a family earning below \$25,000 is over 75 percent more likely to suffer from asthma than a child from a family earning \$75,000 or more.<sup>171</sup> The wellbeing of these communities is further affected when kids miss school and when parents miss work because of asthma and other respiratory illnesses.

To further improve the air quality of environmental justice communities, Governor Cuomo proposes investing up to \$2 million of the State's EPF to step up targeted air monitoring and mitigation activities in "hot spots" throughout the state. Beginning with six communities identified by the Environmental Justice Working Group, DEC will partner with community leaders to conduct comprehensive air monitoring, develop complete inventories of potential pollution sources, and identify and implement appropriate measures to improve overall air quality and reduce public health risks. This effort will complement DEC's Operation ECO Quality, which works with small business owners in environmental justice communities toward compliance with all environmental regulations.



### ***Proposal: Launch Community-Based Environmental Justice and Clean Energy Capacity Grants***

In 2016, Governor Cuomo launched a new \$14 million Clean Energy Communities program through NYSERDA that equips local governments with the legal, technical, and policy support they need to advance clean technologies and reduce energy costs. The program rewards the most ambitious local governments with up to \$250,000 in grants to complete flagship clean energy projects, and works hand-in-hand with DEC's Climate Smart Communities initiative, which in 2016 provided \$11 million in grants for community-level climate adaptation, mitigation, and resiliency projects.

While New York has made significant inroads in taking climate action at the state and municipal level, grassroots organizations in environmental justice communities are on the front lines in the fight against climate change, and often have less capacity, staff, and resources to implement neighborhood appropriate projects and solutions.

Governor Cuomo proposes launching three new grant programs to improve the capacity of local groups in environmental justice communities to plan for,

develop, and implement signature clean energy and climate projects on the ground, including:

- *Capacity Building Grants:* Continuing the successful Community Impact Grant program, the State will work with an established non-profit administrator to provide \$500,000 from the Environmental Protection Fund for streamlined grants to help community-based organizations in environmental justice communities to develop their administrative and programmatic capacity.
- *Urban Environmental Education Centers:* Provide \$1 million in Environmental Protection Fund dollars to non-profit, community-based organizations for capital costs associated with the launch of new environmental education centers in urban areas, focusing on healthy living and environmental justice challenges.
- *REVitalize:* NYSERDA will award \$750,000 through the new REVitalize program, which will provide low and moderate income and environmental justice communities with technical assistance and tools to develop a flagship community-scale clean energy project, like a community solar array or microgrid. Following the example of UPROSE in Sunset Park, Brooklyn, the grants will encourage a replicable, bottom-up approach to community energy planning that integrates local priorities like energy affordability and workforce development.

***Proposal: Provide Green Skills Training for Youth in Environmental Justice Areas***

Under the leadership of Governor Cuomo, New York State has made significant strides to prepare the workforce for jobs in the clean and green economy. NYSERDA invested \$2.2 million in clean energy on-the-job training programs, many of which benefited



***Last year, NYSERDA trained more than 7,500 New Yorkers in new skills like solar installation and energy efficiency.***

disadvantaged workers or those entering the workforce for the first time.

NYSERDA

programs have

trained more than 7,500 people in new skills like solar installation, energy efficiency, and building operations and maintenance technologies in 2016 alone.

More work remains to be done to prepare young New Yorkers entering the workforce for emerging job opportunities in clean energy and construction of green infrastructure, especially in those areas most vulnerable to climate change, like neighborhoods at an elevated risk of flooding.

To ensure that individuals living in environmental justice communities fully take part in these opportunities, Governor Cuomo proposes investing up to \$1 million of the State's EPF to support local training programs for young adults on developing green infrastructure, green roofs, solar installations, and urban agriculture. As part of this investment, community-based organizations will receive training to apply a redevelopment model, such as the one pioneered by PUSH Buffalo that targets underutilized properties for redevelopment into affordable, energy-efficient housing and public spaces. Local residents will be deployed onsite at these projects and receive training in green building practices that provide them with a pathway to employment in this growing field.

***Proposal: Enhance the Local Waterfront  
Revitalization Program and Expand Waterfront  
Geographic Response Plans***

New York State has made significant strides in recent years to revitalize former industrial and brownfield sites, many of which are located along waterfronts in older towns and cities, often in or adjacent to environmental justice communities. On our

waterfronts, the Department of State Local Waterfront Revitalization Program helps communities re-imagine and revitalize these hidden assets to attract new development opportunities and invigorate new economic growth engines like tourism.

While this program can positively impact environmental justice communities, the ability at the local level to plan for complex neighborhood redevelopment projects can be limited, and local government funding is already stretched thin. More can and must be done to ensure local communities have the planning and funding resources needed to realize their vision for a better economic future.

Governor Cuomo will advance legislation amending State law to allow Local Waterfront Revitalization Program matching funds from the Environmental Protection Fund to be increased from 50 percent to 75 percent for all projects. This will afford greater flexibility for applicants to meet the local share of the project cost and increase public-private partnerships in advancing projects during challenging fiscal times.

In addition, DEC will build off of its work with the New York City Environmental Justice Alliance to expand

its Geographic Response Plans, targeting waterfront industrial areas in environmental justice communities. These plans will assess the risk of toxic releases during storm surge and other flood events, ensuring that environmental justice communities are better protected during extreme weather events.

***Proposal: Require Manufacturers of Household Cleaning Products to Disclose Chemical Ingredients***

Since taking office, Governor Cuomo has prioritized consumer protection across the board—from establishing the first-in-the-nation cyber security regulations to ensuring healthy produce through the New York Grown & Certified program.

Consumers have a right to know what chemicals are in household cleaning products. Common household cleaners may contain chemicals shown to negatively impact health in many ways, including carcinogens, hormone disrupters, asthmagens, allergens, and skin irritants.<sup>172</sup> Despite this, cleaning product labels often do not give consumers adequate information to allow them to make informed purchasing decisions with regard to health risks.

To empower New York consumers and protect their health, Governor Cuomo will exercise existing, underutilized authority under the Environmental Conservation Law to require all manufacturers of household cleaning products to disclose chemical ingredients on their websites. The information will be readily searchable by the public and will employ the unmistakable identifiers of the Chemical Abstracts Service Registry. Manufacturers must identify chemicals of concern and disclose impurities in their products, as well as content by weight in ranges. In addition to this information appearing on company websites, the Department of Environmental Conservation and the Interstate Chemical Clearinghouse, which is partly funded by New York State, will maintain a centralized searchable database.

This ingredient disclosure approach, which will go into effect this year, will serve as a pilot for potential expansion to other consumer products of concern, such as personal care or children's products. The pilot will evaluate such factors as ease of consumer use, consumer education regarding chemicals and health risks, and manufacturer compliance and enforcement.

## **Part 5. Promoting Wellness in Every Community**

Governor Cuomo has implemented a series of initiatives that have moved New York State from the 20<sup>th</sup> healthiest state in the nation in 2011, to the 13<sup>th</sup> healthiest state in the nation in 2015.<sup>173</sup> The significant improvement in New York's health ranking is the result of Governor Cuomo's national leadership in supporting a comprehensive wellness approach to individual and community health.

Experts agree that upwards of 80 percent of health can be attributed to factors other than clinical care,<sup>174</sup> including economic, social, and environmental conditions, as well as behaviors such as physical activity, diet, nutrition, and alcohol or tobacco use.<sup>175</sup> The Governor's Prevention Agenda, which is supported by a wide range of public health programs, set out to make New York the healthiest state in the nation by working with local governments and organizations to solve the state's most urgent health concerns. New York's ambitious Delivery System Reform Incentive Payment (DSRIP) program is utilizing nearly \$8 billion in federal funding over five years to transform the way clinical care is delivered and to address nonclinical, "social



determinants of health.”<sup>176</sup> New York’s State Health Innovation Plan (SHIP) advances improved primary clinical services and patient centered care. These initiatives are ongoing and New Yorkers across the state are leading healthier lives because of these efforts.

Despite these successes, economically depressed and minority communities continue to face significant disparities in health outcomes compared to more affluent areas. Many of these differences stem from lack of healthy food and opportunities for physical activity, unhealthy behaviors such as tobacco use, and inadequate access to housing and social supports for underserved populations, including the aging, mentally ill, and those with limited resources who cannot afford the care they need.

Obesity, which leads to an increased risk of many serious diseases and health conditions, has replaced tobacco use as New York’s most serious public health problem. Many New Yorkers living with complex health conditions are struggling to access coordinated and integrated services, such as on-going care management, and to afford critical treatments because of high cost prescription drugs.

To combat the growing threat of health problems caused by poor overall wellness, Governor Cuomo will launch a comprehensive agenda to promote health and wellness through five interconnected strategies: controlling the exorbitant prices of prescription drugs; increasing the supply of healthy food; creating opportunities for physical activity; encouraging healthy behaviors; advancing a “health across all policies” approach to public health; and using the Brooklyn community health and wellness transformation initiative as a showcase for demonstrating how systems of care for New Yorkers of the highest need can be strengthened.

***Proposal: Protect People from Exorbitant Prescription Drug Prices***

Governor Cuomo has had considerable success in reducing healthcare costs, including last year’s legislation that requires manufacturers to provide additional rebates to the State for generic drugs covered by Medicaid with annual price increases greater than 300 percent. Nevertheless, drug prices have continued their significant rise, leaving many New Yorkers to

choose between purchasing their medication and other essential expenses.

The cost of prescription drugs is staggering. Net sales of branded drugs have grown from about \$10 billion in 1984 to \$200 billion in 2015. Specialty drugs, which represent only one percent of all prescriptions, account for 73 percent of the growth in drug costs over the past five years.<sup>177</sup> For New York's Medicaid program, the cost of drugs has increased 38 percent, or \$1.7 billion, over the past three years.<sup>178</sup> For New York's commercial market, drug costs have been the biggest drivers of insurance premium rate increases. In 2015, pharmacy expenses accounted for 26 percent of total premiums in New York, significantly greater than expenses for inpatient hospitalization (18 percent), which was the second largest portion of health insurance premium. Seventy-seven percent of Americans say they cannot afford their prescriptions and have chosen to forgo taking their medications because of the price.<sup>179</sup>

Governor Cuomo proposes a three-pronged plan to make New York State a national leader in protecting consumers and taxpayers from the health and economic consequences of the rapidly rising cost of prescription drugs.

The first prong of the Governor's prescription drug plan effectively creates a price ceiling for certain high cost prescription drugs reimbursed under the Medicaid program by requiring a 100 percent additional supplemental rebate for any amounts in excess of a benchmark price as recommended by the Department of Health's Drug Utilization Review Board. The plan will also limit year-over-year price increases for generic drugs paid for by the Medicaid program. Based on clinical and economic information obtained from manufacturers, the Drug Utilization Review Board<sup>180</sup> will recommend whether certain prescription drugs should be subject to this price ceiling. The type of drugs that would be reviewed under the proposal would consist primarily of:

- Newly-approved drugs whose launch prices are deemed excessive based on the expected profits of the drug compared to its development cost;
- Drugs whose prices are excessive based on the limited therapeutic value they offer when compared to their lower-cost alternatives; and
- Generic drugs whose allowable year-over-year increase in price is over 75 percent.

The second prong of the Governor's prescription drug plan protects consumers from abusive business practices of Pharmacy Benefit Managers (PBMs), intermediaries that manage prescription drug programs for public and private payers and self-insured employers. The New York Attorney General, the United States Justice Department, and consumers have all alleged that the PBM industry is rife with conflicts of interests and undisclosed arrangements entered into at customers' expense. Others have expressed concerns that PBM's engage in deceptive practices in connection with the performance of their services.<sup>181</sup> Many believe that PBM operations lack a level of transparency that makes it difficult for customers to ensure they are not being unfairly disadvantaged because of deceptive practices or conflicts of interest that the PBM may have.

To protect consumers and ensure that PBMs are not contributing to the rising costs of prescription drugs through unfair business practices, the Governor's plan will require that PBMs register and obtain a full license from the State. In addition, the plan will require that PBMs disclose:

- Any financial incentive or benefit for promoting the use of certain drugs or classes or brands of drugs; and
- Pricing information regarding fee arrangements and rebates.

The State will also have the authority to suspend or revoke a PBMs' license and to civilly enforce laws regulating PBMs. The costs associated with implementing these regulations will be paid by a fee imposed on PBMs.

The third prong of the Governor's prescription drug plan imposes a surcharge on high-priced drugs when they are sold into the state. The surcharge will be levied on the amount by which the price of these drugs exceeds the benchmark price recommended by the Drug Utilization Review Board in the Medicaid context. All proceeds from the high cost drug surcharge will be deposited into a dedicated fund held and administered by the Department of Financial Services (DFS). The proceeds collected from the surcharge will be reallocated to insurers to lower insurance premiums for New Yorkers the following year.

These proposed measures will provide much needed transparency in the business practices of drug manufacturers and PBMs, protect consumers from

irrational price increases, and address the national problem of rising prescription drug prices.

***Proposal: Increase the Number of Students Eating Healthy School Meals in High-Poverty School Districts***

Over the last two years, New York State has awarded 13 Farm-to-School program grants, enabling dozens of school districts across the state to better-coordinate with local or regional farms, prepare and serve locally produced specialty crops, make capital improvements to better transport and store those crops, and purchase supplies and equipment needed to increase the capacity of the school kitchen.

Governor Cuomo is committed to expanding the availability of local food products in schools because for many children, the National School Lunch Program and School Breakfast Program offer the best opportunity to receive a regular nutritious meal. More than 60 percent of students in New York State public schools are eligible to receive a free or reduced price breakfast, but only 31 percent of these students eat breakfast on any given day.<sup>182</sup> New York State consistently ranks in the bottom third of states when it comes to the number of low-income students who participate in school breakfast.<sup>183</sup>

For breakfast and throughout the day, many schools place a high value on serving fresh, local foods. New York City Schools now have “New York Thursday” school lunches, where at least 50 percent of the foods served are sourced in New York. However, only 43 percent of New York school districts currently participate in a Farm-to-School program and only a small portion of those take advantage of special procurement rules promoting purchase of local produce.<sup>184</sup> The barriers to increasing participation in Farm-to-School programs are known: lack of information and technical expertise, difficulty in connecting buyers with sellers, and inadequate equipment for distribution, preparation, and storage.

With a focus on improving access to healthy, locally sourced food for New York’s school children and ensuring New York farmers have an opportunity to participate in the billion dollar school food market, Governor Cuomo will:

- Expand the Farm-to-School Grant Program by offering a third round of competitive grants. The RFP will make \$500,000 available for up to 15 new projects that increase either a school district’s ability to buy local produce or a producer’s ability to sell to school districts.



- Create a robust procurement training resource for Farm-to-School participants. Neither farms nor school purchasing officials have time to navigate the myriad programs run by multiple agencies within both federal and state government. Therefore, the Department of Agriculture and Markets will aggregate and organize information covering food safety, procurement, federal exemptions, and distribution and delivery networks.
- Hold a statewide Farm-to-School Summit this year to bring together school nutrition officials, procurement officers, health and nutrition advocates, growers, and food producers to showcase successful programs and communicate best practices. Because Farm-to-School by its very nature is successful at a local level, the Summit will be complemented by the creation of regional produce-buying networks hosted jointly by the Department of Agriculture and Markets, State Education Department, and Office of General Services.
- Expand the New York Agriculture in the Classroom program to teach young children about eating healthy, fresh foods. This existing program reaches only a fraction of our schoolchildren; additional funding will be targeted to communities with higher needs and poorer health outcomes to educate more children about the value of eating well.

***Proposal: Increase Access to Healthy Fresh Food in Underserved Communities***

Governor Cuomo is committed to ending hunger in New York State. Toward this end, he created the Anti-Hunger Task Force which provided essential input in New York's ongoing efforts to eliminate hunger, and upon the Task Force's recommendation, he created the New York State Council on Hunger and Food Policy as a permanent body to strengthen the effectiveness of the State's fight against hunger by better coordinating the significant public and private resources already dedicated to this important issue. During its existence implementation, the Task Force was instrumental in developing lasting solutions to increase access to food for those in need and to build healthier and more prosperous communities and the Council will continue this work.

More than 656,000 New Yorkers meet the criteria of living in a food desert, lacking access to fresh fruit, vegetables, and other healthy foods.<sup>185</sup>

Recognizing the severity of the hunger problem and seeing an opportunity to expand access to fresh local food for distressed communities and vulnerable populations, Governor Cuomo proposes to:

- Establish the Food Desert Elimination grant program to assist communities across the state where local independent grocery stores have closed, leaving residents with limited access to healthy foods. Grants for equipment, capital improvement, and technical assistance will be awarded to non-profits and cooperatives who create food retail outlets in underserved communities.
- Expand FreshConnect Checks to include healthy food options for patients when prescribed by a physician. This first year pilot will support the New York State Healthier Hospitals Initiative, which now prescribes healthy meals with locally grown ingredients to patients while they are at the hospital. With this expansion, FreshConnect checks may be used at grocery stores to purchase fresh and healthy foods prescribed by a physician after a patient leaves the hospital.
- Establish a FreshConnect Mobile Markets Grant Program to fund project costs, including food trucks and space for community food safety and prep training.

***Proposal: Expand the NYS Grown & Certified Program to Grow New York's Farming Sector***

Governor Cuomo launched the New York State Grown & Certified program in 2016 to strengthen consumer confidence in New York products, to improve

food product labeling, and to assist New York farmers in taking advantage of the growing market demand for locally grown foods that are produced to a higher standard. Since its launch, the program has certified dozens of businesses and formed a variety of partnerships to expand access to fresh, healthy, locally grown food in our schools, hospitals, and even correctional facilities.

The State has also launched targeted advertising campaigns and engaged retail stores such as Tops Friendly Markets to help promote New York State Grown & Certified products. The early success of the program builds upon the Governor's past investments in the agriculture sector, including last year's historic \$26 million commitment to protect valuable and at-risk farmland and \$19 million to mitigate the impact of agricultural activities on the environment through nonpoint source pollution reduction.<sup>186</sup>

New York's farmers, processors, and distributors are now working to scale up to meet the demand for New York State Grown & Certified foods, but the industry is faced with two challenges. The first challenge is access to financial capital to install or upgrade equipment like wash stations, coolers, or cold-chain loading docks. A

fundamental requirement to participate in New York State Grown & Certified is the adoption of rigorous standards of safe food handling; without on-farm infrastructure investments and process improvements, many producers cannot participate. Access to equity capital will make these improvements possible quickly, allowing more producers to transform their operations to meet New York State Grown & Certified eligibility requirements.

The second challenge is access to human capital: finding qualified employees in this era of agricultural workforce shortage. The U.S. graduates only 61 percent of the college students needed to fill the projected 58,000 new agriculture and related jobs each year,<sup>187</sup> and with 56 percent of New York farm owners 55 or older<sup>188</sup>, we must strengthen our pipeline of future farmers by expanding our agricultural education programs.<sup>189</sup> Only 195 of the state's 864 public high schools offer agricultural education and a Future Farmers of America chapter, and over 70 schools have requested programs but face insufficient funding as well as a shortage of certified agriculture educators.<sup>190</sup>

To increase participation in the New York Grown & Certified program, support beginning farmers, and

prepare future farmers for emerging trends in food safety, Governor Cuomo proposes to:

- Invest \$5 million in the New York State Grown & Certified Agricultural Producers' Grant Fund. The statewide fund will support investment in equipment and infrastructure to expand agricultural producer participation in the New York State Grown & Certified Program. Funding will assist agricultural producers with capital costs needed to meet the food safety standards required to participate in the program.
- Establish the Beginning Farmers Program to increase New York State Grown & Certified products. This new resource, administered by the Department of Agriculture & Markets, will provide support to new or early-stage farmers in starting, diversifying, or expanding an agricultural operation. The one-stop shop will provide individual assistance to potential farmers on job training, land ownership, farm financing, compliance, marketing and other areas critical to starting a farm operation.
- Build a state-of-the-art certified test kitchen and food science lab at the New York FFA Oswegatchie Educational Center to offer instruction in food safety, basic food preparation skills, and agriculture-related careers in food processing for more than 6,000 annual visitors, including veterans from nearby Fort Drum.
- Double the number of certified agricultural educators from 240 to 480.

- Support 100 new National FFA Organization chapters across the state with start-up grants.

***Proposal: Create the Office of Rural Development to Create a One-Stop Shop for Communities***

New York State is improving the wellbeing of its citizens by championing strategic collaboration between state agencies. To increase access to fresh locally grown food, for example, the Department of Agriculture and Markets works in concert with OTDA, DOH, ESD, and the State Division of Veterans' Affairs to coordinate a pipeline of programs that promote production, processing, distribution, access, and consumer awareness of healthy and local food for New Yorkers.

Currently, there is no single agency responsible for the development of rural communities in the state, and as a result, these communities face an uncoordinated patchwork of assistance with multiple state agencies. This means New York's rural and agricultural communities do not get their fair share of federal funds. In 2015, New York State had the nation's sixth highest rural population,<sup>191</sup> but received the 32<sup>nd</sup> highest amount of USDA Rural Development funds.<sup>192</sup> Other states have centralized rural affairs allowing them to

better capitalize on available federal funding for rural communities and streamline the process by which rural communities, with limited resources of their own, can identify available programs and connect with the different offices that administer them.

To further increase access to state and federal assistance while simultaneously boosting the production of healthy, local produce, Governor Cuomo proposes establishing the Office of Rural Development—a single point of access acting as a clearinghouse for rural and agricultural communities, and primary point of contact for USDA Rural Development.

***Proposal: Invest an Additional \$60 Million to Improve State Lands and Parks***

The Empire State boasts nearly five million acres of spectacular public lands—and Governor Cuomo has reversed decades of decline and neglect to prioritize their protection and enhancement. Two signature programs underpinning this turnaround are Parks 2020, a \$900 million public-private partnership that by 2020 will advance hundreds of capital design and construction projects across the State Parks system, and NY Works, a



multi-year capital commitment that is supporting projects to access State lands managed by both DEC and Parks. Since 2011, NY Works has invested \$713.4 million in 717 recreation and access projects.

This year, Governor Cuomo will continue to make significant capital improvements to our world-class Parks, State forests, wildlife management areas, and the Adirondack and Catskill Forest Preserves by investing an additional \$60 million in NY Works to:

- Launch *Adventure NY*, a multi-year outdoor recreation campaign, and invest \$50 million, including \$30 million in new funding, to connect more New York families and visitors to the great outdoors. In the first three years of the Adventure NY campaign, DEC and local partners will design and construct more than 75 projects on state lands, including rehabilitating campgrounds; upgrading visitor centers, education centers, and youth camps; improving and building miles of trails; constructing duck blinds, boat launches, and wildlife viewing platforms; and making resources universally accessible so all can enjoy. Specifically, DEC will construct infrastructure at Boreas Ponds in the Adirondacks and build trails as part of the “Hut-to-Hut” system that links State lands to community amenities.
- Build off the success of *Parks 2020* and invest an additional \$30 million, targeting projects where public dollars will leverage private funding, operations, and partnerships. Project highlights include: new visitor centers at Watkins Glen and

the North Fork of Long Island; new gateways to Walkway over the Hudson; new cabins and cottages at Green Lakes State Park in Syracuse, Allegheny State Park, and on Long Island; and, seed funding to facilitate private partnerships to rehabilitate historic structures for bed and breakfasts at Fort Niagara, Harriman State Park, and Saratoga Spa.

***Proposal: Promote the Catskills***

The Catskill Forest Preserve is an important natural asset close to millions of New Yorkers. The Catskills provide unique recreational opportunities for hunting, fishing, hiking and wildlife watching while protecting much of New York City's unfiltered drinking water supply. That's why in 2016 Governor Cuomo held the first Catskill Challenge.

This year, as part of *Adventure NY*, New York State commits to spending at least \$5 million in the Catskills to conserve land, improve signage, increase trail mileage and upgrade our campgrounds. In addition, over the next three years the Department of Environmental Conservation intends to purchase over 500 acres in the Catskills to add to the Forest Preserve. We will establish signage so that visitors can find trail heads and increase trail mileage for hikers, mountain bikers, and other

users. We will renovate our campgrounds with more amenities for visitors.

Working in concert with local partners, we will work to develop and implement the Catskill Master Plan and Stewardship program. These combined efforts will bring much needed tourism to the area.

***Proposal: Connect All New Yorkers to Healthy Outdoor Recreation***

The Governor's investments come at a critical point in time, as the need for outdoor recreation has never been greater. Childhood obesity has doubled over the past 20 years and the average American child spends as few as 30 minutes in unstructured outdoor play each day, and more than seven hours each day in front of an electronic screen.<sup>193</sup>

Accessible state lands, parks, and facilities can promote physical activity, an important element of overall wellness. These assets provide low cost opportunities to explore the great outdoors and to connect with nature. To ensure New Yorkers have access to green open spaces, Governor Cuomo proposes to:

- Double the State's investment in the *Connect Kids* program through the EPF to provide free or low-cost transportation to connect schools in underserved communities with world class Parks and DEC properties. In addition, Parks will accept the National Park Service's *Every-Kid-in-a-Park Pass* to grant free entry to State Parks for all 4<sup>th</sup> graders and their families. Parks will also expand the free or low-cost Learn-to-Swim program to all State Park swimming facilities, serving up to 5,000 youth annually.
- Establish *First-Time Camper Weekends* each summer where New York families, especially from underserved communities, will have access to gear, expert advice, and low cost two-night accommodations at select DEC and Parks properties. In partnership with OCFS, DEC and Parks will also expand the free Foster Family New Camper program to serve up to 300 New York State foster families and at-risk youth.
- Host *Outdoor Days*, free events statewide where anyone can try a host of outdoor recreation activities, receive instruction, and trial equipment for challenges and prizes.
- Develop a new, comprehensive *Outdoor Travel Guide* to make planning an outdoor adventure easy.
- Launch a five-year effort to recruit half a million new anglers, hunters and wildlife enthusiasts, and reactivate half a million lapsed anglers and hunters including:
  - A new marketing campaign, coordinated with I Love NY targeting millennials and lapsed participants;

- An expanded I Bird NY to focus on unique opportunities close to urban and suburban areas, providing wildlife viewing trips and better signage;
- Expansion of the National Archery in the Schools program to teach children proper use of bows and expand use of crossbows;
- Greater availability of the popular I Fish NY programs in State Parks, including free rental equipment and training; and
- A new smart phone app for the purchase and retention of licenses and harvest reports.

***Proposal: Expand Urban Farming and Pop-Up Parks on Surplus and Vacant Land in Urban Spaces***

Governor Cuomo has signed legislation to facilitate creation and expansion of community gardens in New York, recognizing them as sources of affordable, healthy food, and important settings for physical exercise, for children's education, and the building of social ties among neighbors. Under the Governor's direction, the Department of Agriculture and Markets helps to identify vacant public land for community gardening purposes, while supporting and encouraging networking among the more than 1,000 registered or permitted community gardens in New York's cities.<sup>194</sup>

Access to nature improves people's actual and perceived state of mental, physical, and social health, but communities with lower incomes, higher poverty rates, and higher proportions of racial minorities have the fewest opportunities for physical activity.<sup>195 196</sup> And many of the same communities that would benefit greatly from access to nature—and urban farming—are also burdened by vacant, underutilized properties.

To encourage urban farming and spaces for outdoor recreation in underserved communities, Governor Cuomo will propose legislation to expand the New York State Land Bank program to facilitate the identification and use of vacant or underutilized lands to establish new community gardens and pop-up parks, and will make available unused portions of State property for this purpose. Local artists and designers will be encouraged to submit designs for pop-up parks that incorporate elements of active design that encourage physical activity, like exercise areas and playgrounds for children.

***Proposal: Advance a Health Across All Policies  
Approach to Public Health***

To make New York the healthiest state in the nation, Governor Cuomo will advance a “Health across All Policies” initiative, where each state agency is directed to take into account how agency actions, such as procurement language and regulation, can positively impact public health. Health Across All Policies is a collaborative approach to improving health and wellness by incorporating health considerations into decision-making across sectors and policy areas. A Health Across All Policies approach identifies the ways in which decisions in multiple sectors can improve health and wellness while simultaneously advancing other goals, such as promoting job creation and economic stability, transportation mobility and environmental sustainability, and leverages investment which can have complementary benefits in more than one area.

For example, examining whether there are opportunities in affordable and supportive housing developments to include space for health and wellness programs, rooftop gardens, or outdoor recreation areas, holds the potential for benefiting an entire community.

Assuring that existing homes are sound and energy efficient would improve health and economic conditions for families and the stability of neighborhoods while potentially reducing significant medical costs associated with in-home environmental asthma triggers.

Governor Cuomo's Health Across All Policies effort will be organized and led by the Department of Health's Public Health and Health Planning Council and the Ad Hoc Committee to Lead the Prevention Agenda, whose membership will be expanded to include the New York State Departments of Environmental Conservation, Transportation and Economic Development; the State Offices of Parks, Mental Health, Alcoholism and Substance Abuse Services; New York Homes and Community Renewal, and NYSERDA. The collective action of these agencies can make an enormous difference in supporting healthy communities and advancing the State's Prevention Agenda goals. As an initial order of business, the Governor will charge the Health Across All Policies effort with implementing actions to make New York the first age-friendly state in accord with the eight Age Friendly/Livable Community Domains outlined by the World Health organization and AARP.



## ***Proposal: Launch the Brooklyn Community Health and Wellness Transformation***

More than 1.2 million New Yorkers in central and eastern Brooklyn have health status indicators—such as rates of obesity, diabetes and infant mortality—that are among the worst in New York State. The underlying causes of these poor health outcomes include negative social determinants of health—such as high levels of poverty, unemployment, substance abuse, inadequate housing, and few opportunities for healthy nutrition and active living in the area—as well as a poor quality healthcare delivery system marked by failing hospitals and the lowest rate of primary care doctors per capita in New York City.<sup>197</sup>

Governor Cuomo proposes a three-point plan to dramatically improve the health care delivery system in central and eastern Brooklyn:

1. Implement programs to explicitly address social determinants of health, including increasing access to affordable healthy foods, creating opportunities for physical activity and recreation, building new affordable and supportive housing, and leveraging green energy programs to improve health.
2. Build new capacity for primary and ambulatory care.

3. Create a new healthcare system.

First, as part of improving community health and wellness, Governor Cuomo proposes a series of initiatives that will explicitly address social determinants of health in central and eastern Brooklyn.

These initiatives include:

1. *Increase Access to Affordable Healthy Foods:* The Governor will make central and eastern Brooklyn a primary location for his \$500,000 FreshConnect Mobile Markets grant program in order to increase the number of food trucks supplying healthy foods in the area, as well as for utilizing the \$1 million Food Desert Elimination grant program that will assist neighborhoods where local independent grocery stores have closed and residents have limited access to healthy foods.<sup>198</sup> In addition, area hospital in central and eastern Brooklyn will collaborate with three New York State agencies in a Hospital-Based Food Pilot Program to connect patients who are food-insecure with nutritional programs.
2. *Create Opportunities for Physical Activity and Recreation:* To encourage urban farming and spaces for outdoor recreation in underserved communities, Governor Cuomo will also propose legislation to expand the New York State Land Bank program to facilitate the identification and use of vacant or underutilized lands to establish new community gardens and pop-up parks.
3. *Build New Affordable and Supportive Housing to Address Social Determinants of Health:* There is a

dearth of affordable and supportive housing in central and eastern Brooklyn. As part of the Brooklyn Community Health and Wellness Transformation, Governor Cuomo will address the limited supply of stable housing by developing up to 3,000 units of supportive and affordable housing (as part of the already funded State housing program) in a way that incorporates principles of active living (such as exercise rooms and rooftop gardens) and wellness-related features such as street-level health clinics and pharmacies. As part of this initiative, the State and leadership from three existing not-for-profit hospitals in the area will work closely with community-based organizations and community health workers to provide non-clinical interventions that increase health, such as mold remediation programs to eliminate environmental triggers of asthma and programs to improve chronic disease management, promote access to healthy food, and create opportunities for physical activity.

4. *Leverage Green Energy Programs To Improve Health:* Through NYSERDA's community-based energy programs, the State will support new local energy microgrids that will provide power to multiple customers, including residential and commercial customers as well as crucial public services such as hospitals, first responders, and water treatment facilities. These microgrids also allow for the use of clean and efficient distributed energy resources such as storage, wind, solar, and combined heat and power, improving the environmental and economic health of the community.

In connection with the broader community health and wellness transformation, the second component of the Governor's plan improves access to healthcare services. In central and eastern Brooklyn nearly 60 percent of hospitalizations are potentially preventable, and 40 percent of residents choose to access care outside the area, highlighting the lack of a primary and ambulatory care network as well as the substandard infrastructure of the existing hospitals. As part of the plan to create a new healthcare system, as described below, the Governor is proposing to develop a large primary and ambulatory care network supported by an integrated state-of-the-art health information technology system with a common electronic medical record platform through a community-based healthcare delivery-system. The proposal will develop a total of 36 primary and ambulatory care facilities to be built, increasing primary care visits from 300,000 annually to 800,000 annually.

The third part of Governor's plan will create a new healthcare system by bringing stand-alone hospitals together to transform care in central and eastern Brooklyn. The new healthcare system will merge three

independent not-for-profit hospitals in the area into a regional system that will leverage significant operating efficiencies and address the serious life and safety infrastructure issues at each of these hospitals, while restructuring and improving healthcare delivery in the communities of central and eastern Brooklyn. The new health system will also collaborate closely with Downstate University Hospital.

***Proposal: Leverage Technology to Accommodate the Needs of the Aging***

New York is working to ensure that all older adults in New York have access to meaningful interpersonal relationships to reduce isolation and loneliness and improve physical and mental health. Loneliness has been linked to cognitive decline, decreased mobility, increased stress levels, high blood pressure, a decreased ability to fight infections, and an increased risk of death.<sup>199</sup> Our growing aging population and evolving family characteristics increase the need to address isolation risks and the associated poor health outcomes through innovative and collaborative solutions.

The risks of loneliness increase as the proportion of adults living alone increases with advanced age.<sup>200</sup> Research now shows that loneliness in older adults is a major public health concern, with more than 43 percent of adults over age 60 reporting feeling lonely.<sup>201</sup> Those reporting feeling lonely were more likely to have declines in mobility, bathing, dressing, and other activities of daily living, and had an increased risk of death compared to participants who did not report feeling lonely. Technology can help the aging population combat loneliness and help the elderly and their caregivers remain in their home, or the least restrictive setting, for as long as possible.

Under the leadership of Governor Cuomo, the Department of Health and the Office for the Aging will jointly launch five regional hotlines modeled on the successful Silver Line program in the UK.<sup>202</sup> These hotlines will support older adults in the community or in institutional settings. New York's regional hotlines will be available for older New Yorkers to call for information, advice, or just a friendly conversation. Older adults looking for more contact may be assigned a friend who will complete regular calls, can use technology for virtual visits, or write letters to provide additional

support and contact. In conjunction with the Governor's Office of Faith Based Initiatives, regional colleges and universities, retiree corps, and the New York State Commission on National Service, an intergenerational "call to action" will be developed within the five regions to develop a robust network of volunteers to operate the hotline and train others.

In addition, Governor Cuomo, through the New York State Department of Health, Empire State Development, and the State University of New York (SUNY), proposes to utilize the HeroX platform as convener to kick start a collaborative effort amongst the State's colleges and universities, innovators, and industry to create technological solutions, so that aging New Yorkers can live independently and age-in-place. HeroX is an online platform used to create solutions to some of the world's challenges. New York State will launch a HeroX challenge to increase awareness and foster a network that aims to develop new technologies and other innovations to help New York serve a growing population of aging citizens that need assistance to remain safely in their homes. The HeroX challenge will be marketed to New York State colleges and universities, where students will have the opportunity to generate

innovative ideas, with the support and assistance of the Department of Health to launch these ideas and products into the marketplace where they will be used to assure that NYS can provide its aging citizens with the caregiving solutions they need. The competition would engage private philanthropy to support competition winners, as well as help market the competition throughout the State.

These initiatives will work closely with NY Connects to provide a link to community-based resources and services such as senior centers, community centers, and transportation. Furthermore, data from these initiatives will be collected and provided to the Department of Health and the Office for the Aging to identify unmet service needs and to determine the effectiveness of the technology in improving outcomes for aging New Yorkers.

***Proposal: Protect Seniors from Financial Exploitation***

Financial exploitation of seniors is a national issue and Governor Cuomo has made it a top priority to deter unlawful actions against New Yorkers and put an end to senior financial abuse. A study was conducted in



New York State in 2013 that found the statewide impact of financial exploitation to be at least \$1.5 billion.<sup>203</sup>

To help ensure New York seniors are protected, Governor Cuomo proposes a comprehensive approach that includes:

- *Launching an Elder Abuse Certification Program:* This program will be available for all banks located across New York. The State Department of Financial Services will design the Certification Program, which will include training bank employees on how to recognize the signs of financial abuse. Upon completion of this certification, banks may display their certificate so consumers are aware of the special services they offer.
- *Bank Enforcement:* Currently, banks are insufficiently using their power to place holds on, or prevent suspicious transactions involving elder financial abuse. The Governor proposes new legislation further empowering banks to place holds on potentially fraudulent transactions in order to protect their consumers, and be immunized for doing so in good faith.
- *Reporting Abuse:* Once potential fraud is identified and a transaction hold is applied, banks will be required to report to the appropriate state agencies to take action.

## **Part 6. Expanding Efforts to End the AIDS Epidemic by 2020**

In June 2014, Governor Cuomo announced New York's plan to end HIV/AIDS as an epidemic by the end of 2020. A primary goal of the Governor's plan is to reduce the number of annual new HIV infections to 750, which would achieve New York State's first-ever decrease in HIV prevalence. The Governor's plan is already having an impact:

- There were no cases of mother-to-child transmission for an 18-month period from 2014 to 2016. This marks the first time the state has had no transmissions of this kind since the outbreak of the AIDS epidemic.
- The number of New Yorkers with HIV at undetectable levels increased by almost 10 percent between 2013 and 2014. That means 6,000 people with HIV have seen an improvement in their health and will not transmit the virus.
- The most recent data from the New York State Department of Health shows that the number of new HIV infections has fallen to fewer than 2,500 in 2014—a record low.

To build on this progress and reduce the number of people who become infected with HIV by 2020, Governor Cuomo proposes four new initiatives in 2017.

### ***Proposal: Broaden HIV Testing and Treatment Consent Laws for Minors***

Young persons between 25 and 34 have the highest rate of newly diagnosed HIV infection in New York State<sup>204</sup>. Once diagnosed, young people often face additional barriers that can prevent or delay access to care, including denial and fear of their HIV infection, misinformation, HIV-related stigma, low self-esteem lack of insurance, homelessness, substance use, mental health issues, and lack of adequate support systems. It is imperative that young people be able to consent to their own HIV treatment.

Under current State law, minors can consent to STD and HIV testing and to treatment for STDs without parental or guardian consent. However, treatment without parental consent for HIV is not explicitly permitted in statute, even in cases where the young person has been abandoned or abused by his parents.

Governor Cuomo will introduce new regulations to allow minors who are able to give informed consent for HIV treatment and prophylaxis to do so, and to be granted expanded confidentiality protections on explanation of benefits forms. The proposal to expand

minor consent ensures more young people have optimal health outcomes and do not transmit the virus to others. In addition to consenting for health care, young people should have the ability to consent for HIV-related preventive services. Young people at high risk who are HIV negative should be able to consent to pre-exposure prophylaxis just as they can for other reproductive or sexual health related services.

***Proposal: Mandate nPEP Availability in All Emergency Departments & Urgent Care Facilities***

Non-occupational Post Exposure Prophylaxis (nPEP) is a course of antiretroviral medicine provided to a person potentially exposed to HIV to prevent their becoming infected. Current availability of nPEP is geographically limited and inconsistent. The treatment works best when given early, with the initial dose administered soon after potential HIV exposure. The medication is dosed twice daily. Unfortunately, patients have experienced significant difficulty with staying on schedule due to insurance pre-approval issues and problems with immediate availability at community pharmacies.

Governor Cuomo will advance legislation explicitly requiring New York State emergency departments and urgent care facilities to provide emergency nPEP following a potential non-occupational exposure to HIV. As with current regulations regarding PEP post sexual assault, the legislation will specify that a 7-day “starter pack” of medication must be given on discharge. This would give the patient time to follow up with a health care provider who can provide post-emergency or urgent care medical treatment.

***Proposal: Mandate Electronic Reporting of HIV Antiretroviral Therapy Prescription Fills***

HIV-positive persons take antiretroviral therapy to suppress the virus in their system, which enables them to live healthy lives and avoid transmitting HIV to others.<sup>205</sup> Licensed clinicians prescribe antiretroviral therapy to HIV-negative persons to reduce the likelihood they will acquire HIV even if they are exposed to it.<sup>206</sup> New York State’s unprecedented plan to end the AIDS epidemic consists of three main points, one of which is to facilitate access to antiretroviral therapy for pre-exposure prophylaxis.<sup>207</sup> The 2015 Blueprint to End the

AIDS Epidemic also outlines numerous strategies to promote adherence to antiretroviral therapy among HIV-infected persons.<sup>208</sup>

To fully achieve the end of the AIDS epidemic and reduce the number of people infected with HIV, New York needs to rapidly scale up antiretroviral therapy usage among HIV-negative and HIV-positive persons alike. Additionally, the National HIV/AIDS Strategy<sup>209</sup> underscores the importance of antiretroviral therapy as prevention and universal treatment for all persons living with diagnosed HIV infection. However, currently there are no comprehensive, population-level mechanisms to track antiretroviral therapy usage. New legislation requiring the electronic reporting of dispensed antiretroviral therapy prescriptions is critically needed to support and direct the Ending the Epidemic program initiatives in New York.

Governor Cuomo will advance legislation requiring the electronic reporting of filled HIV antiretroviral therapy prescriptions dispensed within New York State, which will allow the State to monitor the number of persons who are taking prescribed antiretroviral therapy to treat or prevent HIV infection. New York State lacks a comprehensive, population-level

source for these data, which are critical for directing the Ending the Epidemic initiative in the state.





# 3. REFORMING GOVERNMENT

## Part 1. Achieving Ethics Reform

Since his first day in office, Governor Cuomo has fought aggressively for comprehensive ethics reform. Governor Cuomo's advocacy began with the Public Integrity Reform Act of 2011 to increase transparency and accountability throughout State government. Among other things, the Public Integrity Reform Act required elected officials and policy makers convicted of corruption to forfeit their pension and strengthened disclosure requirements for lobbyists and 501(c)(4) organizations. The Governor's relentless efforts culminated with last year's historic agreement with the Legislature to further advance critical election, lobbying, and enforcement reforms. One of the many pieces of this bill included first-in-the-nation legislation to curb the power of independent expenditure campaigns and end

coordination in political campaigns unleashed by the 2010 Supreme Court case *Citizens United vs. the Federal Election Commission*. The *Citizens United* case unleashed a torrent of dark money into our political system, stymieing ordinary peoples' ability to have their voices heard. Another piece of this bill was designed to shed sunlight on the funding behind issue advertisements that are communicated to large groups of people, so that the public may know exactly who, and how much is being spent on influencing elections and the legislative process. Last year's ethics reforms were also designed to combat dark money in politics by increasing the required disclosures for groups affiliated with lobbying organizations to prevent donors from hiding in the shadows because at the end of the day, the public deserves to know who is trying to influence those elected to serve the public. Still other sections increased reporting thresholds so that more disclosure would be required from persons and entities engaged in lobbying, and yet other sections increased penalties for lobbyists' misdeeds.

But there is still work to be done. This year, Governor Cuomo proposes a two-fold approach to ethics and good government reforms. His proposals will

reiterate the continued need to address unresolved problems, shed sunlight on our political process and those who fund aspects of it, and will also identify new solutions to rebuild the trust and confidence that New Yorkers should have in their elected representatives.

The Governor will propose constitutional amendments to limit outside income for members of the New York State Legislature, and to impose term limits for members of the Legislature and state-wide elected officials. He will propose closing the “LLC Loophole” as well as additional campaign finance reforms, requiring local elected officials to file financial disclosure requirements either the same as their state counterparts or approved by the state, and proposing comprehensive reforms to the Freedom of Information Law (FOIL) to achieve consistency and increase transparency. He will also propose expanding the authority of the State Inspector General, and creating new Inspector Generals for the Port Authority of New York and New Jersey and the State Education Department. Finally, the Governor proposes enacting reforms to ensure greater oversight over the current state procurement process.

***Proposal: Advance Constitutional Amendment  
Limiting Outside Income and Creating a Fulltime  
Legislature***

The Legislature's part-time structure allows professionals from a variety of backgrounds and experiences to serve the public. Yet concerns have been raised about potential conflicts of interests that may arise from income legislators derive from other employment. To strike the right balance between public service and private ventures, the Governor proposes a constitutional amendment to be put before the voters that would limit outside income for legislators to 15 percent of their base salary. This 15 percent limit is the same limit our federal government places on federal legislators' outside income.

***Proposal: Advance Constitutional Amendment  
Imposing Term Limits for Elected Officials***

Current term limits require members of the Legislature to seek re-election every two years, yet there are no limits on the number of terms they may seek. The Governor proposes a constitutional amendment to create 4-year legislative terms for members of the Senate and the Assembly. The proposed constitutional

amendment would also impose 8-year term limits for new members, and impose term limits for statewide officials.

***Proposal: Require Members of the Legislature Seeking Outside Income to Obtain an Advisory Opinion Before Earning Outside Income***

Currently legislators may earn income from private ventures without being required to obtain any analysis or approval regarding whether the outside income presents conflicts of interest with their duties to the public. The executive branch, in contrast, is required to submit requests for approvals to a conflict check analysis in order to head off ethical issues. Because legislators do not have to seek an opinion of outside income from the legislative ethics commission, and the commission does not have to issue any opinion to any member looking to earn outside income, legislators may get little to no guidance in thinking through inherent conflicts. As such, the Governor proposes legislation which would require all legislators to seek an advisory opinion from the legislative ethics commission before earning outside income. To further support in their deliberations and discussions regarding outside income

and conflicts of interest and reinforce the public's trust in the process, a designee from the Office of Court Administration would serve on the commission. By examining compensation from non-state activities on a case by case basis, this measure would help guide our elected representatives, prevent conflicts of interest, and increase the public's trust in all their elected officials.

***Proposal: Close the LLC Loophole***

To preserve open, free, and fair elections that are not captured by wealthy public interests, state law limits the amounts that both corporations and individuals may donate directly to state candidates. However, because of a quirk in the way that present election law is interpreted, wealthy individuals and corporations can use Limited Liability Companies ("LLCs") to avoid New York's campaign donation limits. This "LLC Loophole" in campaign finance law has allowed special interests to circumvent both contribution limits and disclosure requirements. The Governor proposes closing the LLC Loophole for all elected officials. It is our responsibility to even the playing field so that rich and poor New

Yorkers alike have their voices heard in our political process.

***Proposal: Subject Local Elected Officials to Financial Disclosure Requirements***

State elected officials are not the only ones who face conflicts, or potential conflicts, of interests. Local elected officials and agents of municipalities are equally prone to such concerns, and should be subject to the same disclosure requirements as their state counterparts.

The Governor proposes that any local elected official who earns more than \$50,000 per year in a government salary, as well as all county executives, county managers, and all chairs of county board of supervisors file the same financial disclosure statements that state employees file with the Joint Commission on Public Ethics, or a similar form to be approved by the state. This means that municipal employees would provide the same information in their financial disclosure statements as state employees, including his or her spouse's or partner's income. Sunlight, in this instance, goes a long way towards assuring the public

that those entrusted with government service are fulfilling their duty to the public.

***Proposal: Institute Public Financing and Enact Additional Campaign Finance Reforms***

Every day, ordinary New Yorkers struggle to make their voices heard in our political system. No matter the issue, candidates are incentivized to focus on large donations over small ones. The only way to truly fix this problem is to institute a public financing system for political campaigns that matches funds from small donations. Governor Cuomo proposes to do just that by instituting a voluntary public financing system that matches small donations with public funds. Only then will all New Yorkers, not just a select few, gain the power to make their voices heard. New York law also continues to allow unlimited contributions to party “housekeeping” accounts by individuals and corporations. These accounts are designed to support non-campaign party activities, but instead provide another mechanism for big donors to impact political campaigns. New York also still allows a campaign’s intermediary, known as a “bundler”, to pass large groupings of individual contributions to a single



campaign without disclosing the bundler's identity. The Governor proposes to address both issues by placing a \$25,000 contribution limit on housekeeping accounts and requiring all "bundlers" to disclose their identities.

***Proposal: Promote Increased Transparency through Comprehensive Reforms to FOIL***

The New York Freedom of Information Law (FOIL) governs the public's right to access government records and provides transparency for citizens into the workings of state government. The Governor proposes a comprehensive reform of FOIL to improve transparency and promote openness in state government, including requiring proactive disclosure of certain records.

But transparency cannot just be limited to the Executive—everyone must be held to the same standard. The Governor therefore proposes that FOIL apply equally to the Legislature. Additionally, the Governor proposes that both FOIL and the state's Open Meetings Law apply to both JCOPE as well as the Legislative Ethics Commission to further ensure transparency, accountability, and increase public confidence in all aspects of state government.

***Proposal: Expand the Authority of the State Inspector General***

New York's State Inspector General is charged with ensuring that State government, its employees, and all who partner with the State meet the highest standards of integrity and accountability. To that end, there have been recent reports of financial abuses at and within the State University of New York (SUNY), the City University of New York (CUNY), and their affiliated not-for-profits.

While the State Inspector General investigates these abuses within SUNY and CUNY, this statutory authority does not currently extend to the affiliated nonprofit entities that work in concert with the Universities. The Governor proposes increasing the Inspector General's jurisdiction to include oversight of nonprofit organizations and foundations that are created for the benefit of, or controlled by SUNY or CUNY. The Inspector General would be authorized to investigate complaints of corruption, fraud, criminal activity, conflicts of interest or abuse within each university and its affiliates, and to refer potential criminal findings within these entities for prosecution.

The Governor also proposes broadening the Inspector General's authority to include all state-related procurement and the implementation and enforcement of financial control policies at SUNY and CUNY. This would allow the Inspector General to oversee the policies of any affiliated nonprofit organization and foundation of each respective university.

***Proposal: Create New Independent Inspector Generals for PANYNJ and SED***

The Governor proposes legislation that would create a New York Port Authority Inspector General who would be responsible for receiving, investigating, and prosecuting any illegal behavior as it pertains to New York-related Port Authority conduct. Every New York commissioner or managerial employee will be required to report conduct concerning corruption, fraud, criminal activity, conflicts of interest, or abuse, by any person related to his or her employment with the Authority to the New York Port Authority Inspector General.

The Governor also proposes creating a new, independent Inspector General to oversee and investigate allegations of corruption, fraud, criminal activity, conflicts of interest, or abuse, by any person

within the State Education Department (SED). Unlike other state agencies, SED is not currently overseen by any investigative entity. The SED Inspector General would be appointed by mutual agreement between the Senate and Assembly.

The respective Inspectors General would also have the power to refer potential criminal findings within these entities for prosecution.

### ***Proposal: Enact Procurement Reforms***

Despite existing legal safeguards, conflicts of interest and unlawful conduct may jeopardize the impartiality and objectivity of the current procurement process. This risk is further heightened by the significant amount of dollars spent by state and local public agencies, which exceeds tens of billions of dollars annually.

The Governor therefore proposes creating a Chief Procurement Officer to oversee the integrity and uniformity of procurement practices across the state and ensure state procurement staff are prepared and positioned to conduct effective and ethical procurements. To achieve these ends, the

Chief Procurement Officer will spearhead a comprehensive review of current procurement practices across all state entities and relevant affiliates with the intent of establishing best practices and implementing uniform policies and procedures. These processes will be efficient, outcome-focused and designed with proper safeguards so public funds are spent with the utmost integrity. Finally, the Chief Procurement Officer will lead development of additional statewide procurement training and knowledge sharing opportunities and coordinate with the State Inspector General on the integrity of the process.

It is also critical to prevent state contract bidders from improperly influencing the procurement process. The Governor therefore proposes new measures which would prohibit individuals, organizations or business entities that submit bids, quotes, or responses to state contract offers from making campaign contributions to any officeholder in the branch of government awarding the contract while the decision is pending, and for six months following the contract award.

Finally, under current practice, the Office of the State Comptroller, the Office of the Attorney General, and

the Office of General Services either undertake reviews and audits or process payments of contract vendors and/or grantees that have multiple projects with the State. However, they lack a single system to track payments and audits of these entities and fail to coordinate their efforts on a routine basis. This should change. The Governor proposes legislation that will direct these entities, along with the Chief Procurement Officer and the Office of Information Technology, to collaborate on a study and make recommendations regarding initiatives to better enable the public to track state contracts and audits.

## **Part 2. Advancing The Democracy Project**

Voter registration and participation has declined across the country and New York for more than three decades, according to the U.S. Census.<sup>210</sup> New York State ranked among the states with the lowest voter turnout rates in the nation in the 2016 General Election. The State's voter registration process is outdated and makes it difficult for people to participate. Paper applications can introduce errors to voter rolls, and inaccurate

registrations can lead to voters encountering difficulties at the polls.

***Proposal: Introduce Early Voting in New York***

A recent study by the Pew Research Center indicates that work, school, and personal commitments are some of the main reasons voters choose not to participate in elections in the United States.<sup>211</sup> Governor Cuomo is committed to reforms that expand opportunities for participation in New York's democratic system.

According to the Brennan Center, early voting leads to shorter lines on Election Day, early detection and correction of registration errors, and greater access to voting.<sup>212</sup> Currently, New York is one of only thirteen states where early voting is not available and an excuse is required to request an absentee ballot. New Yorkers can vote via absentee ballot only if the voter meets certain qualifications such as being absent from his or her county on Election Day or being unable to get to the polls due to a disability.<sup>213</sup>

Thirty-seven states and the District of Columbia already allow voters to cast ballots in person before

Election Day.<sup>214</sup> In 2016, the number of these voters who had cast their early ballots by the week before Election Day represented a near doubling compared to the 2012 elections.<sup>215</sup>

Governor Cuomo will advance legislation allowing New Yorkers to vote early in all elections. This legislation will require every county to offer residents access to at least one early voting poll site during the 12 days leading up to Election Day. Voters will have at least eight hours on weekdays and five hours on weekends to cast early ballots. Counties must have one early voting poll site for every 50,000 residents and the bipartisan county boards of elections will determine the specific location of early voting polling places, subject to standards of accessibility and convenience.

### ***Proposal: Adopt Automatic Voter Registration***

Voter registration should be a presumption, not a hurdle. Automatic voter registration can lead to improved accuracy of voter registration lists, reduced costs, and a more convenient and efficient process for voters and election officials alike.



Governor Cuomo proposes advancing a system implementing automatic voter registration through state agencies, starting with the Department of Motor Vehicles (DMV). Under the new system, the information used in a DMV application will be automatically sent to county boards of elections to register the applicant or update registration information. New Yorkers who do not wish to register to vote can simply check an "opt out" box.

***Proposal: Allow Voters to Register on Election Day***

New York does not currently allow voters to register on Election Day. Thirteen other states and the District of Columbia allow same-day registration, greatly increasing the accessibility of the democratic process to everyday citizens. New Yorkers should not have to mark their calendars to keep track of onerous and counter-intuitive registration deadlines—if you are willing to go to the polls, you should be allowed to vote. Governor Cuomo proposes that New Yorkers be allowed to register and vote on the same day to ensure that every New Yorker has a fair opportunity to participate in the electoral process.



# 4. PUBLIC SAFETY

## **Part 1. Leading the Fight Against the Opioid Epidemic**

Over the past six years, Governor Cuomo has taken bold steps to fight the opioid epidemic. In 2012, the Governor signed the Prescription Drug Reform Act, overhauling the way prescription drugs are dispensed, including updates to the State's Prescription Monitoring Program Registry (also known as I-STOP) to require pharmacies to report "real time" dispensing data and require doctors to consult the registry before prescribing certain substances.

In June 2016, the Governor signed a comprehensive package of legislation to increase access to treatment, expand community prevention strategies, and limit the over-prescription of opioids in New York. The legislation includes several best practices and recommendations identified by the Governor's Heroin and Opioid Task Force, and builds on the State's aggressive efforts to protect public health and safety.

Additionally, the State Budget invests nearly \$200 million through Office of Alcoholism and Substance Abuse Services (OASAS) to combat the heroin and opioid epidemic—an increase of 88 percent since 2011—and adds 300 treatment beds and 2,600 opioid treatment program slots to assist New Yorkers suffering from substance use disorder. These actions are critical tools in the fight against substance abuse, but the epidemic persists throughout the nation.

***Proposal: Eliminate Prior Authorization for Substance Use Disorder Treatment***

The historic legislation signed by Governor Cuomo last year dramatically improved access to inpatient treatment for New Yorkers facing addiction. However, not all patients are appropriate for inpatient treatment, and still need immediate access to services. Many can recover in outpatient treatment programs, including individual, group, and family counseling, relapse prevention, and cognitive and behavioral interventions. To make immediate access to all types of treatment possible, the Governor proposes expanding on the legislation signed in June 2016 to eliminate insurance

prior authorization for any substance use disorder treatment.

***Proposal: Add Fentanyl Analogs to the New York Controlled Substances Schedule***

Fentanyl is a synthetic opioid more potent than heroin or morphine that is responsible for an alarming number of overdose deaths in New York and across the country. Just three milligrams of fentanyl can be fatal, compared to 30 milligrams of heroin. According to the CDC, overdose deaths from synthetic opioids like fentanyl have increased by 135 percent in New York State in just one year.<sup>216</sup> New York City has seen 300 fatal overdoses in the last 6 months, while 220 of the 464 fatal overdoses on Long Island in 2016 were caused by fentanyl.<sup>217</sup>

Many drug dealers sell heroin mixed with fentanyl, or pure fentanyl sold as another type of less potent opioid – much of the time unknown to the users. When users overdose, first responders must use increasing amounts of naloxone to save lives, and are themselves at risk of an overdose if they come into contact with this dangerous substance. Often, however,

these drugs are not on New York's schedule of controlled substances because there are minor tweaks to their chemical structures that make them slightly different but equally, if not more, dangerous than their illegal counterparts.

To get the synthetic opioid fentanyl off our streets, Governor Cuomo proposes adding the eight fentanyl analogs, variations of the substance, into the New York controlled substances schedule, which would subject them to criminal drug penalties.

To enable New York State to act nimbly in response to future threats like fentanyl, Governor Cuomo will also advance legislation to create emergency Executive authority to add new substances to our controlled substance schedule. Executive authority, based on the recommendation of experts and the Commissioner of Health, will help law enforcement fight threats like fentanyl as they emerge. The Commissioner will consider a number of factors, including risk to public health, in making recommendations to add new substances to the controlled substances schedule.

***Proposal: Increase Access to Medication Assisted Treatment***

One of the most effective treatments for opioid addiction is a medication called buprenorphine. According to the federal Substance Abuse and Mental Health Services Administration, “buprenorphine represents the latest advance in medication-assisted treatment. Medications such as buprenorphine, in combination with counseling and behavioral therapies, provide a whole-patient approach to the treatment of opioid dependency.”<sup>218</sup> Access to buprenorphine treatment has traditionally been limited by the number of health providers who are registered – but recent federal legislation has authorized physician’s assistants and nurse practitioners to join physicians as being able to prescribe buprenorphine.

To increase access to buprenorphine treatment, Governor Cuomo proposes launching an effort to recruit more doctors, physician’s assistants, and nurse practitioners to become buprenorphine prescribers. Under this effort, DOH will double the number of trainings in 2017 for health care practitioners to obtain the required waiver to prescribe buprenorphine. DOH

will also collaborate with experts in the field to offer mentoring to new prescribers so they have access to physicians who have experience prescribing buprenorphine and can answer any questions new prescribers might have.

The State will also expand the number of locations where buprenorphine is available to include more health care clinics, obstetricians, emergency departments, and appropriate non-profit organizations. OASAS will issue new regulations to require all prescribers in its certified treatment programs to become authorized to prescribe buprenorphine. At the Governor's direction, DOH will also double the number of regional health hubs for individuals to access buprenorphine, medical care, counseling, and harm reduction services.

***Proposal: Establish Centers for 24/7 Access to Substance Use Disorder Treatment***

It is estimated that only one in ten people in need of treatment for substance use disorder actually receive it.<sup>219</sup> This year, based on recommendations from his Heroin and Opioids Task Force, Governor Cuomo



advanced legislation that removed insurance barriers to treatment such as prior authorizations and multiple, confusing rubrics for determining the level of care a patient needs.

Too often, however, access to treatment is delayed by the need to make an appointment during weekday business hours. This means a person in crisis – like someone at a hospital emergency department – cannot access services when they are ready to make the commitment to care.

Governor Cuomo will direct OASAS to develop 24/7 urgent access capacity with crisis intervention on-call services in each region of the state. The centers will provide individuals in crisis with access to clinical staff who will perform assessments and level of care determinations 24 hours a day, seven days a week, and connect individuals to care immediately. The centers will also provide law enforcement with criminal justice system diversion opportunities for low-level violators who are in need of access to substance use disorder services and treatment.

***Proposal: Require Emergency Department Providers to Consult the Prescription Monitoring Program Registry***

The link between the overprescribing of painkillers and the opioid addiction epidemic is well established. Patient prescription histories contain critical information for health care providers to prevent or identify addiction to opioid painkillers. In 2012, Governor Cuomo signed legislation enhancing the State's Prescription Monitoring Program (PMP) and requiring health care providers to consult the PMP before writing opioid prescriptions. From August of 2013, when the requirement to check the PMP Registry went into effect, until December of 2015, "doctor shopping" in New York was reduced by more than 90 percent.<sup>220</sup> Under the Governor's actions, the State also implemented the first electronic prescribing mandate in the nation. As of last March, all prescriptions filled in New York State must be transmitted electronically from the prescriber directly to the pharmacy to prevent paper prescriptions from being forged or sold for nonmedical use.

New York's PMP is a national model—but still today, physicians are not required to consult the PMP in an emergency department setting. Emergency

departments play an important role in the opioid and heroin crisis, both in terms of treatment as well as understanding the full picture of patients' prescription histories.

To address this critical gap, Governor Cuomo will advance legislation amending the 2012 law, requiring the use of the PMP Registry before controlled substances are prescribed in the emergency department of a general hospital.

***Proposal: Create New York State's First Recovery High Schools***

One of the greatest challenges during a young persons' time in recovery is returning to school. Research shows that virtually all of youth in recovery reported being offered drugs their first day back at school.<sup>221</sup> Recovery schools are "schools within school" where students in recovery can learn in a substance-free and supportive environment. Recovery schools have proven to be an effective model to help youth in recovery stay healthy and graduate.<sup>222</sup> Outcome studies have found that after treatment, about 70 percent of kids who return to their communities relapse within six months to

a year; but after attending recovery schools, only about 30 percent relapse.<sup>223</sup>

To help youth in recovery complete high school, Governor Cuomo will advance legislation creating New York's first recovery high schools in hard-hit regions of the state. Boards of Cooperative Educational Services will submit proposals to OASAS to establish the first schools—one in Upstate and one downstate—in partnership with local social service agencies. The new schools will be supported by the BOCES, which are funded by sponsoring school districts. Enrollment will be open to high school students with a diagnosis of a substance abuse disorder and a commitment to recovery.

## **Part 2. Counter Terrorism, Emergency Management, and Cyber Security**

Protecting New Yorkers is the State's primary concern. And the State's security agencies—the State Police, Division of Homeland Security and Emergency Services, and Division of Military and Naval Affairs—will do everything in their power to ensure safety and security in the face of natural disasters and 21st century terrorism threats. To this end, the State has made great

strides in the past year. Under Governor Cuomo's leadership, for the first time in state history, the Division of Homeland Security and Emergency Services has conducted "Operation Safeguard" exercises in all sixteen State counter-terrorism zones. These exercises have helped prepared local businesses and first responders throughout the state to identify and respond to possible terrorist threats. The State Police have established a permanent presence on the bridges and tunnels into and out of New York City to insure the security of these ingresses. Likewise, the State has spent \$4 million to outfit law enforcement personnel with ballistic helmets and long rifles to address terrorist threats.

Nonetheless, the specter of terrorism has created a "new normal" in which we must all have heightened vigilance and a greater understanding of what to do if and when an emergency occurs. Additionally, environmental degradation has forced the State to respond to stronger storms and greater flooding. The following proposals will ensure the State is prepared to address these challenges.

***Proposal: Cease All Operations at Indian Point Nuclear Power Plant by 2021***

For more than 15 years, Governor Cuomo has been calling for the closure of the 2,000 megawatt Indian Point nuclear power plant, located just a stone's throw from midtown Manhattan in Westchester County. The Governor's position is simple: Indian Point, which has been beset by more than 40 troubling safety and operational incidents since 2012, poses an unacceptable health and public safety risk to the 20 million people living and working in its vicinity. As recently as May 2015, the plant experienced a transformer fire that caused it to be unexpectedly shut down for the 13<sup>th</sup> time in just three years. Under these circumstances, it has long been abundantly clear that Indian Point must be closed swiftly, sensibly, and with the interests of its workers, neighbors, and all New Yorkers in mind.

At Governor Cuomo's direction, the state has now successfully negotiated a deal to close both reactor units at Indian Point far sooner than expected. Indian Point's Unit 2 will close in April 2020, and Unit 3 will follow in April of 2021, a full 14 years earlier than anticipated under the federal re-licensing schedule.

Because of its diligent and active planning work, the state is fully prepared to shutter the facility responsibly. The Public Service Commission's Indian Point Contingency Plan, other planning efforts, and the state's push for renewable energy ensure that more than adequate replacement power will be able to come online after 2021, with negligible impacts on customer bills. These resources include over 700 megawatts of improved transmission lines and energy efficiency that is already in service, as well as a proposed transmission line that would deliver clean, renewable hydropower downstate, able to replace up to 1,000 megawatts of Indian Point's capacity. And, by virtue of the state's leadership on energy and climate change through the Regional Greenhouse Gas Initiative and the Governor's Clean Energy Standard, the plant can close without an adverse effect on carbon emissions.

But replacement power is not the only thing that must be addressed. Safety remains paramount: under the terms of the closure agreement, New York State will conduct annual safety inspections relating to critical operational, regulatory, and environmental matters. At refueling, plant owner Entergy will inspect all of the bolts at both units and any bolts will be replaced to ensure the

reactors' structural integrity through 2021. The plant's steam generator will be also be checked for any cracks during refueling outages. Finally, spent nuclear fuel will begin to be transferred to "dry cask storage"—the safest and preferred method for storing nuclear waste—at a minimum rate of four casks per year and at least 24 by 2021.

Any closure plan would be incomplete without protections for workers and local communities. While there will be continued employment at the plant through the closure process, workers will also be offered jobs at other Entergy facilities and gain access to other new job and retraining opportunities with power plants and utilities in New York State. And, through NYSERDA, the state will offer any worker re-trainings and new skills in renewable technologies like solar and wind.

Local communities will be protected as well—payments in lieu of taxes (or PILOTs) made by the plant will continue through 2021 and at a negotiated level beyond. The state will also work with local communities to address potential revenue shortfalls, similar to how it has worked with communities affected by other plant closures through the existing fossil fuel plant retirement fund.



Finally, Entergy has agreed to establish a \$15 million fund to support environmental restoration and community benefit projects in neighboring areas that have been adversely affected by the plant's presence. The fund will support efforts potentially including, but not limited to, the protection and restoration of vital wetlands and estuaries, the creation and enhancement of wildlife habitat, invasive species migration, and the conducting of scientific studies to ensure the long-term viability of the area's natural resources.

Indian Point has stood for too long as a scourge to public safety and the environment in the Hudson Valley. Under Governor Cuomo, the State is now ready and able to implement a smart, workable, and safe plan to shutter its doors once and for all, while accounting for the interests of everyone affected by its closure and continuing New York's leadership on the environment and climate change.

***Proposal: Create a Cyber Incident Response Team***

From 2006 to 2015, the number of cyber incidents targeting federal government agencies

increased 1,303 percent from 5,503 to 77,183.<sup>224</sup> There has also been a significant rise in such attacks against state government entities and critical infrastructure, which have seen year over year attacks more than double.<sup>225</sup> With the dramatic increase in the number, magnitude, and impact of cyber incidents, it is imperative that New York State governmental institutions and critical infrastructure are prepared for, and protected against, these threats.<sup>226</sup> While the State agencies that are served by the Office of Information Technology Services have the benefit of an active and comprehensive cyber risk management program, some State agencies and local governments do not have sufficient resources to protect themselves or to respond when incidents occur.

Governor Cuomo proposes creating the Cyber Incident Response Team, which will assist State agencies, local governments, and critical infrastructure with cyber preparedness, coordination of exercises, and recommend best practices to increase their protection. The Team, which will be located within the Division of Homeland Security and Emergency Services' Office of Counter Terrorism, will also provide a comprehensive review of current cybersecurity policies for its client

organizations, conduct vulnerability assessments and network scans, and provide second-tier support when an incident occurs, helping to guide the immediate response and lead the organization back to normal operation. The Team will also provide a single point-of-contact for critical infrastructure and local government entities to report significant cyber incidents which will streamline response efforts.

***Proposal: Launch Transportation Security Training Program for Airport Employees***

On August 14, 2016 there was a false alarm “shots fired” incident at John F. Kennedy International Airport that caused public alarm and panic, grounded all flights, and prompted the mobilization of emergency responders. The Governor created the JFK International Airport Multi-Agency Security Review Team to analyze the incident and recommend policies to prevent a similar incident from occurring. One of the Review Team’s primary findings was that civilian airport employees who engage with the public most frequently did not receive the same training as airport security personnel. Consequently, they did not know how to respond to the

incident and did not have the training necessary to know how to prevent the spread of panic.

At the Governor's direction, the Division of Homeland Security and Emergency Services and the recently created College of Emergency Preparedness, Homeland Security, and Cybersecurity at the University at Albany developed an eight-hour training curriculum for airport civilian employees to be trained on active shooter situations and security awareness. This program trains civilian workers, who most frequently interact with the public, to be vigilant, to know when to report potential hazards, to remain calm during an emergency, and to understand their role in everyone's safety. This training will be extended to airports statewide to ensure New York's public transportation infrastructure are better prepared and protected.

***Proposal: Train Local Emergency Responders in State-of-the-Art Counter-Terrorism Preparedness***

The September 2016 bombing in the Chelsea neighborhood of New York City injured 31 people and served as a tragic reminder that terrorism, and other acts of extreme violence, are an omnipresent threat to the

Empire State. In response, the Governor directed the State's law enforcement, military, and homeland security agencies to bolster security efforts and conduct regional counter-terrorism assessments, exercise multi-agency active shooter drills, and practice coordinated responses to potential attacks on critical infrastructure.

Last year, the State conducted "Red Team" assessments throughout New York State. These evaluations tested law enforcement and a community's ability to detect and report potential terrorist activity.

To strengthen emergency preparedness across New York State, the Governor will direct the Division of Homeland Security and Emergency Services to continue Red Team assessments in each of the State's 16 Counter Terrorism Zones and host full-scale active shooter exercises at the State Preparedness Training Center with six major cities. Additionally, the State will convene leaders of critical infrastructure, law enforcement, and first responders in a secure meeting to discuss the State's overall preparedness posture-based on the findings of the Red Team regional assessments and city-level active shooter drills. These trainings and assessments will be provided by the State at no cost to localities in an effort

to build the preparedness, response, and recovery missions of all communities across the State.

***Proposal: Construct a One-of-a-Kind Swift Water Rescue Simulator to Train First Responders***

Extreme weather has become the new normal in New York State. Unfortunately, these extreme events often call for emergency search and rescue by trained professionals. To improve the water rescue response capabilities during severe flooding, Governor Cuomo is announcing that New York State will build a state-of-the-art swift water rescue operations training simulator at the State Preparedness Training Center in Oriskany. This training simulator—the first-of-its-kind dedicated to emergency operations—will hold over two million gallons of water and allow up to 40 first responders to simultaneously practice rescues in both rapid water and urban conditions.

At the Center, the Division of Homeland Security and Emergency Services' Office of Fire Prevention and Control will develop trainings and facilitate high-angle rope, rough access, and small watercraft rescues for state

and local emergency responders at no cost to the participating agencies.

***Proposal: Create an Accreditation Program for Local Emergency Management Offices***

In 2015, Governor Cuomo launched *NY Responds*, a comprehensive system for coordinating and strengthening emergency preparedness and response across all levels of government and dozens of agencies. *NY Responds* is a vital tool for connecting State agencies—and the next step is to ensure localities are able to fully utilize the system to deliver a seamless emergency response across New York State.

At the Governor's direction, the Division of Homeland Security and Emergency Services will work with the New York State Emergency Management Association to develop an accreditation program for local emergency management offices. This accreditation will signify that a local emergency management office has proper policies, procedures, and equipment in place to effectively respond to emergencies. The program will be the first state-led initiative in the nation designed specifically for local emergency management offices –

demonstrating New York's leadership to advance the discipline of emergency management and protect the life and property of its people.

***Proposal: Train Local Firefighters using State-of-the-Art Crude Oil Training Simulator***

Since 2013, there have been four oil train accidents or derailments in New York State.<sup>227</sup> Although no oil was spilled as a result of these accidents, the State must be prepared to contain any spill and mitigate the resulting safety and environmental consequences. New York has over 1,000 miles of rail used for crude oil shipments, and the number of these shipments increased more than 4,000 percent over the last five years.<sup>228</sup> While these transports are an important economic driver that support jobs, New York State has aggressively enforced regulations to ensure the maximum level of safety for both the shipments and communities they pass through.

As part of the State's comprehensive safety efforts, the Division of Homeland Security and Emergency Services has deployed 43 state-of-the-art trailers equipped with firefighting foam to local fire



departments and county hazardous materials teams throughout the state since 2015. Each trailer includes a supply of environmentally-friendly foam concentrate along with the equipment necessary to produce and apply foam in the event of a liquid fire or spill.

To complement the new equipment and strengthen state and local preparedness, the Division is providing additional training for first responders at the New York State Fire Science Academy through the use of a crude oil live fire training simulator. The new training unit allows firefighters to learn how to respond to an incident involving crude oil and other ignitable liquids. The simulator is a component of overall improvements to the Fire Academy's grounds, structures, and training environment. The combined effect of advanced equipment and training will significantly improve the State's ability to respond to a crude oil

### **Part 3. Reducing Crime and Victimization**

Since 2011, Governor Cuomo has worked to ensure that the criminal justice system upholds the state's highest ideals of fairness and equality. At the same time, New Yorkers recognized the importance of

preventing crimes in the first place through smart policies to address the factors underlying criminal behavior and increased enforcement. From the comprehensive DNA database to enhanced crack-downs on distracted and impaired driving to the strictest gun control laws in the country, the Governor has remained committed to the safety and security of the State's citizens. These measures have helped New York achieve the lowest crime rate of any large state, as well as the lowest imprisonment rate.<sup>1</sup> Now, the State will build on these successes and respond to the most pressing and sophisticated criminal threats facing New Yorkers, including cybercrimes, gun-involved offenses, and domestic violence.

***Proposal: Establish a Statewide Hate Crimes Task Force***

Following a series of bias-motivated threats, harassment, and violent incidents across the country and in New York, Governor Cuomo launched a toll-free hotline for citizens to report incidents of bias and discrimination in November 2016. The Governor also directed a multi-agency effort – involving the Division of Human Rights, Division of State Police, State Education

Department, and Office of Victim Services – to prevent, detect, and respond to complaints of discrimination and reports of hate crimes. Over the past two months, the hotline has received over 2,100 calls and the State Police’s Hate Crimes Unit has investigated nearly 100 potential hate crimes.

To sustain this effort, the Governor seeks to create and fund a statewide Hate Crimes Task Force. The workgroup will be composed of members of the State Police, who will be directly tasked with preventing, investigating and detecting hate crimes throughout the state within the Penal Law. The Division of Human Rights will be part of the Task Force to inform individuals of their rights and remedies including penalties for discrimination. Further, the Task Force will work with counties leaders, district attorneys, school district leaders, local police departments and other key stakeholders to identify bias related trends, discriminatory practices and community based vulnerabilities within each county.

Currently, under state law, a person commits a hate crime when one of a specified set of offenses is committed targeting a victim because of a perception or belief about their race, color, national origin, ancestry,

gender, religion, religious practice, age, disability or sexual orientation, or when such an act is committed as a result of that type of perception or belief. Hate crimes can be perpetrated against an individual, a group of individuals or against public or private property. Under state law it is also illegal to discriminate on the basis of race, national origin, religion, ethnicity and many other protected classifications.

***Proposal: Expand New York's Human Rights Law to Protect All Students***

New York has the proud distinction of being the first state in the nation to enact a Human Rights Law, affording every citizen "an equal opportunity to enjoy a full and productive life." The New York State Division of Human Rights is the agency in charge of enforcing this law, which prohibits discrimination in employment, housing, public accommodations, credit, and other jurisdictions, based on age, race, national origin, sex, sexual orientation, marital status, disability, military status, and other specified classes. Unfortunately, under current law, only private school students are protected by the Human Rights law, meaning that if a public school

student is discriminated against in school, that student has no claim.

Following a 2012 decision by the New York State Court of Appeals that found public schools did not fit the definition of an "education corporation or association", the State Division of Human Rights lost its ability to investigate reports of bullying, harassment, or other discrimination made by public school students. This decision was made despite the fact that the Division had asserted jurisdiction over public schools for nearly three decades and was forced to dismiss over 70 open complaints filed against public schools at the time.

To remedy this inequity, Governor Cuomo will propose legislation that expands the protections of New York State's Human Rights law to all students statewide.

***Proposal: Support the Child Victims Act***

Under New York law, the majority of child sexual abuse offenses cannot be prosecuted after five years from their occurrence, which allows child abusers to go free and commit further abuse. Similarly, most civil lawsuits for this conduct must be brought within 3 years from the victim's 18th birthday. This makes it impossible

for individuals who come forward as adults to seek or obtain any relief in court. The Governor would reform the state law to hold child abusers accountable and to allow New Yorkers to obtain relief in court if they are victims of child sexual abuse.

Specifically, the Governor seeks to eliminate statutes of limitation for all sexually-related criminal cases when committed against a person who is less than 18 years of age. Further, the Governor seeks to extend the statute of limitations for civil claims from 3 years from the victims 18th birthday to 50 years from the date of the offense. This would give many victims the opportunity to have their day in court. For any victim who is still unable to bring a lawsuit, the Governor would open a one-year window in which these victims are able to commence their claims.

Finally, the Governor will eliminate the need to file a notice of claim with a public entity before being able to bring a lawsuit against that entity. Under New York law, victims are required to file notices of claim before they file a lawsuit against a public entity. These notices are barriers to the proper administration of justice and should not prevent a victim from having access to the courts.

Child victims are one of the most vulnerable populations of this state. The outdated laws of New York do not adequately address the needs of these young victims. New York needs to address this injustice in the fight against child sexual abuse.

***Proposal: Eliminate the Cyber Exploitation of Children in New York State***

As digital communication and Internet use has become more prevalent, so too, sadly, has the use of these technologies to sexually exploit children. Current New York State law does not afford the State Police the optimal legal tools to deal with this problem. For example, if an online sexual offense against a child is reported, the State Police are currently required to bring the case to the Attorney General's office for issuance of a grand jury subpoena. This referral process requires specific paperwork and multiple approvals, making it very slow and inefficient. These administrative hurdles disrupt investigations which can lead to the perpetrators of these heinous crimes escaping detection and arrest.

Governor Cuomo will advance legislation instituting a new section to Article 11 of the Executive

Law to authorize the Superintendent of the State Police to issue administrative subpoenas to internet service providers for subscriber and customer account records necessary to determine the identity and location of suspects. This legislative amendment will eliminate inefficiencies in the current process. With this subpoena power, the State Police will be able to immediately investigate allegations of online child sex abuse, collect time-sensitive evidence, and apprehend these heinous criminals.

***Proposal: Enact Safe Internet Act to Stop Cyberbullying***

Governor Cuomo has been a strong leader in the anti-bullying movement. In 2012, he amended the Dignity for All Students Act to address cyberbullying by defining cyberbullying or harassing behaviors, and requiring schools to develop protocols to prevent and address such behaviors, including coordinating with law enforcement. In November 2016, the Governor announced a statewide hotline to report incidents of bias and discrimination and made it clear that New York State would work hard to protect its citizens from hateful rhetoric.



Cyberbullying is still a severe problem for students and schools. According to studies, 43 percent of kids have been bullied online, and 58 percent of kids admit someone has said mean or hurtful things to them online.<sup>229</sup> Additionally, almost half of the schools in the State have reported at least one instance of cyberbullying, and 52 percent of kids surveyed said they did not tell a parent when they were cyberbullied.<sup>230</sup> This form of bullying exposes students to constant harassment both at school and their homes, providing them with few outlets and destroying their self-confidence and educational experiences. Consequently, cyberbullying is linked to negative outcomes, including poor mental health, social isolation, depression, increased substance use, and even suicide.<sup>231</sup> Suicide is the second leading cause of death among the State's 15-24 year olds.<sup>232</sup>

Although New York has laws and protections in place to prevent cyberbullying, it currently lacks adequate authority to address this new, more common form of bullying in all situations. To combat this harmful conduct and prevent it from negatively impacting the lives of young New Yorkers, Governor Cuomo will

propose legislation to ensure that New York treats cyberbullying with the seriousness that it deserves:

- The Governor will propose a criminal cyberbullying statute to protect children from severe emotional harm caused by cyberbullying. In instances where violence is threatened, or an adult is bullying a child, prosecutors will have the authority to charge the crime as a class E felony.
- The Governor will also propose statutory changes to criminally proscribe so-called “non-consensual pornography,” which involves publicizing sexually explicit images or videos without the subject’s consent. Our community cannot turn a blind eye to such intolerable, humiliating, and violative conduct. Therefore, new “non-consensual pornography” updates to the law will make it a crime to disclose or threaten to disclose, without consent, a recording showing another person’s intimate body parts or the person engaged in a sexual act when the person had a reasonable expectation such recording would not be disclosed.

In addition to these legal measures, Governor Cuomo proposes additional actions to combat cyberbullying in schools:

- Governor Cuomo will launch a \$300,000 public campaign against cyberbullying. In order to

create a safe school environment, the Governor will launch a competition charging students across the state to develop the most creative, compelling anti-cyberbullying Public Service Announcement or digital application. Students of all grades are welcome to participate, and can submit materials such as videos or posters or create a unique digital application that all students can access to report cyberbullying and see resources available to them in their area. The winning school would receive grant funds for their commitment to standing up against cyberbullying. In addition, The State will partner with celebrity advocates to establish an anti-bullying pledge to raise awareness about cyberbullying prevention. Students will be encouraged to sign the pledge.

- The Office of Children and Family Services in conjunction with the State Education Department will offer training and technical assistance for school counselors on cyberbullying and interventions as a study out of Temple University found that 45 percent of school counselors felt “ill-equipped” to handle cyberbullying.<sup>233</sup>
- In addition, the Office of Mental Health will continue to work with Crisis Text Line, a non-profit virtual crisis service that students can access from their phones, to establish an affiliation to support students’ mental health. Crisis Text Line is available 24 hours a day, and all texters remain anonymous.
- Lastly, to grow the efforts of New York State’s Suicide Prevention Plan, “1,700 Too Many” which highlights an effort to create suicide safer school communities, Governor Cuomo will launch the

New York State Suicide Prevention Task Force made up of a broad coalition of state agencies, local government officials, not-for-profit groups, and recognized leaders in suicide prevention. The Task Force will be charged with examining current programs, services, and statewide policies related to youth and all populations, and will make recommendations on various actions to facilitate greater access, awareness, collaboration and support for children, adolescents and adults in the most dire need of assistance.

It is imperative that the State take decisive action to ensure young New Yorkers are not exposed to behaviors that negatively impact their emotional, educational, and social growth. Through these measures, New York will set a strong precedent to combat this growing problem, ensure that all New Yorkers are treated with respect and dignity, and ensure kids and teens have the opportunity to thrive.

***Proposal: Modernize Cybercrime and Identity Theft Laws***

New York State is a global financial, entertainment, and technology capital on the cutting edge of innovation. As technology has evolved to enable New York businesses to thrive, so too has the risk posed

to these institutions by cybercrime. In fact, cybercrime surpassed illegal drug trafficking as a criminal moneymaker. Today, a person's identity is stolen every three seconds<sup>234</sup> and cybercrime cost the global economy an estimated \$400 billion in 2014.<sup>235</sup> Despite these concerns, many of the State's criminal laws that protect financial or intellectual property and ensure privacy have not been updated to address these threats.

Governor Cuomo will advance legislation to ensure New Yorkers are protected from both present and emerging iterations of cybercrime and identify theft:

- *Strengthen Computer Tampering Punishments:* Currently, inflicting \$5 million of damage through computer tampering is treated the same as \$50,000 of damage. New legislation will gradate these crimes to ensure penalties reflect their severity. As such, a new Class B felony will be created to punish those responsible for causing over \$1 million in damage by computer tampering.
- *Strengthen Identity Theft Punishments:* Currently, identity theft laws do not distinguish between a criminal who steals one identity or several and additional penalties for aggravated identity theft only protect military service members serving overseas. To this end, Governor Cuomo is proposing new legislation that not only updates

the law to address mass-identity theft through graduated criminal punishments ranging from an A misdemeanor to a D felony, but also expands aggravated identity theft protections to other vulnerable groups outside of military service members. There will now be more severe criminal punishments for identity theft committed against seniors and the mentally and physically disabled.

- *Expand computer intrusion laws to better protect private citizens:* Obsolete legal definitions currently limit the ability of prosecutors to bring serious charges against cyber criminals. New legislation will ensure unauthorized intrusion into private systems will be treated as a crime in all cases. Once enacted, prosecutors will be able to bring criminal charges with a range of punishments to reflect the severity of the hacking.

***Proposal: Expand the Domestic Violence Risk Reduction Response Program***

Although domestic violence is in decline at the national level, there are many new strategies and resources law enforcement, human service agencies, and healthcare providers can provide to lower the number of instances of domestic violence in New York State.<sup>236</sup>

To combat these crimes further, last year the State invested \$400,000 in Newburgh and Troy to create the Risk Reduction Enhanced Response Pilot Program, which brings together local multi-disciplinary program partners that share information and implement case-specific intervention plans to mitigate danger. These programs were based off of the success of the 2013 pilot program in Schenectady which coincided with, and contributed to, a decrease in the number of domestic violence incidents in the city from 1,499 in 2012 to 889 in 2015.<sup>237</sup> These programs require a commitment from local stakeholders across many disciplines, ranging from law enforcement and health and human services to community engagement organizations.

Building on this success, Governor Cuomo proposes investing \$800,000 to expand the program to an additional four project communities, to be awarded through a competitive grant over the course of two years. This investment will enable more communities and organizations to participate and expand the mission to protect more domestic violence victims across the state.

***Proposal: Reduce Highway Fatalities through a Comprehensive Motorist Safety Effort***

New York State is a national leader in highway safety. However, the number of fatal crashes on U.S. roadways rose by nearly 8 percent over the previous year—abruptly ending a decade-long general downward trend in fatalities across the nation.

Governor Cuomo proposes a multifaceted approach to address highway safety and to stem this rise in highway deaths:

- *Changing Roadway Behavior:* Data suggests that 94 percent of fatal crashes are the result of driver error. Changing behaviors and providing enforcement tools as they relate to driver error is important in reducing the number of highway fatalities in 2017 and beyond. The Governor will advance legislation addressing the root causes of highway fatalities, including: electronic distraction, impairment, shared use of roadways, and seatbelt use. Some specifics of the legislation include making bicycle and pedestrian safety a focus in licensing; closing a current loophole in the law - that lets impaired drivers escape punishment - by clearly defining the term “drug”; continuing the Governor’s focus on stemming electronic distraction by, closing a loophole that allows drivers to use electronic devices on the roadway if a vehicle is not in motion and by prohibiting the use of electronic devices by drivers under the age of 18; and, lastly, by



changing the law to require that all occupants of a passenger vehicle be buckled in.

- *Making Work Zones Safe:* Each year in the US, there are tens of thousands of work zone intrusions by motor vehicles, causing thousands of injuries and deaths to workers and motorists. The workers whose job it is to repair and maintain the roadways we drive on everyday deserve to be able to work in a safe environment. To this end, the Governor proposes a new work zone camera pilot program which would place cameras in DOT work zones and signage alerting people to the video monitoring. DOT will use this pilot to compile statistics and to study ways to better enforce the law and to make works zones safer.

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<sup>1</sup> U.S. Department of Transportation Office of the Assistant Secretary for Aviation and International Affairs, *International Aviation Developments Series*, 2015.

<sup>2</sup> Port Authority of New York and New Jersey, *Annual Traffic Report*, 2015.

<sup>3</sup> Port Authority of New York and New Jersey internal data.

<sup>4</sup> Port Authority of New York and New Jersey.

<sup>5</sup> SkyTrax (2016). Customer Nominated World Airport Awards. Retrieved on December 28, 2016 from [http://www.worldairportawards.com/awards/world\\_airport\\_rating.html](http://www.worldairportawards.com/awards/world_airport_rating.html)

<sup>6</sup> U.S. Census Bureau (2015). Annual Estimates of the Resident Population. Retrieved on January 5, 2017 from <https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?src=bkml>

<sup>7</sup> The Public Policy Institute of New York (2011). Let's Make it Here: Keys to a Manufacturing Resurgence in New York. Retrieved on December 12, 2016 from <http://www.ppiny.org/reports/2011/Manufacturing-Made-in-New-York-May2011.pdf>

<sup>8</sup> Empire State Development, Division of Science, technology and Innovation, Annual Report, 2016.

<sup>9</sup> Empire State Development, Division of Science, technology and Innovation, Annual Report, 2016.

<sup>10</sup> Empire State Development, Division of Science, technology and Innovation, Annual Report, 2016.

<sup>11</sup> Empire State Development, Division of Science, technology and Innovation, Annual Report, 2016.

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New York State  
holds the torch  
high! - Andrew C.  
"Give me your tired  
your poor, your  
huddled masses  
yearning to be free  
... I lift my lamp  
beside the golden  
door" EMMA LAURUS  
STATUE OF LIBERTY

