



NEW
YORK
STATE

JUSTICE AGENDA
THE TIME IS NOW

2019

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Andrew M. Cuomo
GOVERNOR



State of the State

2019

GOVERNOR ANDREW M. CUOMO

**Social, Economic, and Racial
Justice Agenda
2019 State of the State
Governor Andrew M. Cuomo**

The Constitution of New York State requires the Governor to deliver an annual message to the Legislature regarding the state of the state. Since taking office, Governor Cuomo has used this opportunity to update New Yorkers on the progress of the State, while laying out a series of priorities for the year. The State of the State proposals are the first step in defining the Governor's agenda in 2019. Additional policies and funding details are included in the Governor's Executive Budget.

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GOVERNOR ANDREW M. CUOMO 2019 JUSTICE AGENDA

One of New York's greatest governors was Franklin Roosevelt. FDR was a strong, powerful personality. He was confident, he was action-oriented. He was the champion for the common men and women as he liked to say. He felt the pulse of the people. When they were hurting, he demanded that the government respond to ease their pain, and he wanted it done today.

His theory of "bold persistent experimentation" highlighted his approach: try to make a difference, if you fail at first, try again. The only thing we have to fear is fear itself.

FDR was not to be constrained by tradition. It ran counter to his natural confidence and his defiant personality which refused to succumb to the naysayers, the elites, or personal or political paralysis. And FDR, New York and the nation were the better for it.

There are many lessons from FDR that we can and should apply today. His fundamental faith in democracy. His belief that big problems require big solutions. And his ability to make those changes happen, to make the government work to actually make change.

I recently won my third term as Governor.

I believe the overwhelming vote was an indicator of the fear and the frustration existing among the body politic today. FDR's common men and women, as he would call them,

are demanding change. They are outraged at the continuing economic injustice, the disproportionate growth and abuse of corporate power. They are afraid of Washington's arrogance, disrespect, and dysfunction. And they see their rights and their liberties being attacked as the federal government tries to impose its extreme conservative values on individual citizens. And they are uprising, and it is the same spirit of rebellion that forged this nation from the heavy hand of English tyranny under King George III. Most of all, Americans see the country's social fabric unraveling. And whatever your politics, that is frightening.

FDR was called upon to govern in the midst of a great economic crisis that threatened the wellbeing of the nation. Today we are called to govern at a time of great social crisis that also threatens the wellbeing of the nation. And today we see our greatest nightmare. We see our greatest threat, which is Americans in conflict with other Americans. We see this nation's greatest strength, its diversity, being perverted and distorted into its greatest weakness. The rise in white supremacist groups and the Ku Klux Klan and the rise in anti-Semitism and misogyny. This strikes at the core of who we are as a nation. Americans know, instinctively, that hate begets hate and that Martin Luther King was right when he said, "we either live together as brothers and sisters or we perish as fools." Like FDR, we have to take the opportunity to take this crisis, harness the energy, and make it a positive force and not

a negative one. And use this energy, use this moment, use this time to pass an agenda that can advance us all for years to come.

So, at this time of great need, FDR would know that there is no time to spare. And he would cast tradition aside to seize the day—*carpe diem*. Traditionally in January the Governor of New York does a State of the State address. In the State of the State address, a number of topics are covered, but most importantly, it lays out the legislative agenda for the following year as the Governor sees it. This year, not only do we have disruptive times, not only do we have an anxious population, we also have a new political reality. We have a Democratic Assembly and a Democratic Senate, so we can actually get things done.

We must begin by building on the positive. FDR was extraordinary at assessing the political and governmental landscape. And he would build on the strengths and he would reform weaknesses. Now, we have done a lot of good work over the past eight years and our state has made much progress, which we must continue and advance. We have pushed the state and nation forward with our progressive initiatives. We made New York State the progressive capital of the nation. We passed Marriage Equality, changing the national debate.

We are the first state to truly attack economic injustice by raising the minimum wage to \$15, and by passing the best

paid family leave and free college tuition programs in the United States of America.

No state has done more to advance women's rights, labor's rights, LGBTQ rights and freedom from discrimination. And we should be proud of it.

We lead the nation on gun control and climate change.

We lead the nation in construction and development - airports, roads, bridges and transportation building an entirely new economic platform for the future.

We created more jobs and economic opportunity in every part of the State - Upstate, Downstate, Long Island - and today we have more private sector jobs than we have ever had in history - over 8 million. Part of our agenda is that we must build on these successes.

Because these are lessons hard learned, but now tried and true.

New York State is on the right track and we have to stay on the right track. FDR said "Yes, we are on our way back - but not just by pure chance, my friends, not just by a turn of the wheel, of the cycle. We are coming back more soundly than ever before because we are planning it that way. And don't let anybody tell you differently." And the same is true with the State of New York. We're coming back, because we changed the direction, we changed our policies, we did the work and that's why this state is at a better level than it's been before.

But continuing our success is not enough this year. Because next year's agenda must also address our new challenges.

And while our ship of state is sailing well, the ocean upon which we sail is tempest tossed.

As FDR dealt with an historic economic crisis we have to deal with an historic social crisis.

We must protect New Yorkers from the reckless unjust assault of our federal government.

Perhaps for the first time in our history we have a federal government that is taking us backwards and violating our civil liberties and national values. We have a President who simply does not believe in FDR's famous Four Freedoms and is affirmatively creating fear and want and stifling freedom of speech and worship affirmatively.

FDR said, "let us now and here highly resolve to resume the country's uninterrupted march along the path of real progress, of real justice." That was FDR's continuing theme, doing justice. And it's what my life in public service has been all about and my father's: doing justice. And doing true justice, social justice, racial justice and economic justice. And that's what our agenda should be for next year, a true justice agenda.

We will start with economic justice.

The federal government is once again espousing the debunked theory of trickledown economics - where the rich

get richer and the poor get the crumbs from the table. They passed massive tax cuts for the wealthiest Americans and corporations paid for by the average Americans and Average New Yorkers.

Their tax reform reduced deductions for state and local taxes - what we call SALT. So now this state, for the first time in history since President Lincoln passed the income tax, is facing double taxation where the federal government taxes our state and local taxes. That is how they're financing their tax cut for the rich – on the backs of New Yorkers. New York follows a different model. We follow FDR who said 'Here is my principle. Taxes shall be levied according to the ability to pay. That is the only American principle.'

Our state tax code is more progressive today than it has ever been. We must maintain our millionaire's tax, also make permanent our two percent cap on the regressive local property taxes, something that FDR fought against for decades. And we must do that because keeping property taxes down is more important now than ever because of SALT. Contrary to the current federal policy, we believe the people who need help are the hardworking families of New York. And we will fight SALT to the death and I will once again propose cutting taxes for our hardworking middle class families. Decent affordable health care is also part of FDR's Four Freedoms, freedom from want and freedom from fear. The federal government has continued to roll back the Affordable

Care Act. And we will make sure New Yorkers are protected. We must pass legislation protecting those with pre-existing conditions, codifying the health exchange, and ensuring continued access to prescription drug coverage because New York believes healthcare is not a luxury. Healthcare is a basic human right.

The president has appointed his handpicked conservative extremist to the Supreme Court. The president's nominees do not even pretend to be objective jurists. They have already announced their intention to impose their morality on the nation and roll back *Roe v. Wade*. Disrespecting a woman's fundamental right to make her own health choices and rolling back women's liberties which have been in place for over 32 years.

We have to stop this federal assault. We have to pass the Reproductive Health Act and the Contraception Fair Act and we must do it in the first 30 days of the new session. With the federal government disrespecting women, and attacking their rights, New York will ensure full equality under the law. No exceptions. The hard truth is that sexism is culturalized and it is institutionalized in our society. And it must end, and it must end now. We have talked about it long enough, and done too little. This year the Equal Rights Law needs to be passed in New York State this year.

We must continue our national leadership on gun safety. History has proven us right. History has proven us

right. As history proved us right in our leadership in opposing the death penalty, those many years ago, God bless my father for his leadership. The SAFE Act was New York progressive government at its best. Since then, gun violence has only gotten worse in this country. 2018 was by far the worst year for school shootings in American history. We must act, we must now pass the Red Flag Law, ban bump stocks and extend the waiting period for purchasing a gun from three days to 10 days because New York must lead the way from this place of madness this nation is in.

The federal government has promised for decades to rebuild our nations crumbling infrastructure. President Trump came to office, he promised a \$1.5 trillion infrastructure plan, but we haven't seen any of it materialize. The only thing that the federal government wants to build is a wall on the southern border as a monument to Trump's philosophy of division which is the one thing we should not be building with infrastructure funds.

FDR understood that the social needs and the philosophic needs were interconnected. That the increase in employment by government stimulation of the private sector creates good middle-class jobs and advanced the physical capacity of the state. It was a twofold success. FDR built the Lincoln Tunnel, created 14,000 jobs. In light of the federal inaction, New York has led the way. We have the largest state investment program in infrastructure in the country, over

\$100 billion. It's working, it's working all across the state and going forward we have to increase that investment with an additional \$150 billion, creating 500,000 new good middle-class labor jobs and building a global economic platform for generations to come.

This year, we have to take on the tough challenges that have been left aside literally for decades. And we have to begin by reforming our failing New York City subway system. The MTA was designed purposefully to diffuse political accountability, and it has. When everyone is in charge, no one is in charge. But that does not work if you want actual results. This year we have to take the bull by the horns with the MTA. We have to pass a dedicated funding stream so the MTA has the funding it needs. Congestion pricing the only alternative.

But we also have to reorganize the MTA. We have to change the culture. The numbers that they produce have to add up, we have to remove and reduce the levels and layer of inactivity and bureaucracy and end the benign neglect. No Governor, no Mayor, no County Executive, no State Legislator will fulfill their public obligation this year without addressing this critical need, period.

We must bring justice to our education system and not with hollow rhetoric but with real reform. We must have an honest, factual discussion about the problem. FDR was very good at separating the politics from the heart of the policy discussion and we have to do that with education. The fact is

this state spends more money per child than any state in the nation. But the fact is the funding is not fairly distributed by the districts. Last year, for the first time, we demanded a full state accounting of how much each school in the state actually receives. About 6,000 schools. It had never been done before. We now have the results and the results are disturbing because when you cast aside the political propaganda and you read the actual facts, the truth is the poorest schools do not receive any more funding than the richer schools from their local districts. And that is a critical injustice because the poorer schools have greater need that needs to be funded.

Too often education is a political game. Too many distractions. The CFE lawsuit was resolved 12 years ago under George Pataki. The foundation aid program was stopped by Eliot Spitzer who started it in the first place 10 years ago. These are ghosts of the past and distractions from the present. The question is the local distribution of aid. That is what we have to focus on if we're actually going to move from political pandering to progressive policy. It is a question of math and theory, not philosophy and political posturing. The state and local district must provide more aid to needy schools because every child, rich and poor, black and white, urban and rural, deserves the same quality education.

While our federal government has declared war on our new immigrants, New York has a totally different vision. We believe we are all immigrants and we believe new

immigrants are an asset to our economy. We are challenging the federal actions on the border as illegal and unconstitutional. We believe it is un-American to rip babies from their mother's arms. Now New York must practice what we preach. We must finally heed the wisdom of enlightened officials like Senator Jose Peralta, God rest his soul, and pass the Dream Act to open the door of education to all our dreamers.

The federal government still denies climate change, remarkably turning a blind eye to its own scientific report. I have never seen anything like it, and we have seen a lot from this federal government. But they put out a report that says one thing and then they publicly deny it. Denial is not a life strategy and we will never solve a problem that we refuse to admit. Extreme weather is a reality. It is obvious across the globe. It is obvious to anyone with a television set. The consequences of our delay are a matter of life and death, if not for us then for our children. This is not an issue of present inconvenience. It is an issue of future viability. We know what we must do. Now we have to have the vision, the courage, and the competence to do it.

New York must be the most progressive state in the nation moving to renewables. There is new economic growth potential and New York will launch the Green New Deal to make New York's electricity 100 percent carbon free by 2040 and ultimately eliminate the state's entire carbon footprint.

There's a growing water crisis in our state and our nation. A degradation of our bays, rivers, lakes, streams, and especially our drinking water systems. Our industrial past has left a stain of pollution across the state. Industrial toxins have infiltrated many of our natural bodies of water and drinking water systems. Like the Grumman Plume on Long Island. Like the algal blooms in New York's upstate lakes. They are degrading rapidly and with a frightening speed and consequence. The federal EPA has become impotent. They are slow to test chemicals and they are slow to regulate chemicals. New York must stand up to take the lead to clean the water for our children and our children's children. Do the science, regulate the chemicals, and leave this planet better than we found it. And we're going to do it this year.

To continue our progressive path of justice for all we must protect our democracy to make sure our government truly represents the people. We have to address the cynicism and skepticism that people feel. That is part of their outrage.

In the meantime, the federal government is working to disenfranchise voters; we have to do the exact opposite and improve our democracy. How do you do it? Automatic voter registration. Make it easier to vote and participate by voting by mail and by early voting, synchronize the federal and state election days.

And let's make a real statement about the importance of voting and let's make Election Day a state holiday and say to people, "get out and vote."

We will also increase trust in the democratic system by closing the LLC loophole ban, banning outside income, reforming our campaign finance system and take a major step by banning any corporate contributions to any political candidate, period.

Our federal government is waging an all-out attack on the labor movement, and they are using the Supreme Court to do it in both the public and private sectors. We believe something different here in New York. We believe the labor movement is a force for social justice. We believe the labor movement is the force that built the middle class. We declare here and now that we will zealously defend and build the labor movement in New York and that we're going to pass legislation to protect public employees in all local governments in the State of New York, period.

This new economy, which is changing dramatically almost every day, poses both opportunity and peril - most changes normally do. The so-called gig economy is a growing economic engine. Freelancers, independent contractors, consultants are replacing traditional employees. And while many welcome the freedom and the flexibility of these arrangements, there are also pitfalls that go along with the positive.

Gig jobs do not come with paid sick leave, they do not come with vacation days, or parental rights, or workers' compensation, or protection against work related discrimination, or protections against wage and hour violations. We want an economy that moves forward. We want an economy of tomorrow. But we want an economy that moves everyone forward, not just some forward.

The lack of affordable housing is a crisis across this state and across this nation. It threatens one of FDR's core freedoms: freedom from want. Our federal government has abandoned its constitutional and moral responsibility. In the 1949 Housing Act, it said that this nation promised safe, clean, decent housing to every American. That was a national promise. And they have totally abrogated their responsibility.

We will invest more in affordable housing than this state has ever invested in the history of the State of New York. And we will reform our rent regulations including ending vacancy de-control to protect affordable housing and finally and truly respect tenants' rights.

Now, the justice agenda means "justice for all." The concept of justice and the great symbol of justice is that justice applies to everyone. There is no differentiation based on privilege, wealth or position. It does not put anyone above the law. For too long, the sexual abuse of children has been hidden and unpunished. And for too long, this state and this nation have had two forms of justice: one for average New Yorkers

and one for people of position or people of privilege. That is going to stop. We must bring justice to those who have lived a life of scarring and abuse and suffering. And we must pass the Child Victims Act this year.

New York State was the first large state to pass Marriage Equality, but unfortunately we have a federal government that still seeks to discriminate. So, we must continue our leadership opposing the direction of the federal government. New York is the proud birthplace of the gay rights movement at Stonewall. We will pass a law that stops any discrimination against our LGBTQ community by passing GENDA this year.

We will advance our justice agenda and particularly address the forms of injustice that for too long have unfairly targeted the African American and minority communities. FDR said, "no democracy can long survive which does not accept as fundamental to its very existence the recognition of the rights of its minorities." And the fact is, we have had two criminal justice systems: one for the wealthy and the well-off, and one for everyone else. And that's going to end. We must also end the needless and unjust criminal convictions and the debilitating criminal stigma and let's legalize the adult use of recreational marijuana once and for all.

And let's end the injustice in our criminal justice system. The first step is to replace the cash bail system. A judge should determine the individual's risk of release rather

than the individual's access to wealth. And that's why we need to take the cash bail system and end it once and for all.

Now, the agenda I have outlined is ambitious, indeed. I understand that. I have worked in government a long time on many levels and I understand how hard it is to make dramatic change in government. The lines on my face are proof of how hard it is. But I also know that few great achievements are ever done without pain. That great change does not come easily, otherwise it would have happened already. The ones that are left are the ones that are hard. And those are the ones that are our obligation to tackle. However, I believe this aggressive, progressive agenda, although hard, is what FDR would say these troubled times demand. Who he was, his ambition, would not allow him to do anything less than rise to the challenge of the times. FDR was not an incrementalist. He clashed with the timid, fearful politicians of his time. He ignored the naysayers, and he endured the choir of critics who would second-guess every change to the status quo.

We talk about change, and people say they want change.

And, as a Democrat, it is our position to make change. We have a Democratic Senate, a Democratic Assembly, now is the time to make these changes. There are no more excuses. Now is the time to stand up and lead, and do what you have

said you were going to do all those years, and make a democratic vision a reality.

Politics, and government are not about talk. They are about action at the end of the day. There is nothing progressive about a politician that fails to accomplish anything in the name of trying to accomplish everything. My father called himself a pragmatic progressive. A real world, real life progressive. A hard-working middle class guy from Queens progressive. Aspiring to be the best we can be in the ideal, but accomplishing the most we can in the real. That was the brilliance of FDR, and his Democratic Party. Because FDR understood that you cannot spell progressive without progress. You cannot be a politician who speaks and raises peoples' hopes, and then accomplishes nothing. His national success was not born from pontification, or zealotry, or hyperbole, or symbolism, or celebrity, or showmanship. FDR was focused on making a real tangible difference in the lives of hardworking Americans. And he did it. He accomplished it. He made it happen. And the American people knew it. Not because they heard it on a radio, or because they saw it on TV, because they lived it in their lives. They saw it on their kitchen table. That's what government is supposed to do. Help me live my life, make a difference for me and my family. That's what the Democratic Party was all about.

So today, while Democrats bemoan our current federal government, let us remember FDR's example: that it is

not enough for Democrats to criticize. Our burden is to prove the positive to dispel the skepticism about activist government and to show that the Democratic Party is more than words and end that skepticism that says all we do is promise, promise, promise, but we never deliver.

Yes, we are dreamers, but we are also doers. And yes we can make a real difference in people's lives. This nation is in crisis. The social fabric is fraying and it is nearing its breaking point. We are under federal assault as individuals and as a State. We must stand up to this tyranny once again. Not with muskets the way our founders did. But with our voices and our votes and with the power and example of our action here in New York. As our forefathers rebelled against England resenting the king's values and abuse, let us announce New York's rebellion from the current federal policies.

Let this agenda be New York's Declaration of Independence. We declare independence from this federal government's policies. We disconnect from the nationalism, and the racism, and the chaos, and the xenophobia, and the misogyny, and the discrimination, and the dissembling of this Washington administration. We proclaim our federal government's policy not only regressive, not only repugnant to New York values, we declare it un-American. We are going to pass this progressive agenda as New York's declaration of true democracy restoring fairness, progress, and pride. And

we are going to show what it means when people and government are guided by their better angels. And we're going to show what a nation can be when we are at our best.

Let us show this nation what we can get done, the change we can make, the lives we can better. Let us remind people there is nothing that we can't accomplish when we work together. We are New Yorkers. We do it all, we do it better, we do it first and let us be inspired by FDR's 1933 New Deal and do it in the first 100 days. Together we can, together we must, together we will, and FDR will look down and smile on all of us. Thank you and God bless you.

1. Economic Justice

Governor Cuomo has made remarkable progress in advancing economic justice for everyday New Yorkers. The Governor has passed a \$15 minimum wage, the strongest paid family leave program in the country, and the first-in-the-nation Excelsior Scholarship to give every New Yorker the opportunity to pursue a college education tuition free. The Governor's \$100 billion infrastructure plan is rebuilding airports across the state, investing in public transit, and building historic new bridges like the Governor Mario M. Cuomo Bridge—while ensuring the workers who build those projects are paid fairly.

Moreover, the Governor has achieved these progressive goals maintaining fiscal responsibility unlike any administration in the State's recent history. Since the Governor took office, the State has passed eight timely budgets, capped State spending at 2 percent — a historic low — and lowered the State debt five years in a row for the first time in modern history. By bringing spending under control, the Governor has also been able to ease the tax burden on middle-class New Yorkers. Today, every New Yorker pays a lower tax rate than before, and the Governor has enacted the lowest middle class tax rates in over 70 years. Moreover, the

Governor brought his fiscally sound approach to local government, passing a 2 percent property tax cap to slow the unsustainable growth in property taxes.

Since Governor Cuomo took office, New York's economy has created more than 1.1 million private sector jobs to a total of more than 8.2 million, the most on record.ⁱ The State's unemployment rate has dropped from 8.4 percent in November 2010 to 3.9 percent in November 2018, reaching the lowest rate of unemployment on record in New York State.

Still, Governor Cuomo believes there is more work to do to advance economic justice for all New Yorkers.

Part 1. Fighting for Tax Fairness

Governor Cuomo has turned around New York's finances and reduced taxes, easing the burden on hardworking families across the state—securing the lowest middle-class tax rate since 1947, the lowest corporate tax rate since 1968, and the lowest manufacturers tax rate since 1917. Governor Cuomo also tackled the State's high property taxes by enacting a property tax cap and property tax cap freeze that have led to thousands of dollars in savings for the average family. In addition, the Governor implemented a groundbreaking new program to promote shared services and pass those local property tax savings onto residents.

However, the federal tax legislation signed by President Trump on December 22, 2017, was a targeted

assault on New York and other progressive states. In fact, the twelve states most hurt by the limitations on State and local tax deductibility all voted against President Trump in the recent election. Absent changes to the State's tax code, the federal limitations on the deductibility of State and local taxes would cost New York's taxpayers an additional \$14.3 billion per year.ⁱⁱ

While Washington leaves the middle class behind, Governor Cuomo will continue to fight against the disastrous federal tax legislation while building on the progress he has already made to lower taxes and ensure tax fairness in New York.

Proposal. Continue the Phase-in of the Middle Class Tax Cuts

Governor Cuomo will continue to lower Personal Income Tax rates for middle-class New Yorkers. With the middle-class tax cuts of 2016, rates have been lowered from 6.85 percent to 6.21 percent for taxpayers in the \$40,000-\$150,000 income bracket, and to 6.49 percent in the \$150,000-\$300,000 income bracket. Under these reforms, the rates will continue to drop to 5.5 percent and 6 percent, respectively, when the cuts are fully phased in—an up to 20 percent cut in income tax rates for the middle class and produce a projected \$4.2 billion in annual savings for six million filers by 2025. As the new rates phase in, they will be

the State's lowest middle-class tax rates in more than 70 years.

Proposal. Extend the Millionaire's Tax

Governor Cuomo has taken essential steps to make New York's tax code more fair and ensure that the wealthy are paying their fair share.

Governor Cuomo has undertaken significant reforms not only to forestall this regressive structure of our income tax code but also to increase the overall progressivity of the tax code and lower rates for millions of middle-class New York taxpayers. The Governor's 2011 reforms created two new middle class tax brackets

The results of Governor Cuomo's progressive tax reforms are clear. Today, the share of the total tax burden paid by high earners in New York increased by 21 percent between 2008 and 2015. Meanwhile, the share paid by taxpayers earning \$100,000 or less dropped by 27 percent, and the share paid by taxpayers earning \$50,000 or less dropped by 41 percent. The top one percent of earners shoulder a larger share of the total tax burden in New York than they do in virtually every other state. However, absent new legislation, the millionaire's tax is set to expire at the end of 2019.

To protect the progress that has been made in enhancing progressivity and ensuring tax fairness for New

York's middle-class, Governor Cuomo is proposing a five-year extension of the current tax rate on millionaires. This will preserve an estimated \$4.4 billion annually otherwise unavailable to make vital investments in education and infrastructure to secure New York's future economic prosperity. The millionaire's tax will affect an estimated 60,000 taxpayers, half of whom are nonresidents.

Proposal. Close the Carried Interest Loophole

The Governor recognizes that we must make the tax code work better for all New Yorkers. Because of an egregious loophole in federal law, some of the wealthiest people in the country, including hedge fund managers and private equity investors, are paying lower tax rates on their income than many middle class families. This "carried interest" loophole results in a substantial cost to middle-class New Yorkers, with the State losing about \$100 million every year.

To ensure that the wealthiest Americans are paying their fair share, Governor Cuomo will take a landmark step to close the carried interest loophole under New York State law and effectively eliminate the benefits of this loophole under the federal tax code. Specifically, the legislation would re-characterize state's treatment of carried interest as ordinary income, rather than capital gains, and impose an additional 17 percent "fairness fee" to make up for the special treatment

under federal law. The legislation puts forward a comprehensive, regional approach to addressing the carried interest issue, taking effect only if Connecticut, New Jersey, Massachusetts and Pennsylvania enact legislation having substantially the same effect as this bill. The measure could raise nearly \$1.1 billion annually.

The richest of the rich shouldn't get preferential treatment over New York's working families. Governor Cuomo will put middle-class New Yorkers first.

Proposal. Make Permanent the Highly Successful Property Tax Cap

For decades, taxpayers across New York were burdened by among the nation's highest local property taxes that have crippled businesses and families. That's why Governor Cuomo made a first-ever local property tax cap a hallmark of his first campaign for Governor and a priority of his administration's first year. Although many elected officials talked about enacting a local property tax cap, Governor Cuomo got it done.

New York saw annual property tax growth of 5.3 percent between 2000 and 2010ⁱⁱⁱ before Governor Cuomo championed into law the first-ever property tax cap legislation in 2011. Since the implementation of the tax cap in 2012, growth has averaged approximately 2 percent and the tax cap has produced approximately \$25 billion in taxpayers'

savings. Governor Cuomo proposes that New York preserve and make permanent the property tax cap, as he has advocated in the past.

Proposal. Fight for the Full Deductibility of State and Local Taxes

Governor Cuomo fought the federal tax bill every step of the way while it was under consideration in Congress. And after its passage, New York joined together with three other states to sue the federal government over this illegal and targeted assault. Moreover, the Governor and the State legislature worked to enact bipartisan tax reforms to mitigate the negative impacts on New Yorkers of the limitations on State and local tax deductions. Going forward, Governor Cuomo will continue to fight against this law and the threat that it poses to New York State, and he urges the new Democratic House of Representatives stand together and demand that the SALT deduction is fully restored.

Proposal. Continue Lawsuit Against Federal Government Challenging Unconstitutional Tax Law that Targets New York

Governor Cuomo and Attorney General Barbara D. Underwood filed a lawsuit to protect New York and its taxpayers from Washington's drastic curtailment of the State and Local Tax (SALT) deduction. The lawsuit argues that

the new SALT cap was enacted to target New York and similarly situated states, that it interferes with states' rights to make their own fiscal decisions, and that it will disproportionately harm taxpayers in these states.

The Trump administration's efforts to dismiss this lawsuit reflect a grossly distorted understanding of the Constitution, misconstruing federal income tax precedent over the entire history of the United States and ignoring blatant comments made by senior Administration officials that demonstrate the true political intent of the SALT cap—which was to hurt so-called “blue” states. The Governor and Attorney General will continue in their fight to overturn this law. The law's unprecedented limitations on SALT deductibility are unconstitutional, exceeding federal taxing power while deliberately targeting and harming New York and similarly situated states.

Proposal. Fight Misguided IRS Regulations

Stunningly, the Trump administration doubled down on its economic assault on New York by hastily proposing politically-motivated regulations to block reforms that deliver relief to New York taxpayers. In New York, we will not stand for this abuse of government power. We will use every tool at our disposal, including litigation, to fight back and ensure that these regulations do not go into effect.

Proposal. Maintain Fiscal Discipline Through the 2 Percent State Spending Cap and Delivering a High-Performance Government

Maintaining fiscal discipline means our government must continue to provide valuable services to New Yorkers with efficiency and transparency – making sure to maximize every dollar. In the 5 years since the Spending and Government Efficiency Commission (SAGE) delivered its final report in February 2013, New York State government has made advances in realigning and modernizing the way State agencies do business – but there is still work to be done. For many New Yorkers, accessing the services of our government remains overwhelming and complex. New York must continue to leverage advances in technology to transform and simplify government – not only meeting – but exceeding New Yorker’s expectations.

Proposal. Eliminating Duplicative Efforts and Protecting State Resources

While New York State has made significant improvement in moving agencies to shared financial and human resource systems, supported by shared service organizations, the walls between agencies and the programs they deliver remain standing. Overlap and duplication of efforts exists in State agencies. Enterprise-wide shared services are no longer only a best practice in private industry

- but the dominant model for doing business in a world connected by technology. Under Governor Cuomo's leadership, the Division of the Budget (DOB) will require State agencies to identify opportunities to work together that not only save money but provide better service delivery to New Yorkers. In addition to the savings from sharing administrative functions, New York can capture further savings by continuing to right-size the footprint of the State's government with collaborative sharing of facilities, purchasing, assets and equipment. Shared services does not mean simply lifting existing functions into a new management structure - it involves pooling parts of the diverse State workforce to work on the highest priority projects. Increased attention to internal controls and risk and management is allowing New York State to continue to fight to protect New Yorkers. DOB, working with the Special Counsels for Ethics, Risk and Compliance, is leading an audit and internal control effort aimed at helping agencies protect their valuable resources. Through internal controls the State is insuring programs are delivered with integrity, minimizing the exposure to threats of fraud, financial loss, liability, and unethical behavior.

Proposal. Harnessing the Power of Data to Ensure Smart Spending

New York will take further steps to harness the power of our financial data to inform decision-making – ensuring that every dollar the state spends is not only accounted for – but can be easily analyzed and understood. New York State will invest \$10 million in the Statewide Financial System (SFS) over the next three fiscal years to fund new and existing enterprise projects that will enhance planning for capital investment; automate inter-agency billing to enable shared service; and enhance the data analytics platform. These efforts will reduce redundancy and improve transaction times. The resulting data will be analyzed and used to identify new opportunities to innovate and dramatically improve government performance.

Through the smart use of financial data and procurement reform efforts, Governor Cuomo will continue to ensure that all State contracts are awarded with the highest ethical standards. State contracts will now require a certification form to be submitted to the State Comptroller and Inspector General for a 30-day review and affirmed under penalty of perjury, disclosing any employment, financial or family relationship between the contractor and State officials involved in the procurement.

Part 2. Building 21st Century Infrastructure

Dating back to the Erie Canal, New Yorkers have shown that infrastructure is one of the great engines of economic growth. The construction of the canal across the state, which some said could never be done, drove the development of the entire nation and turned New York into the Empire State. Today, under the leadership of Governor Cuomo and with the support of the men and women of organized labor, New York is once again setting the standard for the nation by rebuilding its roads and bridges, making historic investments in public transportation, expanding broadband networks, revitalizing communities, and rebuilding a stronger state following the devastation of increasingly common extreme weather events. Last year, New York opened the new Governor Mario M. Cuomo Bridge, replacing the aging Tappan Zee Bridge after decades of empty promises. Building is what made New York and in the years to come it will continue to make New York the leader that it is.

Proposal. Invest an Additional \$150 Billion in the Nation's Largest Infrastructure Program

Governor Cuomo has made an unprecedented commitment to invest \$150 billion in infrastructure projects over the next five years. This investment in New York's capital assets builds on the Governor's existing \$100 billion

infrastructure initiative in his second term and the \$70 billion initiative in his first time. Beginning in FY 2020, these capital projects will rebuild transportation and mass transit systems, construct safe and secure affordable housing, drive economic and community development, build new and better school buildings for 21st century learning, create new environmental and park facilities, and support our sustainable energy future.

Proposal. Reduce Traffic Congestion in NYC and Fund the MTA

New York City is growing at record levels. NYC's economy is experiencing its longest period of expansion in more than seventy years. With a record total of 4.4 million jobs, people are coming into NYC at rates not seen in nearly a century.^{iv} According to the Department of City Planning, NYC's population reached a record high last year of over 8.6 million and has climbed 5.5 percent since 2010.^v Tourism is also growing at a record pace, totaling 62.8 million visitors to NYC in 2017, breaking the previous year's record for the eighth consecutive time.^{vi}

At the same time, the transit system that supports this population, the Metropolitan Transportation Authority, is in crisis. While the State has dedicated unprecedented funds to the subway system, the absence of singular authority and lack of significant funding sources has deteriorated service to the

point where the Governor declared the entire system to be in a State of Emergency. Delays, breakdowns and near constant construction to provide badly needed repairs have led to declining ridership. Coupled with increased fare evasion, this drop in the number of paying customers means less revenue.

The convergence of historic economic and population growth with decreasing transit ridership supports the remarkable growth of for hire vehicles in NYC. There are now over 100,000 for hire vehicle drivers making more than 20 million trips every month, producing unprecedented traffic congestion. Poor enforcement of traffic laws and increases in the number of bike lanes, pedestrian plazas, parking placards, daytime deliveries and tour buses are also contributing factors. The average vehicle speed in Manhattan's Central Business District (below 60th Street) has dropped to 7 miles per hour, and during the workday, it is often faster to walk to your destination in Midtown Manhattan than it is to drive.^{vii}

Acting upon the recommendations of two expert panels, the Fix NYC Advisory Panel and the Metropolitan Transportation Sustainability Advisory Workgroup, the Governor will implement congestion pricing to establish a reliable funding stream to transform the transit system and reduce congestion in Manhattan.

The Governor's congestion pricing plan is the first of its kind in the nation. Last year's budget addressed the growth in usage of for-hire vehicles and provided funding for the

Subway Action Plan. This year's budget initiates the design and construction of the infrastructure needed for the cordon pricing zone, which will apply to all vehicles, and authorizes a congestion pricing program that will begin in 2021.

By charging fees for vehicles to move within the most congested area of New York City and then reinvesting those funds into transit improvements into underserved areas and capital improvements in the MTA 2020–2024 capital program and its successor programs, this plan will combat gridlock and deliver to NYC's residents and visitors the world-class transit system they deserve.

Proposal. Establish Accountability for the MTA

The New York City subway, which was once a model for the entire world and remains one of the few systems to run 24/7, has failed to keep up with the growth and transformation of the city. The core of the problem is the organization in charge. The Metropolitan Transportation Authority is a bureaucracy that lacks accountability.

The board of 17 members gives no single person a clear majority of nominees. The Governor selects the Chairman and five other members, which is not a majority. Of the remaining members, the Mayor selects four and the regional County Executives outside of New York City select seven. Furthermore, the MTA Board itself does not control the

Capital Plan. Even after board passage, the Governor, Senate Leader, Assembly Speaker, and Mayor are each able to veto all or part of the plan for the MTA at their discretion. This essentially gives each of them control in their ability to veto the Capital Plan. If everyone is in charge, then no one is in charge.

As additional complications, there are 32 unions representing MTA employees that exert significant political power over the elected officials who appoint the 17-member board. In addition, contractors and vendors have long-term relationships with the MTA and a vested interest in maintaining the status quo. Exacerbating the organizational complexities, the MTA is functionally a holding company with four subdivisions, including the Long Island Rail Road, Metro-North Railroad, the New York City Transit Authority and MTA Bridges and Tunnels. These subdivisions operate with separate legal, procurement, human resources and engineering divisions--and little accountability. This divided structure discourages efficiency and innovation.

To overhaul this bureaucracy and fix the system, the Governor will work with the Legislature to establish clear authority over the MTA, while continuing to solve the need for dedicated funding and splitting capital funding shortfalls between New York City and New York State. Only with clearly designated authority and adequate funding can the MTA can

be overhauled into the efficient and effective transit system that New Yorkers deserve.

Proposal. Increase Support for Upstate and Suburban Public Transportation Services

Governor Cuomo has made significant investments in the revitalization of upstate and suburban communities through strategic economic development programs like the Regional Economic Development Councils, the Upstate Revitalization Initiative, and the Downtown Revitalization Initiative.

A core strategy for enhancing regional economic competitiveness is the availability of enhanced public transportation services. The millennial generation is choosing to live near where they work, walking or choosing to ride public transportation with increasing frequency. If all upstate transit systems, including those in Buffalo, Rochester, Syracuse, and Albany were combined, they would total 290 million passenger trips annually and qualify as the seventh largest transit system in the nation. To support these new demographics, Governor Cuomo has significantly increased support for upstate and suburban public transportation services by \$169 million (42 percent) since 2010. Sustained and increased investment in upstate and suburban public transportation services remain necessary not only for

physical and financial mobility, but for overall community economic growth.

As part of the Executive Budget, the Governor proposes to further increase support for upstate and suburban public transportation in FY 2020.

Proposal. Expand Design-Build and Enact Other Efficiencies to Expedite Construction Projects

Governor Cuomo's \$100 billion infrastructure program is the nation's largest and boldest. Key to the program's success is the Governor's visionary decision to deploy the design-build method on complex projects, saving taxpayers time and money by making a single contractor responsible for both a project's design and its actual construction. This streamlined contracting process was used to deliver the Mario M. Cuomo Bridge and the NYS Fair Expo Center on time and on budget and is being applied to such critical projects as the \$750 million Life Sciences Laboratory, the \$1.5 billion expansion of the Jacob K. Javits Convention Center, improvements to the New York City Housing Authority (NYCHA) facilities, and improvements to the Brooklyn-Queens Expressway.

Under Governor Cuomo's leadership, New York is now poised to commit an additional \$150 billion in infrastructure, including critical investments in the social infrastructure—educational, health care, environmental, and community

facilities—that forms the foundation to our society and 21st century economy. However, New York cannot continue to be hobbled by traditional contracting methods that limit innovation, promote the inefficient use of taxpayers’ dollars, and cause unnecessary delays. Given the lack of federal action on infrastructure investment, it is more important than ever that states—the laboratories of democracy— lead on infrastructure. To extract maximum value from limited capital funds, Governor Cuomo will expand on the State’s success utilizing design-build. The Executive Budget includes legislation authorizing the use of state-of-the-art methods such as construction manager at-risk and construction manager-build, while expanding design-build to additional agencies. The availability of these alternative project delivery methods will provide New York State with the tools necessary to deliver projects faster, provide greater cost certainty, increase risk-transfer from the State to contractors, and create more value for the taxpayers’ money.

Part 3. Continuing New York’s Bottom-Up Economic Development Strategy

- Governor Cuomo’s top priority has been strengthening the state’s economy to create jobs. And since he’s been in office, New York State’s economy has added more than 1.13 million new private sector

jobs. The number of private sector jobs is highest, and the rate of unemployment is lowest, on record.

- To help invigorate economic growth, Governor Cuomo thoroughly redesigned the State's economic development strategies through the creation of Regional Economic Development Councils, replacing top-down development strategy with an approach that brings together stakeholders from labor, business, and academia as well as members of the public in each of ten regions to develop long-term strategic plans based on each region's specific priorities and unique resources. The Governor also realigned state resources and regulations to support the Regional Councils and eliminate barriers to economic development.

Governor Cuomo knows that region-based economic development is vital for maintaining New York's thriving, prosperous economy, and will continue to support a bottom-up approach to economic development that partners State resources with the insights of people who know their communities best.

Proposal. Invest \$750 million for Round Nine of the Regional Economic Development Councils

Governor Cuomo created the Regional Economic Development Council (REDC) program 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 more than \$6.1 billion through the REDCs that has funded more than 7,300 projects and supports more than 230,000 jobs statewide.^{viii} To build on the success of the REDC program, the Governor will continue this regional economic development approach next year with a ninth round of the REDC awards with \$750 million to fund regional priority projects.

Proposal. Invest in Communities Across the State Through the Fourth Downtown Revitalization Initiative

Governor Cuomo is committed to boosting local economies by transforming communities into vibrant neighborhoods where the next generation of New Yorkers will want to live, work and raise a family. Through the Downtown Revitalization Initiative (DRI), New York State has awarded thirty communities with \$10 million each. These efforts are making meaningful improvements to the quality of life and attractiveness of New York for residents and tourists alike.

Governor Cuomo is committed to building on this progress. Many communities across the state still face mounting needs to invest in their downtowns. More than 100 communities in all ten regions of the state competed for the first thirty DRI awards. Each of these represents an

opportunity to transform a struggling downtown into a thriving community that can become a local and regional economic engine for growth.

To give communities the tools they need to select and fuel targeted revitalization strategies, and build on the Governor's proven track record in energizing the State economy, New York State will expand its already successful Downtown Revitalization Initiative with an additional \$100 million, again providing up to \$10 million for awards in each region. Together, these investments will ensure that communities have the tools they need to boost their local economies and transform downtown neighborhoods.

Proposal. Spur the Innovation Economy

Governor Cuomo believes that that promoting technological innovation should serve as a core component of New York's economic development strategy. Moreover, he believes that the innovation economy shouldn't be reserved for the parts of New York that are already doing well. To the contrary, Governor Cuomo believes that entrepreneurship and technological innovation can serve as a source of good-paying jobs across New York State. That's why he has worked to invest in the innovation economy through the NYS Innovation Venture Capital Fund; to make transformative investments to advance the life sciences economy in New

York; to give all New Yorkers access to high-speed internet; and to support Centers of Excellence and Advanced Technology. Governor Cuomo has also advanced bottom-up regionally-focused strategies to foster innovation, including historic investments in the Unmanned Aerial Systems (UAS) industry in Central New York and the Mohawk Valley, support for optics, photonics and imaging in the Finger Lakes; and advances in the life sciences sector on Long Island.

Going forward, Governor Cuomo will continue to advance the innovation economy. He will:

- **Make the Largest Investment in Computer Science Education in the Nation.** The FY 2019 Budget included a \$6 million annual investment in professional development for teachers, and the FY 2020 budget adds an additional \$6 million. Designed as a \$30 million commitment over five years, this historic investment will ensure that every elementary, middle, and high school across the state provides computer science education by 2025.
- **Support Ten New P-TECHs.** New York's nation-leading P-TECH program partners public schools with colleges and business partners to ensure that students graduate ready to enter the workforce or continue their post-secondary studies. The Governor proposes to include \$5 million to add ten more public-private educational partnerships in 2019.

- **Invest in the Technology Workforce.** The Governor's \$175 million workforce program will prioritize emerging fields with growing demand for jobs like clean energy and technology.
- **Create a New Computer Science Center at SUNY.** To equip young New Yorkers to thrive in the innovation economy, the Governor is proposing the development of a Center for Computer Science Education at SUNY, which will focus on expanding computer science education across SUNY and CUNY. Up to \$2 million in funding will be provided from Performance Improvement Funds at SUNY and CUNY to recruit new computer science faculty, rapidly increase the growth of computer science education, and identify ways to develop more computer science graduates and industry relevant certifications.
- **Reconstitute the Innovation Network to Focus on Artificial Intelligence and Quantum Computing.** In 2013, Governor Cuomo established the Innovation NY Network to build collaborations among academics, venture capitalists, business leaders, patent lawyers and other professionals and entrepreneurs to facilitate and grow the commercialization process. This year, the Governor will reconstitute the Innovation NY Network and task it with developing actionable recommendations to attract businesses

and grow the fields of artificial intelligence and quantum computing in New York. AI will shape future economic productivity in nearly every industry—from healthcare and critical infrastructure to energy, finance and education. With its strong workforce and vibrant institutions of higher education, New York is poised to be a leader in artificial intelligence. The Innovation NY Network will help foster the industry's responsible growth in the State.

Proposal. Invest in Buffalo's East Side Revitalization

Governor Cuomo has spearheaded unprecedented investments in Buffalo to unlock economic growth and rejuvenate communities. From the transformation of Canal Side to targeted investments in neighborhoods and communities across the city, Buffalo's rebirth has set an example for the entire country.

The City of Buffalo, the Western New York Regional Economic Development Council, and Empire State Development identified Buffalo's East Side as a critical area for investment. The East Side comprises over 40 percent of Buffalo's total land area and residents, and about 30 percent of total jobs and businesses, but has lagged behind the rest of the city throughout Buffalo's revitalization. Commercial corridors can be primary economic drivers for a

neighborhood's vitality and livability. But on the East Side, the four primary, north-south corridors — Michigan, Fillmore, Jefferson, and Bailey Avenues — are characterized by vacant and underutilized land, insufficient housing, and outdated infrastructure. Even with these challenges, the community demonstrated that momentum is being created on these corridors, producing opportunities to build upon through investment.

The State is dedicating \$50 million to revitalize Buffalo's East Side. ESD worked with the City of Buffalo to develop an inclusionary, community-driven program to deploy this East Side Corridor Economic Development Fund. This funding will complement \$10 million previously announced to combat zombie properties and keep people in their homes and \$5 million for the Central terminal. Over the next three years, projects will promote mixed-use, walkable commercial corridors; invest in regionally significant historical and natural assets; expand opportunities for workforce connections; support and grow new businesses and entrepreneurship; have strong community momentum; and build on transformational public/private investments.

Proposal. Support the "Syracuse Surge"

Governor Cuomo has made unprecedented, strategic investments in Central New York. After decades of decline, of

being ignored, of being written off, Central New York and the other upstate regions are turning around thanks to smart State investment in education, healthcare, infrastructure, and economic development.

Guided by the Central New York Regional Economic Development Council, the State has already invested more than \$5.6 billion in Central New York since 2012. The \$500 million Upstate Revitalization Award announced by Governor Cuomo in December 2015 has accelerated the region's growth. A \$62.4 million project has transformed the Syracuse Hancock International Airport into a modern, state-of-the-art gateway. GENIUS NY, the world's largest business accelerator competition for unmanned systems, and other State efforts have positioned Central New York and the Mohawk Valley at the forefront of the unmanned aerial systems (drones) industry. More than \$100 million in investment has led to record attendance at the State Fair. A boom in startups and high tech has brought Saab and other private employers to the region. Investments in downtown Syracuse have helped bring new energy to the urban core, from the resurrection of the former Hotel Syracuse into the Marriot Syracuse Downtown, to growing businesses in the Tech Garden and renovated or repurposed buildings such as the State Tower Building and the Icon Tower.

The resurgence is obvious. Last year, the Downtown Committee of Syracuse reported that the population of

downtown Syracuse has increased 77 percent since 2008, while unemployment in the Central New York region is at its lowest point in years and the number of private sector jobs is at the highest level in years.

With all that has been accomplished, there is now an opportunity to reexamine priorities and make new investments in Central New York, Onondaga County, and Syracuse. Since the region was awarded its URI grant in 2015, many of the original goals of the CNY Regional Plan, “Central New York Rising,” have been addressed. Meanwhile, there is new leadership of the REDC, as well as new key elected officials including County Executive Ryan McMahan and Mayor Ben Walsh. Local stakeholders including Mayor Walsh, working with the REDC have identified a series of tech-related priorities under the umbrella concept of “the Syracuse Surge.” Accordingly, the REDC will come together to adjust its regional plan to guide future URI and related investments for Central New York.

Proposal. Expand the Binghamton University Health Sciences and Technology Innovation Park

Governor Cuomo has consistently prioritized New York’s world-class education, medical, and life science institutions. Investing in these systems is one of the best ways to build a competitive advantage and continue growing the

economy, attract and retain young people, and strengthen our communities.

The State's development of the Binghamton University Health Sciences and Technology Innovation Park is emblematic of the Governor's commitment to these fields and the transformative impact they can have. The 12-acre Health Park is located on the former site of the Endicott Johnson Shoe Company, the loss of which had been a decades-long blight on Johnson City. In 2014, the Governor supported a four-component plan for the adaptive reuse of the site.

First, this past summer the new School of Pharmacy and Pharmaceutical Sciences opened. Constructed with \$60 million in State funding, the school will create more than 100 jobs, at full enrollment include approximately 390 students, and have an annual regional economic impact of approximately \$100 million. Second, site prep has begun on the new Decker School of Nursing. \$81 million in State funds, including a \$21 million Upstate Revitalization Initiative award, support this \$90 million project that will create 230 jobs and host 810 students. Third, site prep has also begun for the \$15.9 million health and science research and development facility. This building will provide space to future pharmaceutical industry partners collaborating on initiatives with Binghamton University. Fourth, a planned elder-care facility and teaching clinic that will operate in partnership with a local health care provider.

The early success of the campus as a result of these investments induced the private development of two vacant warehouses adjacent to the pharmacy and nursing schools. The mixed-use complex includes 104 mixed-income apartments. The campus is now attracting additional projects.

Proposal. Launch an Upstate Cellular Coverage Task Force

New York State has made historic investments in infrastructure and broadband availability. In 2015, the Governor launched the \$500 million New NY Broadband Program to achieve statewide high-speed Internet access. After full implementation of the Program, more than 99 percent of New Yorkers will have access to wired broadband.

Notwithstanding this progress, the lack of upstate cellular network coverage undermines economic growth, impacts communications and safety, and inhibits adoption of smart municipal infrastructure. In the Adirondack Park Region and other rural upstate areas with large coverage gaps, the issue of cellular deployment has been a major local concern.

Governor Cuomo proposes to launch an Upstate Cellular Coverage Task Force to identify solutions and develop policies addressing the lack of cellular coverage in areas of need. This Task Force would consist of industry experts, community leaders, government officials, environmental representatives, and other key stakeholders. The Task Force

would review existing policies, potential constraints, and available resources and funding sources, including federal support, to develop implementable recommendations for enhancing cellular coverage in unserved areas, including the Adirondacks and Catskills.

Proposal. Build a World-Class Sports Complex in Downtown Utica

Under Governor Cuomo’s leadership, State investment has helped rejuvenate downtown Utica. With the input of the Mohawk Valley Regional Economic Development Council and other stakeholders, the downtown neighborhoods have been reimagined as destinations for urban entertainment, recreation, sports, and entrepreneurship. The largest, most diverse, and most densely populated metropolitan center in the Mohawk Valley region has become a destination and an engine of economic growth.

A quick glance at a map shows the transformational impact and breadth of these investments. A \$300 million State investment will help a new hospital reshape downtown. The newly renovated Utica Memorial Auditorium is home to two professional teams, the Utica Comets of the American Hockey League and the Utica City Football Club of the Major Arena Soccer League. Loft apartments have been built along Genesee and State Streets and in the Bagg’s Square neighborhood. State funding is being used to repair the harbor walls and help

redevelop waterside properties for mixed-use purposes. The Brewery District is bustling with activity.

Building on Utica's success, the State is supporting the construction of the Nexus Center. Located next to the Aud, the Nexus Center will be a world-class, tournament-based, recreation sporting complex. The facility will host ice hockey, box lacrosse, soccer, and other field sports. It will focus on attracting out-of-town tournament participants year-round, while also catering to local athletes looking for practice and training space.

Proposal. Support the Growth of the Life Sciences Industry in the Hudson Valley

Governor Cuomo is supporting the Mid-Hudson region in developing a world-class life sciences industry cluster, drawing on the region's ample institutional and intellectual assets, including industry-leading companies. For example, the Mid-Hudson Regional Economic Development Council has funded BioInc@NYMC, a fully-equipped biotechnology incubator that supports the development and growth of early-stage companies and high-potential entrepreneurs within the life sciences industry. This and other initiatives have resulted in average annual wages in the life sciences industry in the Mid-Hudson region increasing by more than 83 percent.

Regeneron Pharmaceuticals is one of the region's great growth stories in the life sciences. Since 2012, with State

support, Regeneron has announced a series of investments that have created or will create more than 2,000 jobs. And in June, the Governor announced that the Department of Health and Regeneron would enter into a \$48 million, public-private research collaboration to advance the diagnosis and treatment of tick-borne diseases, starting with Lyme disease.

Continuing the State's support of the life sciences in the Mid-Hudson, Medline, the largest manufacturer and distributor of medical supplies in the world, will be expanding its operations in the region.

Proposal. Build the New Life Sciences Lab in the City of Albany

Governor Cuomo has made a \$750 million commitment to support construction of a new, world-class, state-of-the-art public health laboratory to replace the Wadsworth Center's aging facilities. The lab is being developed in coordination with New York State's \$620 million initiative to spur the growth of a world-class life science research cluster in New York, as well as expand the state's ability to commercialize this research and grow the economy. A premier biomedical institute and one of the world's largest public health research laboratories, the Wadsworth Center merges clinical and environmental testing with fundamental, applied and translational research. It plays a vital role in the

Department of Health’s work to protect and promote the health of all New Yorkers.

Redesigned as “A Lab for the 21st Century,” the new facility, to be located on Albany’s W. Averell Harriman State Office Building Campus, will function as a magnet for future private sector investments and public-private collaboration, accelerating innovation and value creation. The modern facility and committed co-investment will serve as a flagship project for New York State, signaling a strong and long-term commitment to the Capital Region’s life sciences industry.

Proposal. Continuing to Invest in Tourism Across the State

Since taking office, Governor Cuomo has made tourism a vital piece of his economic development agenda. Investments of over \$275 million during that time have resulted in the highest levels of visitation and economic impact in the state’s history. 2017 alone saw 244 million visitors to the state (approximately 5 million more than the previous year) who produced \$67.6 billion in direct spending (a nearly \$3 billion increase) and an economic impact of \$108.7 billion (exceeding \$100 billion for the fourth consecutive year), all at record levels. This activity has produced 938,000 jobs—a nearly 3 percent increase from the prior year—making tourism the state’s third largest industry, responsible for 1 in 10 jobs. To continue this growth,

Governor Cuomo proposes maintaining an investment of \$59 million for the promotion of tourism through I LOVE NY programs.

Part of this investment will aim to leverage added economic benefits from the Governor's significant public infrastructure investments. The Governor's Upstate Airport Initiative has seen the successful completion of the modernization of airports across the state, including Syracuse Hancock, Plattsburgh International, Rochester International as well as Elmira Corning, and Ithaca Tompkins. These new investments open up the opportunity to promote tourism travel to these regions.

To build off the success of the airport initiative and drive travel through these airports, a new promotional campaign will showcase regional attractions and destinations. Through paid and owned media, the campaign will highlight tourism assets as well as the ease of travel through the newly modernized airports and transportation hubs.

Proposal. Increase Year-Round Tourism for Upstate New York through World-Class Attractions at Our Mountains and Olympic Facilities

New York's ski resorts are critical drivers of tourism and economic activity. They also hold significant economic potential. Under Governor Cuomo's leadership the State has made significant investments to modernize facilities and

ensure they can compete with other world class ski destinations. Last year, Governor Cuomo committed \$50 million in capital to continue improvements at our Olympic facilities and Whiteface, Gore, and Belleayre Mountains. These and other investments make New York more competitive for winter recreation and travel, attract large sporting events, and, ultimately, drive year-round business and economic sustainability for the region.

Notwithstanding these improvements, the Olympic Regional Development Authority, which operates the three State-owned ski resorts and the Olympic venues in Lake Placid, faces the challenge of aging infrastructure, outdated technology, and out-of-state competition that is investing heavily to attract future generations. New York State will continue to update its venues to further advance its position as a global sports center and tourism destination.

Last year, New York was selected to host the 2023 Winter World University Games, bringing in nearly 3,000 athletes from all over the world to compete in an 11-day, multi-sport competition. To continue the momentum and drive economic growth, Governor Cuomo proposes that the State support revitalizing facilities, making critical infrastructure improvements, and adding year-round attractions at our Olympic facilities and ski resorts. Investing in these precious assets will ensure future generations can

enjoy them and will bring significant economic and tourism activity to New York.

Part 4. Ensuring A Quality Education for All

Since taking office, Governor Cuomo has spearheaded historic investments in education while launching new initiatives to expand access and ensure that all students have the opportunity to succeed. Under Governor Cuomo's leadership, spending on K-12 education has risen to the highest level in State history: \$26.7 billion for the most recent school year, or a 36 percent increase since 2012. Today New York leads the nation in investing in our young people, spending nearly double the national average per student.

Governor Cuomo understands that money alone is not enough; resources need to get to the students and schools with the greatest needs. To that end, the Governor enacted new legislation requiring 76 school districts in 2018 and 300 plus districts by 2019 that receive significant State aid to report how much funding goes to each individual school in the district. This new transparency will help ensure that New York students with the greatest needs are provided the greatest resources.

Governor Cuomo has also increased spending for higher education, up 25 percent since 2012. New York spends \$7.5 billion annually on strategic programs help New York students have access to quality, affordable higher education.

This includes the Excelsior Scholarship, the first-in-the-nation, free tuition program, the nearly \$1 billion Tuition Assistance Program, which is the nation's largest grant program for students, a nearly 60 percent increase in the opportunity programs that provide support and assistance to college students with unique needs, and over \$83 million in loan forgiveness and additional scholarships. Governor Cuomo also created initiatives such as Open Educational Resources to reduce the cost of textbooks and food pantries at all SUNY and CUNY schools to end student hunger.

The Governor has also pushed to expand early childhood programming and wraparound services. For New York's youngest learners, Governor Cuomo has doubled the State's commitment in pre-kindergarten from \$385 million to over \$800 million annually, establishing New York as a national leader in early childhood education. Governor Cuomo also created the State's first full-day pre-kindergarten seats in 2013, before expanding pre-kindergarten to serve three-year-olds for the first time in 2015—also a first of its kind statewide program. Each year, new pre-kindergarten seats are being created to ensure a great start for children in New York. Moreover, Governor Cuomo launched Empire State After School, a \$45 million commitment to fund after-school programs in school districts with high rates of child poverty. Governor Cuomo also created community schools that offer wraparound services for at-risk students.

This year, Governor Cuomo will continue to investments in K-12 education and take new steps toward achieving education equity and ensuring all students have the resources and support to succeed.

Proposal. Require Districts Distribute State Aid in A More Equitable Manner to Their Neediest Schools

Under Governor Cuomo’s leadership, school aid has climbed to its highest level ever and the Governor proposes another 3.6% increase, raising state education spending to the highest level in state history. New York has the highest per student spending in the nation—more than twice the national average.

Under Governor Cuomo 70 percent of all state education aid goes to the neediest districts. However, last year we enacted school-level transparency on 76 major school districts representing half of all students increasing to 300+ this year.

The new transparency requirements have allowed the public to see for the first time how districts allocate funds to their schools, and the methodology to do this allocation. Although the state distributes 70 percent of its funding to the neediest districts, the districts do not always distribute funding to their schools in an equitable manner. In fact, some school districts have schools with significantly higher needs receiving less than the average school in the district.

We must address this problem and therefore Governor Cuomo proposes require that these school districts devote a portion of their 2019-20 school aid to increase the per-pupil allocation. This increase in allocation will help ensure that funding intended to help improve educational outcomes for the neediest students reaches those students.

Proposal. Expand Universal Pre-Kindergarten

Governor Cuomo has expanded pre-kindergarten every year since 2013. As a result, high need cities like New York City, Rochester, and Albany now have nearly fully implemented pre-kindergarten programs for four-year-old students. High-quality pre-kindergarten has the highest return on investment of any social program.

Governor Cuomo proposes an additional \$15 million to expand universal pre-kindergarten, including a focus on the participation of homeless students and students with disabilities. In order to ensure stability throughout the entire early childhood system, school districts creating slots under this expansion must work to actively maximize partnerships with community-based pre-kindergarten providers. This investment will continue to advance the goal of universal pre-kindergarten across New York to help support the earliest learners.

Proposal. Recruit 250 New Teachers in Shortage Areas through the We Teach NY Program

New York State is home to over 210,000 teachers. In the FY 2019 Budget, the State required the New York State Education Department to create a report to increase teacher diversity. In addition, \$3 million of funds in My Brother's Keeper go to the Teacher Opportunity Corps, which specifically focuses on recruiting teachers of color.

However, New York is facing a problem with teacher recruitment. There is a looming teacher shortage nationally—and New York has faced one of the steepest decline of people entering teacher preparation programs, which means fewer people are becoming teachers.^x In addition, New York's teachers do not currently match the demographics of the student body: Although black and Latino students are nearly half of the students in the State, nearly one in five black and Latino students attend a school where there are one or fewer teachers of color.^x Research has found that students have better outcomes with diverse teachers, and there are significantly better outcomes for students of color when having teachers who also identify as people of color.^{xi}

The Rockefeller Institute of Government has partnered with the State University of New York and NYSED on addressing New York's teacher shortage, finding that although there is not an overall shortage in New York at this stage, there are labor market imbalances, with shortages for

certain areas.^{xii} Alternative teacher pathway programs (where teachers teach while earning credentials) are a proven method of diversifying and strengthening the teacher workforce pipeline.^{xiii}

With the goals of diversifying and strengthening the teacher workforce pipeline, Governor Cuomo proposes to invest \$3 million in the We Teach NY program, which will strategically recruit 250 new teachers to fill identified needed positions in New York classrooms in 2024. The State will partner with SUNY and the City University of New York and high poverty school districts to identify shortage areas five years out. High school seniors will apply to the program, where they will earn a 4+1 bachelor's and master's degree in education. Students will receive paid educational summer internships as well as a living stipend for the master's degree year, when they will also complete a teacher residency. In addition, each student will be assigned a mentor at a high-poverty school during their college time. Most importantly, all participants will have job offers at the end of the five-year program in a New York State public school.

We Teach NY will address the retirement cliff and incentivize young New Yorkers to be teachers for the next generation, helping to ensure we have teachers in the pipeline with the cultural competence and pedagogical skills to effectively combat teacher shortage.

Proposal. Expand Master Teacher Program to High Poverty Schools to Increase Access to Advanced Courses

In 2013, Governor Cuomo launched the New York State Master Teacher Program to strengthen our nation's Science, Technology, Engineering and Math education. The Master Teachers award gives selected educators an annual \$15,000 stipend for four years, professional development opportunities and a platform to foster a supportive environment for the next generation of STEM teachers. In 2018, Governor Cuomo announced \$1 million to expand a new cohort specifically for teachers working in high-poverty school districts. Today, the New York State Master Teacher Program is a vibrant network of more than 1,000 outstanding public school teachers throughout the state who share a passion for their own STEM learning and for collaborating with colleagues to inspire the next generation of STEM leaders.

However, data, including data from the new school transparency laws, show us that the highest poverty schools have greater percentages of teachers with less than three years of experience, teaching out of their certification area, with higher rates of turnover. In addition, research suggests that students of color and students in high-poverty schools are disproportionately unable to access advanced courses. Research has found that 30 percent of Latino students and 34 percent of Black students in New York attend middle schools

that do not offer Algebra I. This is more than three times the rate of the students' white peers. ^{xiv} In order to take AP calculus, students must take algebra in the 8th grade. Students not offered this fundamental course may be handicapped for the rest of their high school career.

In order to recruit and retain outstanding educators in the highest poverty schools, Governor Cuomo proposes investing \$1.5 million to support 100 new Master Teachers who teach in high-poverty schools with high rates of teacher turnover or high rates of relatively inexperienced teachers. This funding will help ensure stability and access to outstanding educators for our students. In addition, to help expand access to college-level courses, these new cohort of Master Teachers, and all existing cohorts, will be given support to specifically help provide access to advanced courses for all learners, including programs such as eighth grade algebra and advanced placement or college credit earning courses.

Proposal. Expand the Empire State Excellence in Teaching Program to Recognize Outstanding Teachers

In 2016, Governor Cuomo created the Empire State Excellence in Teaching Program, recognizing teachers across New York who are successfully preparing a new generation of learners for the future. Each year, the Empire State Excellence in Teaching Program recognizes six teachers per region, from

each of the 10 different regions of New York spanning from the North Country to New York City. The program honors outstanding individuals who exemplify the highest standards of teaching, working to foster creativity, instilling a love of learning, and inspiring independent thinking and student initiative. Public school teachers are eligible to apply for recognition, and honorees are chosen by a panel of leading education organizations. The winners receive a \$5,000 stipend to support their professional development interests.

To continue to recognize and support New York's teachers, Governor Cuomo proposes a fourth round of awards to support and recognize outstanding teachers across New York State.

Proposal. Ensure That Every Student Can Graduate High School with College Credit, a Skilled Credential, or Meaningful Work Experience by 2025

During Governor Cuomo's first two terms, he led the charge for making college more accessible through reimagining a modern high school where students could earn college credit and work experience. Through the Governor's support, there are now 37 Pathways through Technology Early College High Schools (P-TECHs) where students earn an associate degree and earn work experience at a high-tech in-demand field, and 40 Smart Scholars programs, where students earn on average as many as 60 college credits while

still in high school. In addition, through the Advanced Placement Fee Program, which reduced the cost of AP and IB exams for low-income students, the number of low-income students taking advanced placement courses in New York has increased by ten percent.^{xv}

Governor Cuomo believes that all students must be afforded the opportunity to earn college credit or gain valuable work experiences while still in high school. Meaningful opportunities must not only be for academic high-achievers, or students in special programs—all high school students must be able to access these opportunities. Research suggests that students who access college courses in high school are more likely to graduate college on-time, regardless of their academic performance in the high school class.^{xvi} In addition, students who participate in Career and Technical Education Programs (CTE) have a higher graduation rate than students who do not. This effect is especially profound with students with disabilities, as research suggests that students with disabilities who participate in at least four CTE courses in high school were 20 percent more likely to be employed after high school.^{xvii}

This year, Governor Cuomo proposes an additional \$11.8 million in Early College Higher Opportunity Funds to support school-wide expansions in access to advanced courses or work experiences. Under this funding stream, college credit or industry-recognized credential-earning

opportunities must be offered for every student, so that by 2025 (when this year's sixth graders graduate from high school) every student will be able to graduate high school with some college credit, skilled credential, or meaningful work experience—ready to thrive in the twenty-first century. Governor Cuomo's initiative will:

- **Expand Access to Advanced Courses and Exam Fees:** Over the past two years, the Governor has provided funds to help lower the cost of AP and IB exams for low-income students. This \$4 million investment has resulted in lowering the cost of the exam to \$13 a student for eligible students. This year, Governor Cuomo proposes to invest an additional \$1.8 million to make the exams free for all low-income students. In addition, the Governor proposes an additional \$1 million to help develop advanced courses in school districts where there are currently few advanced courses. Districts or BOCES accessing these funds must also agree to provide universal access to students by working towards eliminating gate-keeping practices that have limited opportunities for students in the past.
- **Expand Early College High Schools:** Early College High Schools allow students to earn college credits while still in high school. These credits are then honored by future colleges. In some of New York's

successful Early College High School programs, students earn up to sixty college credits (equivalent to a second semester sophomore) before they graduate high school. Governor Cuomo proposes an additional increase of \$4 million to support the expansion of early college high school for students across the state. In addition, Governor Cuomo will direct SUNY to work with school districts to support college faculty providing college level courses in high schools.

- **Create More Pathways through Technology Early College High Schools:** New York's nation-leading P-TECH program links education to regional economic development by partnering public schools with colleges and business partners to ensure that students graduate ready to enter the workforce or continue their post-secondary studies. Students earn an associate degree at no cost to their families and are first in line for jobs with participating companies when they graduate. The Governor proposes to include \$5 million to add ten more public-private educational partnerships in 2019.

These expansions, along with the State's previous investments, will help ensure that all students are prepared to succeed, in higher education or an immediate skilled career, that New York's career and technical education courses are preparing students for in-demand careers, and that access to

advanced and meaningful coursework is available at every high school in New York.

Proposal. Expand Student Mental Health Resources for Middle Schools in the State

Under Governor Cuomo’s leadership, New York was the first state to require training on mental health in health class. In 2018, New York included \$1 million to help create the School Mental Health Resource Training Center to develop trainings, professional development, and phone referral services for school districts. There are currently 764 school-based mental health clinics in New York State.

Addressing the mental health needs of our students remains a top priority. According to the National Alliance for Mental Illness, one in five youth are living with a mental illness,^{xviii} and in New York nearly 15 percent of students in the 2015 CDC Youth Risk Behavior survey said that had seriously considered suicide in the past 12 months, which is higher than the national average.^{xix} At the same time, schools are facing challenges such as drug addiction, cyberbullying, and self-injurious behavior at a higher rate than in the past. Teachers and school administrators do not necessarily have expertise in managing student’s mental health issues.

This year, Governor Cuomo proposes an ambitious agenda to address student mental health. The Governor proposes the State invest \$1.5 million to support mental

health programs, and provide grants to middle schools in the state for mental health and school climate services. These new grants could support subscriptions to school climate and bullying prevention applications, or mental health resources, or pay for training for trauma informed care.

Proposal. Develop and Enact Fair Discipline Policies and Safe Schools for All Students and Teachers

Governor Cuomo has taken significant steps to reform the criminal justice system for juvenile offenders. The historic passage of Raise the Age legislation raised the age of criminal responsibility in New York from sixteen to eighteen, placing young people in age-appropriate settings where they can receive needed services and treatment to avoid recidivism. In addition, New York has provided \$20 million to school districts as the first state to adopt the federal My Brother's Keeper program, a program designed to improve outcomes for young men and boys of color.

However, there is more work to do to ensure that all young people in New York are given an opportunity to thrive. For too many students, disproportionately applied disciplinary policies remove them from the classroom and the school building. This is further exacerbated by the Trump administration's efforts to roll back guidance from 2014 that attempted to address disproportionality^{xx} in suspensions. Nationally, although 15 percent of students are black, they

make up approximately 33 percent of school suspensions.^{xxi} In New York City, according to the most recent data available, black students make of 27 percent of the school population but nearly half of all suspensions,^{xxii} while students with disabilities make up 19 percent of enrollment and thirty-nine percent of the suspensions.^{xxiii} A study from the Government Accountability Office found that school district officials may judge the same student behavior differently based on race and sex.^{xxiv} According to the American Academy of Pediatrics, “out-of-school suspension and expulsion represent an enormously costly and largely unsatisfactory solution to behavior problems in school, whether from the standpoint of the school district, the student, or the community.”^{xxv}

Governor Cuomo is putting forward an agenda to reform school discipline in New York State. The Governor proposes \$3 million in funding for school districts with high suspension rates of students compared to the overall student population to support programs that train teachers and school leaders in alternatives to suspension through programs such as restorative justice and positive behavior systems. These funds will be released pursuant to a plan developed by educators, civil rights organizations, and other stakeholders. The plan will address out-of-school suspensions, restorative justice, and positive behavior systems in order to reform school discipline in New York State to ensure fair and just discipline policies for all students.

Proposal. Authorize Stop-Arm Cameras to Ensure Student Safety on School Buses

Governor Cuomo recognizes that the safety of our children is our highest priority. To that end, the Governor modernized the school safety laws in 2016 to increase student safety. The updated laws required school districts to designate a point of contact in case of emergency, increase training requirements for faculty and staff, and update safety drills to include a lock down event.

The Governor will continue this leadership in student safety to ensure that students are safe on their way to and from school. In New York, approximately 1.5 million students ride school buses to and from school every year, and out of concern for their safety it is illegal to pass a stopped school bus. But on Operation Safe Stop in April 2018, the one day in which law enforcement targeted citations for passing a stopped school bus, over 850 people ignored the law and were ticketed.^{xxvi} Extrapolated for 180 days of school, someone passes a stopped school bus 150,000 times a year, endangering the safety of school children.

This year, Governor Cuomo will increase the fine for passing a stopped school bus as a way to increase student safety. In addition, Governor Cuomo proposes authorizing school districts to install stop-arm cameras which would record illegal passing of the school bus, and issue a resulting ticket in order to stop this behavior for good.

Proposal. Expand the Diversity of Professors and School Leaders

Governor Cuomo has made higher education opportunities for all New Yorkers a priority. Governor Cuomo has increased support for opportunity programs, such as the innovative Excelsior Scholarship, by 60 percent since 2012 to ensure that students from all backgrounds have a chance at success. Over the last decade, SUNY has increased their minority student population from 15.3 percent to 26.5 percent, a 73 percent increase. ^{xxvii}

Unfortunately, the SUNY faculty is not as diverse, with less than 9 percent of our faculty reflecting the student demographics, the faculty who teach at the State University of New York do not reflect the changing demographics of students pursuing degrees in higher education in New York State. Minorities make up approximately 8.5 percent of the faculty who teach at SUNY colleges and universities, yet minorities constitute 32 percent of the population of New York State. ^{xxviii}

Governor Cuomo will propose funding that will allow SUNY to hire up to 1,000 new faculty over the next ten years, with the goal of adding greater diversity to the faculty to ensure that SUNY students will see successful educators who look like themselves to inspire the next generation.

Proposal. Enhance Accountability for For-Profit Colleges

As part of his commitment to expanding access to higher education, Governor Cuomo has been laser focused on combatting student debt for all New York students. From launching the Excelsior Scholarship program for public colleges to expanding TAP and Enhanced Tuition Awards for private schools, the Governor has led the way to ensure that our students – no matter their income or family wealth – are not weighed down by debt. The Governor has also specifically called out for-profit colleges for practices that increase student debt, including when as Attorney General he fought for the passage of the SLATE Act, which prohibited kickback deals between schools and student loan companies and as Governor created the Student Protection Unit within the State’s Department of Financial Services.

The challenge of student debt is disproportionately high at for-profit colleges. The for-profit proprietary sector, despite having only 4 percent of New York’s higher education enrollment in 2012, accounted for more than 40 percent of the student loan defaults that occurred within the next five years.^{xxix} In response to concerns about unscrupulous for-profit colleges that were contributing to higher student debt, the Obama Administration passed the Gainful Employment Regulations, which created a performance matrix for for-profit private colleges, vocational schools and non-degree

programs at community colleges to ensure that these schools meet a minimum debt to earnings ratio of their graduates. Under this policy, schools that failed to meet the minimum threshold – including an estimated 24 degree programs within 11 schools in New York – lose access to federal financial aid for their students.^{xxx}

Unfortunately, bowing to pressure from for-profit colleges, the Trump administration reversed course. Under President Trump, the requirements have been delayed and are poised to be eliminated entirely, eliminating critical protections for students from unscrupulous business practices. With this action, the federal Administration is putting the interests of corporations over Americans and putting our students and their future at risk.

As the federal government abdicates its responsibility to our students, New York will lead. Governor Cuomo is proposing to fill the gap created by the absence of federal regulations by taking action to hold for-profit and proprietary schools accountable and protect the 33,000 students attending roughly 50 degree-granting for-profit schools and the 180,000 students in the over 400 proprietary non-degree granting schools in New York. The Governor's proposal will include a phase-in period and will:

- Require for-profit schools to report their funding sources and demonstrate that they are not receiving more than 80 percent of their revenue from taxpayers,

including federal grants, federal loans, and state TAP. That threshold, which is lower than the federal government's 90 percent maximum, aims to ensure that for-profit schools are not unduly reliant on public support.

- Require that for-profit schools spend at least 50 percent of their revenues on instruction and learning resources as opposed to recruiting, marketing, and advertising to ensure these institutions are putting the interests of their students first.
- Require that proprietary and for-profit schools report the salaries of the college presidents and senior leadership, as well as any salary incentives and bonuses, to ensure the administration is putting its students ahead of the financial interests of the school leadership.
- Prohibit any school leadership from serving on an accreditation board of an organization responsible for oversight of the for-profit college to avert potential conflicts of interest.

Failure to meet any of these requirements would ultimately lead to loss of TAP and ETA funds for students going to a for-profit school and proprietary schools would be prohibited from enrolling new students.

Proposal. Protect Student Loan Borrowers

Governor Cuomo is a leading voice in protecting access to higher education, most notably through the first in the nation Excelsior Scholarship. The Governor has also been a champion for increasing protections for the approximately 2.8 million student loan borrowers in New York.

Those 2.8 million borrowers have tens of billions of dollars in outstanding student loan debt, which is serviced by approximately 30 student loan servicers. These servicers, however, are neither licensed nor regulated. In New York, even though the student loan servicer industry has repeatedly raised serious consumer protection concerns. A 2016 federal Consumer Financial Protection Board report identified the vast number of complaints from borrowers regarding extremely problematic conduct.^{xxxix} Exacerbating the problem, the Trump administration has been systematically rolling back student protections established by the Obama administration, and recently went so far as to shutter the federal office tasked with investigated student loan abuses. This leaves recent graduates and the careers they are beginning more vulnerable than ever.

Governor Cuomo will advance sweeping protections for student loan borrowers by requiring that companies servicing student loans held by New Yorkers obtain a state license and meet standards consistent with the laws and

regulations governing other significant lending products such as mortgages. These initiatives will also ensure that no student loan servicers can mislead a borrower or engage in any predatory act or practice, misapply payments, provide credit reporting agencies with inaccurate information, or any other practices that may harm the borrower. These protections will also include banning upfront fees, requiring fair contracts and clear and conspicuous disclosures to borrowers, and providing penalties for failing to comply with the law.

Part 5. Creating Economic Opportunity for Every New Yorker

As New York's investments in infrastructure and economic development have helped to create more than 1 million private sector jobs across the state,^{xxxii} the Governor's commitment to skills and education has helped ensure that New Yorkers have the tools they need to succeed in the modern economy. The Governor's historic \$175 million workforce program will help workers of all backgrounds acquire the skills they need to find good-paying jobs. Meanwhile, the Governor's Youth Jobs Program encouraging businesses to hire unemployed and disadvantaged youth. And his unprecedented commitment to supporting women- and minority-owned small businesses — resulting in more than

\$2.5 billion in State contracts last fiscal year alone — is leading the economic empowerment of MWBEs at every level.

Even as he has worked to bolster New Yorkers' access to good-paying jobs, Governor Cuomo has taken unprecedented measures to ensure that all New Yorkers can earn a living wage — beginning with his historic success in raising the minimum wage for workers in New York. In 2016, Governor signed landmark legislation enacting a historic increase in the minimum wage that will ultimately reach \$15 an hour for all workers in all industries across the state.

Proposal. Launch the \$175 Million Workforce Initiative

As part of the FY 2019 Budget, Governor Cuomo secured a historic \$175 million commitment for workforce training programs in New York State. Building on the success of the bottom-up REDC model, the Governor will in the coming weeks launch a new Consolidated Funding Application for workforce investments that will support strategic regional efforts that meet businesses' short-term workforce needs, improve regional talent pipelines, expand apprenticeships, and address the long-term needs of expanding industries— with a particular focus on emerging fields with growing demand for jobs like clean energy, health technology, and computer science. Funds will also support efforts to improve the economic security of women, youth, and other populations

that face significant barriers to career advancement. Governor Cuomo's new CFA for workforce development will provide essential, flexible investment in multi-faceted workforce training programs.

Proposal. Advance a Comprehensive Agenda to Expand Apprenticeships

Apprenticeship programs provide a proven and reliable pathway to good-paying, middle-class jobs. For nearly 80 years, New York has supported both workers and businesses with a registered apprenticeship program that combines structured on-the-job training with classroom instruction to ensure that workers gain specific, job-related skills.

As the State invests in renewable energy infrastructure, like offshore wind and solar, and continues unprecedented investment in clean infrastructure and other public works projects, the State will have a significant number of jobs to fill. We must meet the growing demand with a highly trained workforce.

Governor Cuomo has taken important steps to expand apprenticeships in New York. Last year, he announced a \$3 million investment for SUNY and the Department of Labor to partner with New York businesses on the development of registered apprenticeship positions that directly answer New York's workforce needs—dedicating funding specific to the

creation of up to 2,000 new pre-apprenticeship and registered apprenticeship positions in advanced manufacturing and healthcare over the next four to six years. Governor Cuomo also provided \$2 million for apprenticeships at the City University of New York (CUNY). By partnering with DOL, CUNY is supporting and expanding apprenticeships in five different health fields at three campuses. Additionally, CUNY and the DOL are also developing a Pre-Apprenticeship program to recruit, assess and prepare prospective apprentices for work in the building trades.

Moreover, Governor Cuomo launched the Empire State Apprenticeship Tax Credit Program in 2018, with incentives available now through 2022 for new qualified registered apprentices hired in in-demand occupations throughout the state. And Governor Cuomo announced that \$4.2 million in federal funding will be available to support the expansion of New York's Apprenticeship Program, increasing the state's ability to establish new registered apprenticeships by working with Regional Economic Development Councils and other workforce development partners to continue fostering the skilled workforce needed to fuel business growth in emerging industries.

The Governor is committed to building on this success by:

- Establishing a goal to double the number of apprenticeships in high-demand fields like high-tech,

health care, clean energy, and advanced manufacturing by 2025.

- Establishing a goal to double the number of women in all apprenticeships by 2025, as recommended in the Gender Wage Gap report issued in April 2018.
- Prioritizing the expansion of apprenticeships through the State's new Office of Workforce Development, enhancing collaboration between State agencies, SUNY, CUNY, workforce training providers, and the private sector to increase the number of apprenticeships in New York State.
- Expanding the Apprenticeship Council to include additional growth sectors, better link to educational institutions, and advise the new Office of Workforce Development on strategies to better connect with regional workforce intermediaries to expand the use of apprenticeships.
- Making it easier to create a registered apprenticeship program in New York State by streamlining and simplifying the registration process.
- Creating a marketing campaign making parents and counselors of middle- and high-school counselors aware of the benefits of apprenticeship and work-based learning, as well as a new website offering visitors the ability to search and map apprenticeship programs by industry sector and location.

Proposal. Launch a New Data Analytics Initiative with Monroe Community College to Map the Workforce Needs of New York's Economy

New York's resurgent economy has produced more than one million added private sector jobs. However, the State's economic success has also highlighted looming skills gaps and labor shortages. To serve employers and workers well, the workforce development system must be able to proactively address shortages in the educational pipeline and skills gaps in the existing workforce. However, that capability hinges on having the data to map the workforce needs of New York's economy and to guide solutions to workforce-related issues. Governor Cuomo is committed to providing educators, workforce practitioners, and economic developers with the actionable labor market information needed to make data-informed decisions that meet current and future job openings and support the economy.

Monroe Community College's Economic and Workforce Development Center has developed an innovative labor market data mining methodology able to identify workforce needs of regions, industrial sectors, and economic clusters with more speed and precision than other sources. At Governor Cuomo's direction, the Office of Workforce Development will launch a new data analytics initiative with Monroe Community College to map the workforce needs of

New York's economy effectively, covering each region of the state. The initiative will partner with the REDCs to ensure this actionable data informs regional workforce plans that will guide each Council's economic development and workforce investments. This data analytics initiative will allow New York to better target its workforce investments and better attract top talent and top companies to the communities that need them most.

Proposal. Expand Employer-Driven Training Opportunities by Enhancing the Employee Training Incentive Program

Governor Cuomo is committed to helping employers train the very best workforce. The Employee Training Incentive Program (ETIP) was developed at Empire State Development to help incentivize business investment in skills training programs. ETIP provides refundable tax credits to New York State employers to support skills training that upgrades, retrains, or improves the productivity of current or new employees. Businesses can also receive tax credits for approved internship programs that provide training in advanced technology or life sciences for current students, recent graduates, and recent members of the armed forces. The tax credit covers 50 percent of eligible training costs up to \$10,000 per employee for eligible training, as well as 50

percent of stipends paid to eligible interns, up to \$3,000 per intern.

Governor Cuomo proposes to expand ETIP to provide more training options to more industries by enabling employers with dedicated training shops to draw on in-house expertise in delivering approved training, and by extending ETIP tax credits to internship opportunities in additional high-tech industries.

Proposal. Increase Employment Opportunities for New Yorkers with Disabilities, Including Diverse Neurological Abilities

Governor Cuomo has demonstrated a commitment to achieve the full inclusion of all New Yorkers with disabilities. In 2014, the Governor signed Executive Order 136 establishing the Employment First Commission to increase the employment rate of individuals with disabilities by 5 percent, and decrease the poverty rate by 5 percent.^{xxxiii} In partnership with Disability:IN, this action ignited the engagement of forty business champions, raised awareness of Employment First to 40,000 New York State vendors, and initiated the EmployAbility Pledge as a mechanism for businesses to publicly display commitment to this vision.

Currently, only 19.9 percent of people with disabilities are employed, compared to 68.4 percent of individuals without disabilities.^{xxxiv} Of those employed, 23 percent are

employed full-time, compared to 59 percent of their peers without disabilities.^{xxxv} An increasing percentage of those unemployed are identifying as neurodiverse, which includes individuals with autism spectrum disorder, dyslexia, attention deficit hyperactivity disorder, and other diverse conditions where there is a focus on the positive aspect of variation and strengths over weaknesses. ^{xxxvi}

The Governor will expand partnerships with the business community to promote the benefits of employing individuals with disabilities, including those with neurodiverse talents and abilities in the workforce of today and tomorrow, while providing tools to develop inclusive environments that support the diversity of all employees.

Proposal. Protect Workers from Union-Busting Activity by Codifying EO 183 into Law and Expanding its Protections to Local Governments

New York State has a long and distinguished history of standing by union workers. This past year was no different. Governor Cuomo took bold and decisive action in response to the Supreme Court's decision in *Janus v. AFSCME*, which was devastating to unions.

On April 12, 2018 Governor Cuomo signed landmark legislation strengthening the rights of working men and women in New York State. The new law increased access to and protected union membership in New York's public-sector

workplaces. The new law makes it clear that union members who pay union dues will receive certain benefits and services, and that unions, while they serve the interests of all workers in their represented bargaining units, cannot be forced to provide the full benefits of membership to those who do not pay union dues.

Governor Cuomo further added to New York's proud support of unions when he signed Executive Order 183 (EO 183) on June 27, 2018. EO 183 was a first-in-the-nation Response to *Janus*. It prohibited State entities from disclosing personal contact information for State employees to protect against union-busting activities by billionaires and extreme conservatives.

Governor Cuomo will continue to advance his support for unions in 2019 by introducing legislation that not only codifies EO 183 into law, but expands its protections to local governments to ensure that more union workers are protected. Enshrining EO 183 into law also sends a powerful signal to anti-labor forces – that the Governor stands by the working men and woman of New York State.

Proposal. Increase Criminal Penalties for Wage Theft

New York State continues to be the national leader in returning money to workers who were not paid the proper minimum wage, prevailing wage, overtime pay or fringe

benefits. Under Governor Cuomo, the State has seen a dramatic increase in the amount of money returned to workers who were cheated by their employers. In 2018, the Department of Labor collected nearly \$35 million and returned that money to approximately 35,000 workers victimized by wage theft and public work violations. Since 2011, DOL has recovered more than \$280 million in stolen wages and returned it to 250,000 workers victimized by wage theft and public work violations.

However, despite great success in identifying and prosecuting wage theft and other Labor Law violations in New York State, unscrupulous offenders knowingly steal tens of millions of dollars from workers each year. In addition, while these illegal practices often target the most vulnerable workers, prosecutions are limited as District Attorneys are less likely to prioritize misdemeanors or larcenies, causing regional inconsistencies and leaving millions of stolen dollars uncollected.

Governor Cuomo will advance legislation to increase criminal penalties for employers who knowingly or intentionally commit wage theft violations to more closely align with other forms of theft. Currently, only employers who commit repeat wage theft can be prosecuted with a felony, and such prosecutions are extremely limited. This legislation will amend the Labor Law to provide criminal penalties for employers who knowingly steal wages, with criminal

penalties ranging from a Class B misdemeanor for wage theft less than \$1,000 to a Class B Felony for wage theft greater than \$50,000.

This proposal will enhance the Department of Labor's ability to make referrals for criminal prosecution as District Attorneys and the Attorney General will now have clear, unequivocal crimes to prosecute. The Department of Labor will continue existing Labor Law enforcement operations, but with the enhanced criminal penalties District Attorneys will be more likely to prosecute wage theft as a crime, and may begin to bring cases of their own, thereby expanding the resources available to combat wage theft throughout the State. Further, enhanced criminal penalties may operate as a deterrent for employers and reduce future instances of wage theft.

Proposal. Eliminate Non-Compete and No-Poach Agreements that Impede Economic Mobility

Once a practice only to prevent high-ranking company executives from stealing intellectual property, non-compete and no-poach agreements, though largely unenforceable, are today used as an intimidation tactic to prevent economic mobility for workers across the spectrum. Today in New York State, an estimated 1.7 million workers^{xxxvii} are covered by non-compete agreements, and two thirds of workers say they have worked under a non-compete agreement at some point

during their career. These restrictions, which workers may agree to unknowingly or sign under duress, may lock workers into undesirable or even exploitative jobs, preventing upward mobility and suppressing wages.^{xxxviii} And they entangle workers across New York's economy, including home health aides, janitors, fast-food workers, and even dog-sitters.^{xxxix}

Building on his efforts to end worker exploitation in New York State, Governor Cuomo will propose legislation to ban non-compete agreements that unduly impede economic mobility for New York's workers. Under the legislation, employers will still be able to execute permissible trade-secret agreements to protect the disclosure of sensitive information and non-solicitation clauses to prevent the former employee from soliciting their workforce. This will give employers the protections they need without unreasonably reducing worker mobility and bargaining power.

In addition, some workers are prevented from seeking raises by getting a job from a competitor under formal or informal "no-poach" agreements set up between competing employers. Governor Cuomo will propose legislation to explicitly ban all no-poach agreements under State antitrust law, which are similarly banned under federal antitrust laws.

Proposal. Expand Job Opportunities by Banning Credit Checks for Employment

New York has long led the nation in progress on workers' rights. From passing a higher minimum wage, to protecting union members from harassment and intimidation, to regulating unfair work scheduling to Paid Family Leave, Governor Cuomo has proven his commitment to all hard-working New Yorkers.

Credit reports are too often relied upon to make hiring and professional licensing decisions for applicants seeking a range of jobs across various sectors of the economy, even when an applicant's credit history bears little relation to the job in question—creating an unnecessary barrier to employment for low and middle-income workers. The practice impedes upward mobility, exacerbates financial difficulties, disproportionately impacts people of color, can lead to invasions of privacy, and penalizes job seekers who have suffered economic hardship following traumatic life events, including divorce, illness, or previous job loss. Worse still, credit reports can often be inaccurate and misleading, making it more difficult for workers to find a job for no reason at all.

New York will protect all workers by advancing legislation to prevent employers from using a job applicant's credit history as a qualification of employment when that history is not relevant to the position. The legislation will only permit a credit review in limited circumstances, such as when

state or federal law and regulations require it; when the prospective employee is entering law enforcement; when an employee is required to be bonded under the law; for those with certain fiduciary responsibilities; and for those with regular access to trade secrets, intelligence information or national security information.

Proposal. Reduce Penalties for Unemployment Insurance Recipients Working Part Time

Governor Cuomo's 2013 Unemployment Insurance Reform has helped future-proof a crucial benefit system in addition to raising benefits and lowering costs for employers. However, New York State's unemployment system still discourages claimants from supplementing their income by working part-time while collecting benefits. Unlike every other state in the nation, New York State penalizes Unemployment Insurance claimants based solely on the number of days they work, not the amount of money they earn in a part-time job, even if they earn little to no money each day.

New York State will revise its system to change how part-time work factors into the weekly benefit rate, measuring part-time work as a dollar amount, instead of by the day. Unemployed workers will be able to find and retain a job sooner by honing their skills and making contacts that can lead to full-time employment. This increases income security for the unemployed and allows a worker to gain skills while

seeking permanent work. In addition, a clearer standard for part-time work will be less confusing to claimants and will result in fewer improper benefits, further reducing potential losses.

Proposal. Modernize Workers' Compensation by Allowing More Medical Providers to Treat Injured Workers

Governor Cuomo is committed to ensuring hardworking New Yorkers who are injured on the job or made ill by their employment receive the best health care. A job-related injury or illness should not limit a patient's care options. However, current law unnecessarily limits the pool of eligible practitioners available to New York's workers, resulting in fewer treatment options. Specifically, under the current law, only physicians, physical therapists, psychologists, chiropractors, and podiatrists can be authorized to treat injured workers, a restriction that does not benefit injured workers or reflect how medicine is practiced across New York.

Governor Cuomo will propose legislation to modernize workers' compensation by providing a much-needed expansion of the types of medical providers who can treat injured workers. Allowing more licensed providers who routinely practice in hospitals and medical offices, such as physician assistants, nurse practitioners, acupuncturists, and licensed clinical social workers, to treat injured workers

updates the workers' compensation system to more closely match the much wider choices other patients enjoy. Permitting licensed certified social workers and psychiatric nurse practitioners to treat workers will significantly increase mental health resources, providing desperately needed resources to a vulnerable population. It also removes a barrier to treatment options faced by injured workers suffering with opioid dependency and other mental health conditions.

Proposal. Stop Predatory Merchant Cash-Advance Loans

Merchant cash-advance lenders often prey on struggling small businesses by selling loans with triple-digit interest rates and abusive terms that waive the borrower's legal rights. These lenders often require borrowers to sign so-called "confessions of judgment," which give the lenders—if they claim the borrower missed a payment—the unfettered power to go into court, get a judgement from a clerk, and empty the business owner's bank account. There is no notice to the borrower, no hearing, and no proof required. Recent reports found that "cash-advance companies have secured more than 25,000 judgments in New York since 2012," exploiting New York laws and courts to collect from small businesses across the country.^{xl[1]} These small business owners only learn that they have been financially wiped-out when they check their bank balance.

Governor Cuomo will propose legislation stopping the abusive use of confessions of judgment. First, New York will codify an FTC rule that prohibits confessions of judgments in consumer loans.^{xlii[2]} Second, the law will prohibit the use of confessions of judgment in small business loans under \$250,000, situations where business owners may struggle to afford representation and should not be forced into waiving their legal rights. Finally, the law will stop lenders from exploiting New York courts for nationwide collections by requiring that any permissible confession of judgment enforced in New York courts have a nexus to business activity in New York.

Part 6. Ensuring Access to Affordable Housing

Since the start of Governor Cuomo's first term, New York has made historic progress in the creation and preservation of affordable housing throughout the state. In that time, New York State Homes and Community Renewal has created or preserved more than 98,000 homes statewide. This includes more than 69,000 affordable multifamily homes, 11,900 SONYMA mortgages for first-time homeowners and approximately 18,250 homes improved and repaired through grant programs. The economic activity supported by these investments is nearly \$29.4 billion.

The Governor's landmark \$20 billion, five-year statewide plan to advance affordable housing construction and combat homelessness is supporting the creation or preservation of over 100,000 affordable units and 6,000 supportive housing units. The plan is assisting New York's most economically vulnerable residents, including low-income seniors, and includes \$41.5 million to enable home ownership among low and moderate income households.

During this same eight-year period, the Governor has been a champion of tenant rights—enacting reforms to rein in unscrupulous landlords and that maintain safe, viable buildings as a foundational element of the State's rent regulation system. Under the Governor's leadership, New York State enacted the greatest expansion of rent regulations in four decades.

Governor Cuomo's housing agenda for 2019 builds on the prior eight years of success with a package of housing proposals that further strengthens rent protections for tenants, removes barriers and increases access to quality affordable housing, expands opportunity for homeownership and makes investments that preserve and expand housing options.

Proposal. Enact Historic Legislation to Strengthen Rent Regulation

Over the past eight years, under the leadership of Governor Cuomo, New York State enacted the greatest expansion of rent regulations in four decades. In 2011 the State increased the deregulation rent threshold for the first time since 1993, limited landlords to one vacancy bonus per year, and updated the calculations on individual apartment improvements—all to limit the speed at which units were pushed out of the system.

These improvements were further enhanced in 2015 when the high rent deregulation threshold was further increased and, for the first time, indexed to grow in correlation with rent increases. The vacancy bonus—a rent increase provided to landlords upon tenant vacancy—was limited for landlords previously charging a preferential rent. The Governor also substantially increased the monetary penalties imposed on landlords who harass tenants.

While the Governor has already successfully strengthened protections to tenants, there is more work to be done. As housing costs continue to rise, housing instability poses a growing concern across the state. The need to preserve and protect tenants' rights and maintain safe, viable buildings must be the foundational elements of any new rent regulation legislation this year. The Governor wants to enact aggressive rent regulation reforms, including ending vacancy

decontrol, repealing preferential rent, and limiting building and apartment improvement charges. These changes will preserve the rent regulated housing stock, strengthen tenants' rights to affordable housing, and ensure New Yorkers safe, quality affordable housing.

Proposal. Limit Security Deposits to Reduce Housing Barriers

Renting an apartment is prohibitively expensive for too many New Yorkers, and unreasonably large security deposits—the size of which are unrestricted except in rent regulated housing—only serve to make this problem worse. The lack of security deposit regulation disproportionately impacts working families who may have limited access to savings, including those who live paycheck-to-paycheck and are unable to afford more than one month's rent as a deposit. A July 2018 report by the New York City's Comptroller's Office estimated that in order to pay one month's rent as a security deposit, it would cost a four-person family six percent of its annual income just to move into a new apartment. With no regulation on the amount a security deposit can require, increasing costs will only serve as barriers to entry for low- and middle-income New Yorkers who are already struggling financially.

Governor Cuomo will propose legislation to limit security deposits to a maximum of one month's rent across

New York State. This will make New York's security deposit limits among the strongest in the nation. This bill will prevent increasingly exorbitant rates being charged as security deposits and remove a barrier for accessing housing. This law will serve to ensure that onerous security deposits will no longer serve as a barrier to entry for anyone trying to find a new place to live.

Proposal. Help Families Build Credit and Holistically Evaluate Credit Scores

In New York State, most landlords conduct background credit checks on potential tenants. Many times this leads to rejecting applicants with low credit scores or an insufficient credit history, with little room for explanation on the nature of the applicant's financial circumstances.

Low-income groups, communities of color, and immigrant communities generally find themselves with poorer credit due to historical and systemic disadvantages, such as the race and gender wage gaps. Furthermore, survivors of domestic abuse are also disproportionately likely to be automatically rejected for a lease or mortgage based on credit history.

To ensure that all New Yorkers have a fair shot of accessing affordable, quality housing, Governor Cuomo will issue regulations preventing state-funded housing operators from automatically turning away applicants with poor credit

or histories of bankruptcy. Instead, the State will require that all potential tenants and homeowners be holistically evaluated to determine the circumstances behind their credit history and their ability to pay rent on a forward-looking basis. State-funded developers of rental housing will also be required to offer tenants the option to have their rent payments reported to credit bureaus at no cost to the tenant, which will enable tenants to help build a credit history. This requirement will require applicable landlords or property management companies to, at the option of the individual tenant, automatically report on-time rental payments to credit reporting agencies.

In New York State, an individual's misfortune or historic disadvantages should not limit their access to safe and stable affordable housing.

Proposal. Enact Source of Income Protections to Support Fair Housing for All

In certain parts of New York State, landlords can reject applicants based on their lawful source of income. This disproportionately impacts households that rely on non-wage income or income assistance, such as survivors of domestic violence, veterans, elderly and disabled individuals, and those who use vouchers to obtain housing for their families.

A number of studies have highlighted the manner in which source of income discrimination disproportionately

impacts certain communities and increases financial instability. Approximately 650,000 New Yorkers receive some form of supplemental income, many of whom are disabled, elderly, or returning veterans.^{xlii} In New York State, approximately 70 percent of all recipients of housing choice vouchers are racial minorities.^{xliii} Statewide, female headed households account for 76 percent of housing choice vouchers.^{xliv}

The Governor will work with the legislature to amend the New York State Human Rights Law to prohibit discrimination based on lawful source of income statewide. The proposal expands upon parts of the New York State Human Rights Law already in effect. The City of New York as well as several other jurisdictions in the state currently prohibit discrimination in housing on the basis of lawful income. This legislation would ensure that such lawful income is not a blanket barrier to housing, reducing financial instability for New York's most economically vulnerable individuals.

Part 7. Combatting Poverty

Governor Cuomo has taken a multi-pronged approach to provide all New Yorkers with economic opportunity and reduce the impact of poverty. The Governor's Anti-Hunger Task Force, created in 2013, provided essential input in New

York's ongoing efforts to eliminate hunger. In 2015, Governor Cuomo launched the Rochester-Monroe Anti-Poverty Initiative with local business, civic, and public leaders to combat poverty in the region, and, building on the successful model piloted in Rochester, the Governor created the \$25 million Empire State Poverty Reduction Initiative (ESPRI) to address regional pockets of poverty across the state. And in April 2016, Governor Cuomo made history when he signed into law the nation's first statewide \$15 minimum wage plan.

Still, today, too many New Yorkers are living in poverty, and one in eight households in New York State is food insecure.^{xlv} Governor Cuomo is committed to building on his groundbreaking anti-poverty agenda by increasing economic opportunity and ending hunger and food insecurity throughout New York State. Building on his long-standing history of investing in New York's most vulnerable communities and households, Governor Cuomo is proposing new initiatives to further support individuals and households living in poverty by advancing innovative regional approaches to tackling poverty, encouraging employment for New Yorkers in poverty and reducing hunger and food insecurity.

Proposal. Support ESPRI Communities and Establish ESPRI Representation on REDC Workforce Development Committees

In 2016, Governor Cuomo created the Empire State Poverty Reduction Initiative (ESPRI) to combat poverty and reduce inequality. The \$25 million program brought together State and local governments, nonprofits, and businesses to design and implement coordinated solutions to increase socioeconomic mobility in sixteen localities across New York State. The localities were provided with a combination of funding and access to State systems and leadership. Each locality generated a blueprint to reduce poverty led by the lived experiences of those in poverty and input from the corporate, private, academic, and public sectors.

ESPRI is an important component of the Governor's anti-poverty agenda, a comprehensive plan to restore economic promise and expand opportunity for all New Yorkers. ESPRI and the work of the local taskforces have given life to close to 90 different programs with thousands of local residents participating and benefiting from these programs.

This year, Governor Cuomo proposes to build on the success of these State and local partnerships to address poverty, supporting more community-based efforts through continued funding of ESPRI. Governor Cuomo will also continue to support efforts by the REDCs and the economic development community to broaden and deepen their

commitments to local anti-poverty efforts. To that end, Governor Cuomo will ensure an ESPRI representative is included on each region's Workforce Development Committee and involved in the review process for the Governor's new Workforce Development Initiative. Collaboration between the ESPRI communities and the REDCs will help ensure individuals in poverty have opportunities to move toward self-sufficiency through sustainable employment and increased opportunities.

Proposal. Provide \$25 Million for Poverty Reduction in Rochester

In 2015, Governor Cuomo created the Upstate Revitalization Initiative (URI) as part of the REDC initiative to invest in long-term, regionally-based strategic plans for economic growth. The Finger Lakes Regional Economic Development Council (FLREDC) was one of the URI-winning regions with its *Finger Lakes Forward* strategic plan, which established poverty reduction as a primary goal through the Rochester-Monroe Anti-Poverty Initiative.

Building on this commitment to the RMAPI and ESPRI efforts, the FLREDC will commit an additional \$25 million of its URI award for two projects identified in their strategic plan to address two key RMAPI priorities: systems coordination and community building:

- **\$15 million for System Integration Project in Monroe County:** A new, five-year System Integration Project (SIP), administered by the NYS Office of Temporary Disability Assistance through the United Way of Greater Rochester will engage over 300 providers in the greater Rochester community to build an interconnected, person-centered system of health, education, and human services. The SIP will leverage a unified information platform to improve the health and economic well-being of individuals and families, especially those who are economically vulnerable and/or impacted by poverty. This project will serve as a blueprint for other cities and communities to adopt across the state.
- **\$10 million for Revitalize Rochester Fund:** The Governor will establish a new, five-year Rochester Revitalization Fund, administered by Empire State Development through Rochester Economic Development Corp (REDCO) and focused on development of commercial corridors in low-to-moderate income census tracts within the City of Rochester. The fund will provide loans and grants for three specific programs: Neighborhood Commercial Development Program, Urban Entrepreneurship Ecosystem Grant Program, and Worker Cooperative Business Loan Program. REDCO will form a new

committee to administer this fund that will include membership from ESD and RMAPI. Area financial institutions and philanthropic organizations are also partnering to support the fund.

Proposal. Expand Successful Unemployment Strikeforce Initiative

In May 2014, Governor Cuomo piloted the innovative Unemployment Strikeforce model in the Bronx. As part of this effort, Strikeforce teams work with local businesses to identify openings, match likely candidates with those positions, and leverage relationships with local training partners in order to fill any skill gaps that may serve as a barrier to employment. The Governor has since expanded this successful model to communities across the state.

To date, the Unemployment Strikeforce has engaged more than 155,000 individuals, with more than 113,000 finding work. In addition, a similar approach was launched in Central Brooklyn as part of the Governor's Vital Brooklyn initiative, assisting more than 65,000 individuals, with nearly 46,000 of them finding work.

In 2019, Governor Cuomo will expand the Unemployment Strikeforce to new locations, including Syracuse, in Central New York, and Elmira and Binghamton, in the Southern Tier. Additionally, the Governor will direct the Department of Labor to coordinate with all ESPRI

communities, which have been mounting locally-driven strategies to reduce poverty and increase economic opportunity.

Proposal. Provide Public Assistance Recipients with Job Try Out Opportunities in the Private Sector

Despite record low unemployment rates across the country and in New York State, many workers still struggle to find employment – particularly those workers who are young or who have been disconnected from the workforce for a period of time. Governor Cuomo will advance legislation permitting participants in public assistance programs to engage in time-limited job-training and skills-learning periods with for-profit, non-profit, and public sector entities while still receiving public assistance. This legislation will increase employment opportunities and provide additional work-based options for program participants, while still satisfying state and federal work requirements. The job try-out program will enable participants to learn more about their employer and their position, and will also provide training opportunities to learn skills specific to the workplace. These time-limited placements may prove particularly helpful for young adults or individuals who have limited work history, offering them a new pathway to employment. Employer participation in this program will be contingent upon their agreement to hire program participants who demonstrate the

necessary skills for full- or part-time employment following the end of the 90 day try out period.

Proposal. Reduce Hunger and Food Insecurity

Building on historic investments to combat food insecurity, Governor Cuomo will establish a goal to reduce household food insecurity in New York State by 10 percent by 2024.

In order to achieve this goal, Governor Cuomo is directing the following actions:

- **Create the Food and Anti-Hunger Policy Coordinator:** Building on the success of the cross agency Anti-Hunger Task Force, the Governor will appoint a Food and Anti-Hunger Policy Coordinator to address issues of food insecurity and hunger. The coordinator will work with various State agencies, stakeholder groups, and the Task Force to implement new initiatives and to enhance existing activities that will help close the gap for many New Yorkers in need of healthy food options.
- **Simplify access to the Supplemental Nutrition Assistance Program (SNAP) for older and disabled adults:** Although New York State has one of the highest SNAP participation rates in the nation among its older and disabled adults, there are still many who

are eligible who do not participate, and older and disabled adults are less likely to participate than the general population. Among the reasons often cited for this under-participation are the “transaction costs” associated with applying for, obtaining, and maintaining SNAP eligibility. New York is seeking a waiver from the United States Department of Agriculture (USDA) to operate an Elderly Simplified Application Process (ESAP). The ESAP includes a simplified application, longer certification periods, fewer reporting requirements, and a waiver of the recertification interview associated with applying for and maintaining eligibility for SNAP. SNAP has been shown to improve nutrition among for older and disabled adults, while reducing healthcare expenditures on these populations. The ESAP will be another piece of the comprehensive, cost-effective, and person-centered approach championed by Governor Cuomo to improve the well-being of low-income New Yorkers of all ages and abilities.

- **Enhanced Resources and Referrals in Clinical Settings:** Expanding on the Governor’s food security screening pilot in Brooklyn, the Department of Health (DOH) will provide resources to support screening for food insecurity in clinical settings using toolkits developed by the Food Research & Action Center

(FRAC), American Academy of Pediatrics, and AARP – tailored for both children and older adults. When a patient screens positive, whether it be a child or an adult, facilitated referral to nutrition assistance programs will be provided. The referrals could be made through established referral systems with Hunger Solutions’ community-based coordinators (for SNAP prescreening and application assistance) and community-based WIC specialists (for WIC prescreens and referrals to local clinics) and to the Child and Adult Care Food Program (CACFP) as appropriate.

- **Participate in SNAP On-Line Purchasing Pilot:** In 2019, New York State is scheduled to be the first state in the nation to participate in an Online Purchasing Pilot program that will allow individuals to use their Supplemental Nutrition Assistance Program (SNAP) benefits to purchase food online for pick-up or delivery. Governor Cuomo is eager for New York to adopt this option for SNAP recipients as it will provide a particularly valuable service for the elderly, those with disabilities, and others who live in “food deserts” without access to retailers that offer essential healthy food.
- **Expand Food Access in Central Brooklyn:** In 2017, the Governor announced Vital Brooklyn, a historic

\$1.4 billion investment to support community development and wellness in Central Brooklyn. Across the area, health indicators are poor, and access to healthy food is a challenge. Currently 1 million people live in Central Brooklyn, of which at least 20 percent are food-insecure or missing meals regularly^{xlvi}. Of the 10 most food-insecure communities in the borough, 8 of them are in Central Brooklyn, and food insecurity is growing faster there than anywhere else in the city^{xlvii}. The Healthy Food component of Vital Brooklyn, led by the New York State Department of Agriculture & Markets (DAM), has expanded mobile farmer's markets and food pantries, established farm stands at local community schools, and engaged the health care system in screening for food insecurity as a means of preventing diet-related disease.

Still, access to healthy food in Central Brooklyn is limited due to gaps in the supply infrastructure. Local businesses, consumers, and non-profits all face obstacles to accessing fresh, healthy, local food. Alongside this gap in distribution, there are not enough healthy food retailers serving marginalized residents, and community-led food-access initiatives are unable to scale up due to lack of funding and limited local supply chain infrastructure.

In order to fundamentally transform food access in Central Brooklyn, the Governor has directed the DAM to

conduct a planning survey, analyze the results of the survey and make recommendations to establish a food hub to support new food retailers serving Central Brooklyn and to support grassroots projects tackling food insecurity across Central Brooklyn.

Part 8. Supporting the Rural and Agricultural Economy

Governor Cuomo has championed New York State agriculture and rural economies through landmark programs to promote local products and expand market access for producers. Rural New York has benefitted especially from Governor Cuomo's efforts to replace top-down economic development with locally tailored strategies, receiving over \$1 billion awarded by the Regional Economic Development Councils to date. Under Governor Cuomo, New York's investments in agriculture have totaled over \$580 million and have increased 85 percent since 2011. Funding for farmers and agriculture has increased 99 percent from \$17.3 million in local assistance to \$34.4 million today. The State has invested \$11 million for agritourism and the marketing and promotion of our craft beverage industry. And New York has invested \$3.5 million directly to facilitate local farm sales to schools and established a higher reimbursement rate for schools serving New York-grown food.

The Taste NY initiative, launched in 2013, has proven to be incredibly successful in raising the visibility of New York's high-quality food and agricultural products. In 2017, Taste NY helped 1,100 local companies reach consumers across the globe and produced over \$16.1 million in annual sales.

New York State Grown & Certified, launched in 2016, has also begun to achieve brand recognition. At the end of the program's second year, nearly 2,400 farms participate in the program, representing over half a million acres of farmland, and the program continues to hold great potential to sell more dairy, produce and other farm commodities.

Governor Cuomo has also taken unprecedented measures to support New York's burgeoning craft beverage industry. New York is now home to more than one thousand craft beverage manufacturers operating in 61 counties across the state.^{xlviii} Since Governor Cuomo hosted the first Beer, Wine Spirits and Cider Summit in 2012, the number of businesses producing craft beverages has more than doubled, while the number of farm-based manufacturers has increased by over 150 percent. New York now ranks in the top five states in the U.S. for its number of craft beverage producers in every category.^{xlix} The State ranks first in U.S. for the number of hard cider producers, second in craft distillers, third in breweries, and fourth in the country for the total number of wineries.

Governor Cuomo has aggressively pursued ways to help farmers across the State through important summits and incentives—including by supporting the emerging hemp industry—and has made common sense regulatory and policy changes like increasing the animal unit threshold before CAFO regulations apply.

However, the significant issue facing New York is the federal onslaught by the Trump administration, which is limiting adequate labor supply to our farms, raising taxes, and hurting economic opportunity for our farmers through ill-conceived trade policy. The Governor has worked with our agriculture section to improve the labor market and has consistently stood with the members of the Farm Bureau in calling on Congress to create a rational guest worker program.

Governor Cuomo will also work to ensure that another generation of farmers is ready to take over. He has doubled the funding for the New York FFA and invested \$2 million in its leadership training center. Moreover, Governor Cuomo has advanced funding for cutting-edge agricultural research. In 2018, The Governor's Concord Grape summit showcased a public-private partnership between Welch's and the Cornell University College of Agriculture and Life Sciences.

Farmers need an economically sustainable path forward, and New York will partner with them to achieve it. Governor Cuomo will continue to promote agriculture in New York.

Proposal. Continue the Revitalization of the New York State Fairgrounds

Under Governor Cuomo's leadership, New York State has invested more than \$120 million dollars in two phases over the last three years to remake the New York State Fairgrounds. Improvements include a beautiful new Main Gate; a new Empire RV Park; enlarged open spaces for programs; an expanded, state-of-the-art Midway; energy efficiency upgrades; wireless Internet across the grounds; renovations to Turtle Mound, the home of cultural performances during the State Fair; a new exhibit area for the New York State Police; and the Sky Ride, a 1,400-foot long chairlift ride. In addition, the Department of Transportation rebuilt the largest parking lot, the 65-acre Orange Lot. What had been a dirt parking lot has been paved, with better drainage, lighting, and traffic flow, and now features a new exit ramp to I-690 westbound.

The centerpiece of the transformation is the new, 136,000 square foot Exposition Center. The building, which opened in 2018, is the largest clear-span building north of New York City between Boston and Cleveland, and features 110,000 square feet of open space that can be used for anything from conventions to trade shows to equestrian competitions. The Expo Center's 2019 calendar is packed with a wide range of events, including the NYS Sportsman Show,

the Central New York Boat Show, the Gem & Mineral Show, the Hard Hat Expo, and Wing Fest.

After 100 years without a major capital project, the fairgrounds are now a world-class, multi-use, year-round entertainment and tourism destination covering 375 acres. The investments have had an immediate and remarkable impact. The country's oldest and first state fair, the Great New York State Fair is among the best in the country.¹ The result is clear: eight new daily attendance records in 2018, including a new all-time, daily high: 134,115 attendees on September 1, 2018. The 2018 season itself reached a record of 1,279,010 attendees.

The State Fair drives \$100 million a year in economic activity in Central New York and employs thousands. The investments have succeeded in advancing the goals of both "CNY Rising," Central New York's comprehensive plan to generate robust economic growth and community development, and the Upstate Revitalization Initiative. To continue the transformation of the State Fairgrounds, comprising 19 major buildings and 67 ancillary structures, the State will make additional renovations and upgrades to enhance user experience. The Governor's commitment continues to make the fairgrounds a year-round destination.

Proposal. Fund Key Programs to Support New York's Farmers

Under Governor Cuomo's leadership, New York has made unprecedented investments in the agricultural industry and launched new initiatives to support and promote local agricultural production, recognizing its invaluable role in the state economy.

Nonetheless, the agricultural industry is full of variability and uncertainty. In 2016, for example, farmers watched crops wither in a historic drought, and in 2018 the fall was so wet many acres of crops still weren't harvested by December. The uncertainty also arises from fluctuating commodity prices and reckless federal policy. Milk prices have plunged over the last four years as a result of factors that are outside the control of New York's dairies. Meanwhile, a federal government determined to cut us off from the rest of the world has imposed caused damaging tariffs and attacked immigrant workers, restricting markets and raising costs.

In the face of this uncertainty, Governor Cuomo is committed more than ever to supporting New York's agricultural industry—from the vineyards in Chautauqua County through our industrial hemp fields in the Southern Tier up to the dairies in the North Country and down to the fruit and vegetables grown on the east end of Long Island. This commitment is a key component of his broader pledge to

support rural New York State and to continue serving as a voice of Upstate New York.

As a reflection of the Governor's resolve to support to New York's farmers, this year's Executive Budget will continue funding the specialized technical assistance, industry promotion, and research investments to reduce farms' exposure to economic and climate inconsistency statewide. Programs such as ProDairy, which was founded under Governor Mario Cuomo, convert research into hands-on training for dairy farm managers and owners in topics ranging from environmental stewardship and on-farm renewable energy to day-to-day management techniques that set them apart from dairy farms in other states and countries. New York will also support similar programs for vegetables, apples, berries, grapes, maple, honey, Christmas trees, animal disease control, wine and craft beverages, and others.

These core investments, in addition to programs that support food access, agricultural education, farm safety, migrant child care, workforce development, and farm family assistance—programs with years-long track records—should not be subject to the same uncertainty that plagues New York's farmers in so many other ways: they must continue the work they do for our farms and communities.

Proposal. Create a \$15 Million Food and Agriculture Challenge for New York Food and Agricultural Manufacturing

Governor Cuomo has strategically invested financial assistance to create thousands of jobs and to spur billions of dollars in new investment and economic activity for New York State businesses. The Governor has secured funding for competitions and challenges forward facing manufacturing sectors such as the 43North competition, Central New York Rising competition, 76West competition, and the Luminate NY competition.

Expanding this smart strategic approach to the agriculture industry has the potential to spur innovation and growth in a pillar of the New York economy. While New York food manufacturers and entrepreneurs have always been national leaders in food product innovation, with the support of programs like the Cornell Food Venture Center and the Cornell AgriTech Center in Geneva, continued innovation is critical in a rapidly changing industry that increasingly relies on innovation and new technology.

Governor Cuomo proposes launching the New York Food and Agriculture Challenge to award prize money to food and agriculture firms that show promising high-impact business growth in regions across the state. These firms will use the funds to commercialize their ideas and catalyze new investment.

Proposal. Provide Distilled Spirits Producers the Same Privileges as Other Alcoholic Beverage Producers

A hallmark of Governor Cuomo's administration is the growth of the State's craft manufacturing industry. Since 2011, New York has risen to fourth in the country in number of wineries, third in breweries, second in distilleries, and first in cideries. The Governor, through multiple industry summits, enactment of legislative proposals and administrative actions, has created a highly attractive and competitive environment for industry development.

In the creation of many new privileges for all classes of manufacturers, however, one class has lagged. As compared to breweries, cideries, and wineries, distilled spirit manufacturers are allowed fewer branch offices for off-site production and sale of their products and greater constraints on product sales.

To rectify these disparities that treat one alcoholic beverage maker differently than all the rest, the Governor will propose a package of proposals to amend the Alcoholic Beverage Control Law to create competitive parity for distilled spirits producers. Enactment of these proposals will allow the continued growth of New York's well-recognized spirits industry and put it on equal footing with New York's other world-class beverages.

Proposal. Promoting Agriculture and the Food Industry in the Finger Lakes

Agriculture and the food industry are key to the economy of the Finger Lakes. The region's Regional Economic Development Council has prioritized supporting these sectors in its regional plan, "Finger Lakes Forward."

As part of the Upstate Revitalization Initiative (URI), the State is making investments in a number of innovative projects to grow the agriculture and food industry in the Finger Lakes. The State will support a new joint venture between LiDestri Food & Drink and Crop's N.V. of Belgium. In Geneva, the State will support prepared-meal-delivery company RealEats America's expansion of operations.

The Finger Lakes region is collaborating with Central New York and the Southern Tier to build a competitive advantage in the food and agriculture industry. By combining their natural assets, industry expertise, and academic excellence, these three regions are developing a unique, cross-regional ecosystem of innovators in food and agriculture. The goal is to be the most desirable place in the country for entrepreneurs to both start and scale new agriculture and food businesses.

To solidify this collaboration and competitive advantage, Governor Cuomo is launching the New York Food and Agriculture Challenge. Modeled after competitions that have spurred innovation in other sectors, this challenge will

attract, mentor, and award prize money to food and agriculture firms that show promising, high-impact business growth in the tri-region area. Prizes will be contingent on the firms committing to remain in or relocate to the regions.

State support of the Finger Lakes region's food ecosystem also includes enhancing career-development options. Foodlink, the region's largest food bank and community food resource center, will establish a culinary arts apprenticeship program. This innovative new program — the first apprenticeship program of its kind in the state — will provide a career pathway for disadvantaged populations and expand the region's skilled, food-production workforce.

2. Social Justice

Lifting her lamp high in New York Harbor, the Statue of Liberty is a symbol of what New York State represents – a State that is inclusive, accepting, and one that stands up for the rights of all its diverse citizens. And it is time, once again, for New York to shine a light for the nation and lead the way against an assaultive federal government that would seek to undo and roll back our progress.

Governor Cuomo has spent his career in public service fighting to ensure that our government is one that works for its people. Since his first term as Governor, he has enacted legislation and created programs that seek to empower individuals and families, protect them, and ensure their prosperity. He fought for the \$15 minimum wage, enacted Paid Family Leave, launched a gender pay gap study, invested in the historic \$20 billion Housing Plan, and made SNAP benefits more accessible for households in need.

The Governor raised the age of criminal responsibility to 18 years old, fought to protect women’s reproductive rights, signed legislation to remove firearms from domestic abusers, and passed reforms to combat sexual harassment in the workplace. He has worked to make our criminal justice

system more just, protect the rights of immigrants and ensure our government is one that truly works for the people.

Building on eight years of landmark social justice initiatives, Governor Cuomo will continue to fight for progressive legislation and fund innovative and creative programs to further advance the rights and opportunities of all New Yorkers and make New York a stronger, more just state for all. Under Governor Cuomo's leadership, New York will always lift our lamp beside the golden door.

Part 1. Advancing Criminal Justice for All

The Empire State has always served as a beacon of equality and social justice, and Governor Cuomo is once again showing the nation the way forward. For too long, our antiquated criminal justice system has created a two-tiered system where outcomes depend largely on economic status—undermining the bedrock principle that one is innocent until proven guilty. Governor Cuomo knows we need a sweeping overhaul that transforms our criminal justice system by removing critical barriers, reaffirming our beliefs in fairness, opportunity and dignity, and continuing our historic progress toward a more equal society for all.

Proposal. Reform New York's Antiquated System of Bail and Pretrial Detention

Governor Cuomo has taken great strides to ensure fairness in the criminal justice system in New York. In 2017 alone, the Governor passed legislation to require law enforcement to video-record custodial interrogations for serious offenses and secured funding for statewide indigent defense. However, New York's system of bail remains one of the last vestiges of inequality in the criminal justice system. Currently, a presumed-innocent person's freedom before trial is determined by their wealth. If they have money, they can pay bail or pay a premium to a bail bondsman; if they don't, they sit in jail. This is antiquated and deeply unfair, and it must end.

Governor Cuomo is advancing legislation that will end cash bail once and for all, significantly reduce the number of people held in jail pretrial, and ensure due process for anyone awaiting trial behind bars. Right now, money stands in the way of freedom for too many presumed-innocent New Yorkers. A review of 2018 cases conducted by the Division of Criminal Justice Services showed that, in cases where bail is set, people are still in jail five days after bail is set in 66 percent of New York City cases and 64 percent of cases outside of New York City. This means that there are at least 45,500 people in jail annually across the state because they can't pay bail.

The Governor's proposal will end this equity through a series of reforms. First, it will reduce pretrial detention before arraignment by mandating that police issue appearance tickets instead of making custodial arrests in low-level cases, with enumerated exceptions. Second, the legislation will eliminate money as a means of deciding who is free and who is not. Instead, people will be released first on their own recognizance, or, only if the judge makes necessary findings, under pretrial conditions. Finally, to discern the few people who cannot safely await trial in the community, there will be a new procedure whereby a district attorney can move for a hearing to determine whether a limited subset of eligible defendants may be held in jail pretrial. The hearing will afford the defendant due process, including discovery, and the judge must find that the burden of proof is met by clear and convincing evidence. The judge must find there is reasonable cause to believe the individual committed the crime and that the person presents either a current threat to the physical safety of a reasonably identifiable person or persons, or that the person has persistently and willfully failed to appear in court for the instant offense, and that no conditions or combination of conditions will manage this threat in the community.

This legislation will protect the rights of presumed innocent people to remain free before trial, with as few

conditions of release as possible, reserving detention as the carefully determined exception rather than the rule.

Proposal. Remove the Blindfold from the Discovery Process

New York stands as a pillar of fairness and progressive values. However, despite Governor Cuomo's efforts to reform our criminal justice system, New York is one of only ten states that enable prosecutors to withhold basic evidence until the actual day a trial begins. Even worse, New York has the distinction of standing alongside only three other states – Louisiana, South Carolina, and Wyoming – as having the nation's most restrictive discovery rules. Consequently, defendants are often left completely in the dark regarding what information the government intends to use against them. Fear of the unknown can have immeasurable consequences for a person. In the context of a criminal prosecution, when faced with accepting a reduced penalty or the prospect of a long trial which could result in a lengthy prison term, it becomes all too possible to admit guilt for something a person did not do.

Governor Cuomo's plan will first remove the blindfold currently used during criminal prosecutions, requiring both prosecutors and defendants to share all information in their possession well in advance of trial. Defendants will also be allowed the opportunity to review whatever evidence is in the

prosecution's possession prior to pleading guilty to a crime. No longer will those who are charged with a crime be left in the dark and pressured to admit guilt simply to avoid the unknown.

At the same time, with these additional disclosure requirements, the Governor will ensure that victims and witnesses are protected from intimidation and other forms of coercion. To that end, this bill will provide prosecutors the ability to petition a court for a protective order, shielding identifying information when necessary to ensure the safety of witnesses and the sanctity of the judicial process.

Proposal. Ensure the Right to a Speedy Trial

Governor Cuomo continues his steadfast commitment to establishing a progressive criminal justice system in New York State. Today, despite principles enshrined in both the United States Constitution and State law, a criminal defendant's right to a speedy trial can – and often does – turn into a drawn-out process leading to defendants being held in pre-trial custody for excessive periods of time. This was displayed, tragically, most clearly by the death of Kalief Browder in 2015. Kalief spent three years on Rikers Island awaiting his day in court and, after enduring horrific abuses and losing hope, took his own life to end his suffering. New

York must do everything in its power to ensure the abuses suffered by Kalief are never again repeated.

Under New York State law, misdemeanors are required to be resolved within 90 days and felonies within 180 days. However, the average misdemeanor case that goes to trial in New York City is over two years old. These delays have real impacts on people's lives as individuals are required to languish in jail simply waiting for their day in court. On average, 67 percent of the State's daily jail population are people held in pre-trial custody, and 77 percent of these are in New York City alone.^{li} Meanwhile, these individuals, who have yet to be found guilty of any wrongdoing, often lose their jobs and sources of income since they cannot work. New York courts are overburdened with an overwhelming number of pending criminal cases, preventing the pretrial jail population from decreasing. These backlogs disrupt the justice system and have a disparate impact on low-income and minority communities.

To address this injustice, Governor Cuomo will introduce legislation that ensures criminal cases no longer drag on for month after month without accountability. Courts will be required to take a more proactive role in actively advising litigants on how time will be charged, and they will not blindly trust assertions that the government is ready to proceed with trial. To assist in scheduling prompt court proceedings, when appropriate, New York courts will inquire

into the government's readiness to proceed to trial and will require that the government file all appropriate paperwork before a statement of readiness will be accepted. Under this new model of pre-trial criminal justice, the government will not be able to proceed to trial until the defendant has been provided with all information in the case against them. With this proposal, Governor Cuomo will guarantee that all necessary discovery procedures are completed quickly, and that no New Yorker is unduly held in custody as they await their day in court.

Proposal. Bring Grand Jury Proceedings into the 21st Century

New York's antiquated grand jury rules and procedures are insufficient to administer justice in an efficient and fair manner in today's modern society. Prosecutors are often forced to choose between foregoing critical testimony or relying upon the testimony of a witness who has been given a free pass via immunity under New York's existing grand jury statutes. Existing procedures for grand jury proceedings fail to account for technological advances that can assist in the criminal justice process, benefit crime victims and witnesses, and save taxpayer money. For example, crimes such as identity theft are most often committed via the Internet and frequently target victims in different jurisdictions, states, or even countries, but victims are currently required to testify in

person in these cases. As a result, prosecutors often struggle to convince victims to travel long distances – at a high cost to taxpayers – for a testimony that may only last a few minutes. This process places an undue burden on witnesses and victims, who can provide valuable testimony, and prosecutors, who must pay for expensive transportation costs.

Also, New York is the only state in the nation that automatically grants complete transactional immunity to every witness who testifies before a grand jury. This process has led to several cases where prosecutors have unintentionally granted immunity to criminals through their testimony. Consequently, some prosecutors refrain from calling witnesses before a grand jury if they fear it could unintentionally grant immunity to someone who is either a serious criminal or the subject of an ongoing investigation.

In recognition of these issues, Governor Cuomo advanced the Public Trust Act in 2013 to eliminate transactional immunity in certain cases, but it was not passed by the Legislature. This year, Governor Cuomo is expanding upon this Act to propose a sweeping set of legislative changes to address issues with the grand jury process in New York State. These proposals have received widespread endorsement from public officials, legal scholars, and associations and were included in the White Collar Crime Task Force Report issued by the District Attorneys Association of the State of New York.^{lii}

This comprehensive proposal will include five statutory changes. First, legislation will be advanced to allow witnesses located out-of-state or more than 100 miles from the grand jury location to testify via a secure video conference connection, rather than require in-person testimony. Second, this proposal will expand the Criminal Procedure Law to allow all businesses to authenticate by certification any records they keep and maintain in the ordinary course of business. Third, legislation will be proposed to allow lack of consent to be established by sworn certification for identity theft cases, as it currently is in larceny, forgery, and criminal possession of stolen property cases. Fourth, the Criminal Procedure Law will be amended to authorize “grant of use” immunity rather than transactional immunity, thereby conforming New York law to federal law and the law of most other states, and allowing prosecutors to more rigorously investigate complex crimes. Fifth, this proposal will amend, but not eliminate, the accomplice corroboration requirement of the Criminal Procedure Law to allow cross-corroboration by a separate accomplice.

Cumulatively, these statutory changes will lower the cost of grand jury proceedings for taxpayers, reduce the burden on private businesses, which lose employees for long periods of time when they serve as grand jurors, reduce the hardships placed on victims and witnesses, and ensure

criminals are not granted a free pass via automatic transactional immunity.

Proposal. Modernize the Civil Asset Forfeiture Process

Governor Cuomo has consistently pursued efforts to create a more fair criminal justice system for New Yorkers. This year, the Governor is advancing a comprehensive criminal justice reform package to ensure defendants are afforded the Constitutional right of innocence until proven guilty. New York's current civil asset forfeiture process is another component of the criminal justice system that requires additional attention to ensure the rights of the innocent are protected.

To address concerns with the State's current system of asset forfeiture, Governor Cuomo is supporting legislation to enhance data collection efforts on the process of seizure and forfeiture. First, this legislation will require all funds seized via asset forfeiture to be deposited into an escrow account managed by professionals with oversight of the authorities. This process will ensure that only eligible property is seized and, when the property is forfeited, all proceeds are dispersed in accordance with the law. Second, claiming authorities will be required to report demographic data – such as race, ethnicity, age, and gender – on the individuals who have had their property seized. This will enable the State to further study the issue of civil asset

forfeiture, identify any underlying biases in the process, and take further corrective action if warranted. Finally, when authorities expend any of the seized assets to purchase equipment or fund programs, they will be required to record the purpose, bringing transparency and accountability to the criminal justice system.

These measures will ensure that New Yorkers accused of crimes are considered innocent until proven guilty, both in practice as well as in law. This initiative will reform the most pressing concerns with the current system and provide a path for increased public trust in the justice system.

Proposal. Abolish the Death Penalty

Much like his father, Governor Andrew Cuomo has made criminal justice reform a pillar of his administration. The late Governor Mario Cuomo was one of the staunchest advocates against the death penalty of his generation. In each of his 12 years as Governor, Mario Cuomo vetoed death penalty bills to prevent its reintroduction into New York law. Regrettably, capital punishment was reinstated by Governor Pataki in 1995. New York also holds the shameful distinction as the first state to execute an individual via the electric chair in 1890.^{liii} From 1890 until the last execution in 1963, 695 people were executed in New York via the electric chair.^{liv} The death penalty is not only archaic but highly unfair and

discriminatory. For instance, of the last 18 people to be executed in the State, 13 were African-American and one was Hispanic.^{lv} Now is the time to right these wrongs and turn back the clock on injustices committed in New York's past.

Although the New York Court of Appeals, the highest court in the state, ruled the death penalty unconstitutional in 2004, capital punishment was never fully repealed in statute. Therefore, the death penalty is still enshrined in law. To address this disparity, Governor Cuomo will introduce legislation to permanently strike capital punishment from the law to guarantee that this draconian punishment is never again practiced in the State of New York. This legislation will honor and cement the legacy of the late Governor Mario Cuomo and ensure New York remains at the forefront of progressive criminal justice reform.

Proposal. Transform the Use of Solitary Confinement in State Prisons

Under Governor Cuomo's leadership, New York has dramatically reformed and reduced the use of solitary confinement for people who engage in misconduct within state prisons following the 2015 landmark agreement between the New York Civil Liberties Union (NYCLU) and the Department of Corrections and Community Supervision (DOCCS). This multi-year effort—which will extend into 2019—has already led to a drastic reduction in the number of

people in a special housing unit (SHU) by 30 percent and shortened the average time spent in a SHU by 31 percent.^{lvi} Last year, the Governor directed DOCCS to close more than 1,200 SHU beds throughout the state correctional system and continued to build a fairer and more humane disciplinary system. Nonetheless, there is more work to be done to ensure that New York remains a national leader in rehabilitation in correctional settings.

This year, the Governor is directing DOCCS to accelerate the momentum of solitary confinement reform by limiting the length of time spent in separation, building dedicated housing units for rehabilitation and integration following a disciplinary sanction, and expanding therapeutic programming to reinforce positive and social behavior. This complete overhaul of the disciplinary system will transform the day-to-day conditions for the few individuals who are disciplined for misconduct. The Governor will also introduce legislation to codify the elements of the NYCLU-DOCCS settlement into law. Specifically, this legislation will restrict the length of separate confinement to less than 30 days, create specialized housing units with out-of-cell programming, and require intensive training for staff and discipline hearing officers on implicit bias, interpersonal communication, and de-escalation. DOCCS, in consultation with the Office of General Services and Office of Mental Health, will reconfigure existing facilities and redesign mental health treatment

services to implement this legislation. Through these comprehensive actions, the risk posed to staff, visitors, volunteers, and other incarcerated individuals will be significantly reduced while also enabling incarcerated individuals to more adequately rehabilitate themselves and, eventually, reintegrate into society.

Proposal. Establish Compassionate Release

For the past eight years, Governor Cuomo has championed criminal justice reforms that reduce mass incarceration while preserving public safety. Over the same time, the state correctional population has decreased approximately 15 percent.^{lvii} Despite this progress, the number of older individuals in custody has risen dramatically, along with a growth in persistent health complications that can be difficult and costly to treat behind bars. In fact, the number of people over 50 years of age in prison rose by nearly 50 percent over the past decade.^{lviii} Last year, the Governor proposed legislation that would expand opportunities for aging individuals to be released to community care if they had debilitating medical conditions and posed little risk to public safety.

Now is the time to advance additional community-based treatment options for those individuals in need of medical care. This year, the Governor will build upon past

efforts and establish a process of compassionate release for incarcerated individuals over the age of 55 who have incapacitating medical conditions exacerbated by their age. Governor Cuomo will advance legislation to expand the existing framework of medical parole and allow these individuals to be reviewed for potential release to community care once they have served at least half of their sentence. The Board of Parole would consider the medical determination, when evaluating if an individual is able to care for themselves, and assess the risk that the individual would reoffend upon release. The State will also explore incentives for community-based treatment providers to serve individuals released through this process, creating better continuity of care. This policy will continue the Governor's dedication to smart, effective, and compassionate criminal justice reforms that save taxpayer resources and reduce crime.

Proposal. Enact a Comprehensive Re-entry Package to Improve Outcomes for Formerly Incarcerated Individuals

Governor Cuomo has been a staunch champion of enhancing re-entry opportunities for individuals returning to society after a period of incarceration. In 2012, the Governor created the Work for Success program, a jobs initiative aimed at increasing job readiness, and improving employment outcomes for people with criminal convictions, which has resulted in over 24,000 hires through the Department of

Labor. In 2016, Governor Cuomo promoted the “Ban the Box” and “Fair Chance Hiring” initiatives to remove prior convictions as a factor for admission to SUNY schools and obtaining a job in New York State government, respectively. However, formerly incarcerated individuals continue to face obstacles to reintegration because of outdated barriers to employment and overbroad public sharing of criminal histories. Governor Cuomo will enact a legislative package to address these obstacles, and help formerly incarcerated individuals become valued contributors to our economy and our communities.

To address these challenges, Governor Cuomo will enact a four-point plan to ease the burdens placed on individuals who have paid their debt to society and provide them with the opportunities they need to succeed. It is imperative that New York continue to develop and implement comprehensive, transformative re-entry strategies that lower recidivism rates and help formerly incarcerated individuals become active participants in their communities.

First, the Governor will advance legislation to modernize the statutes governing occupational licensing in the State. Current New York State law prevents individuals with criminal convictions from obtaining certifications in certain professions that have no impact on public safety. For example, a previous felony conviction does not prevent someone from being considered for a medical license, but it

does prevent someone from applying for a real estate broker's license. This legislation will remove the remaining blanket statutory bans on criminal convictions in occupational licensing, with exceptions for occupations in law enforcement and security, and allow for an individualized assessment of an individual's fitness for that license and occupation.

The current law mandating suspension is unwarranted if the crime did not involve driving and places an undue barrier on the rehabilitation of approximately 8,000 New Yorkers, limiting their ability to travel to a job, school, or treatment. Second, legislation will be put forward to remove the mandatory six-month suspension of licenses for drug offenses, unless the crime involved operation of a vehicle.

Third, the Freedom of Information Law (FOIL) will be amended to prevent the sharing of mugshots that do not have a specific law enforcement need, and mugshots and booking information will be added to the list of government information that would constitute an unwarranted invasion of personal privacy. Under current law, mugshot websites are allowed to access arrest photos with impunity, which they then publish and charge individuals anywhere from \$175 to \$400 to remove their information.^{lix} This legislation will prevent the release of information that fuels this extortionate practice and help ensure the privacy of individuals.

Fourth, the Governor will propose legislation to modernize criminal history reporting to prevent past arrest

information that did not result in a conviction from being used for civil purposes, such as employment, housing, and licensing. This will include cases that did not result in conviction because no disposition has been reported, the case has been adjourned in contemplation of dismissal, or arrest and arraignment charges were not followed by a corresponding conviction on those charges. Arrest information is often used to assess individuals on their suitability for employment or housing, regardless of whether or not that individual's arrest led to a conviction. This legislation will ensure that an individual's arrest record alone does not prevent them from obtaining adequate employment or housing if there is no corresponding conviction from that arrest.

As New York continues to overhaul its criminal justice system, these comprehensive initiatives will ensure that New Yorkers being released into the community have the tools they need to rebuild their lives, obtain employment and housing, and reintegrate into society without fear of stigma or discrimination.

Part 2. Legalizing Adult Use Cannabis

In 2014, Governor Cuomo signed the Compassionate Care Act into law, establishing New York State's Medical Marijuana Program, and the Governor has since continued to

advance improvements to the program to better serve patients. In addition, in 2015, Governor Cuomo launched the New York State Industrial Hemp Research Pilot. Governor Cuomo has also twice proposed legislation to ensure that both public and private possession of a small amount of cannabis is treated as a violation and not as a misdemeanor.

In January 2018, Governor Cuomo directed the Department of Health to conduct an impact study in consultation with other state agencies to review the potential impact of regulated cannabis in New York State. The Governor directed state agencies to evaluate the potential health, public safety, economic and educational impacts of cannabis regulation in New York State. The study also included an assessment of the availability of legal cannabis in surrounding states.

The DOH report, issued in July 2018, concluded that the positive impacts of a regulated cannabis program in New York State outweigh the potential negative aspects. The report stated that the regulation of cannabis benefits public health by enabling government oversight of the production, testing, labeling, distribution, and sale of cannabis. The report further found that the creation of a regulated cannabis program would enable New York State to control licensing, ensure quality control and consumer protection, and set age and quantity restrictions. Moreover, the report found that a regulated program would reduce racial disparities in

criminalization and incarceration rates, noting that there have been more than 800,000 arrests for possession of small amounts of cannabis in New York, with the majority of those arrested people of color.^{lx}

Based on the findings of the impact study, the Governor charged a Regulated Marijuana Workgroup to provide advice to the State on legislative and regulatory approaches. The Governor also launched a series of listening sessions on regulated cannabis across the State that drew approximately 2,400 community members.

Proposal. Advance a Comprehensive Adult-Use Cannabis Plan

In January 2018, Governor Cuomo directed the Department of Health to launch a multi-agency study to review the potential impact of regulated cannabis in NY. The study, issued last July, concluded that the positive impact of a regulated cannabis program in New York State outweighs the potential negative aspects. Building on extensive outreach and research, Governor Cuomo is proposing the establishment of a regulated cannabis program for adults 21 and over in the FY 2019 budget that protects public health, provides consumer protection, ensures public safety, addresses social justice concerns, and invests tax revenue. Specifically, the program will:

- Reduce impacts of criminalization affecting communities of color.
- Automatically seal certain cannabis-related criminal records.
- Implement quality control and consumer protections to safeguard public health.
- Counties and large cities can opt out.
- Restrict access to anyone under 21.
- Generate approximately \$300 million in tax revenue and create jobs.

Part 3. Advancing Reproductive Justice and Women's Equality

From the birth of the women's rights movement in Seneca Falls, New York has always led the charge for gender equality. To carry on that proud mission and in response to the Trump administration's assault on women's rights, last year Governor Cuomo advanced the 2018 Women's Agenda to advance equality and promote opportunity in women and girls' health, safety, workplace, and family life. Among other accomplishments, as part of the agenda, the Governor instituted the strongest sexual harassment reforms in the nation, ensured equal access to changing tables in public restrooms, provided free menstrual products in public schools and removed firearms from domestic abusers.

Building on the success of that far-reaching agenda and with increasing threats from the federal government against equality, this year Governor Cuomo is introducing a suite of policy proposals to keep our progress on women's rights moving forward, not backwards.

Proposal. Pass the Reproductive Health Act and Comprehensive Contraceptive Coverage Act and Enshrine Roe v. Wade into the New York State Constitution

New York has long led the nation in advancing gender equality and the right of every person to control their own body. In 1970, New York State legalized abortion, adopting the country's most progressive law three years before the Supreme Court legalized abortion nationwide. Over the past forty years, since the ruling in *Roe v. Wade*, legislatures have circumscribed access to abortion in state after state. New York has stood on the side of advancing reproductive health care and has set the standard for other states to follow.

The Trump administration's aggressive assault on women and equality is quickly eroding the power of people to make their own reproductive health decisions. The appointment of Justice Kavanaugh threatens the future of affordable, accessible health care for all—and both abortion care and contraception are under attack. Fighting back, in 2018, Governor Cuomo issued an Executive Order ensuring that New York would not only protect, but also expand full,

affordable, and timely access to contraception, including emergency contraception, regardless of the decisions being made in Washington.

This year, Governor Cuomo will work with the legislature to pass the Reproductive Health Act within the first 30 days of the 2019 Legislative Session, codifying the principles of Roe v. Wade into State law. This law will ensure that people have the ability to access the care they need to protect their health, in addition to their life, and ensure that health care professionals can provide these crucial services without fear of criminal penalty. Upon passage of the Reproductive Health Act, Governor Cuomo will advance a concurrent resolution to enshrine the principles of Roe v Wade into the New York State Constitution to protect the right to abortion in New York for good. Additionally, Governor Cuomo will advance legislation to codify affordable access to contraception, including emergency contraception, into New York State law, by passing the Comprehensive Contraceptive Coverage Act.

Proposal. Improve Access to In-Vitro Fertilization and Fertility Preservation Coverage

New York has a proud history of being the progressive capital of the country and advancing women's empowerment. As part of his commitment to uphold this legacy, Governor Cuomo has fought for people to have access to the

reproductive health services they need, when they need them. In 2017, New York State required that all insurers provide fertility services regardless of marital status, sexual orientation, or gender identity. In 2018, through the Women's Agenda, Governor Cuomo directed the Department of Financial Services to examine approaches for incorporating insurance coverage for in-vitro fertilization (IVF) into the existing infertility coverage mandate.

Due to the high cost and lack of insurance coverage, some people are unable to access fertility services. Fertility preservation, the process of saving eggs and sperm, is an important health service for patients who go through treatment that affects fertility, such as chemotherapy or radiation to treat cancer. Many patients are initially interested in fertility preservation, but the high cost can be a barrier to access. Cost is also a barrier to IVF services. Persons with fertility issues, such as same sex couples and single women, and others rely on IVF services. Because not all insurers cover IVF, it is only available to those with coverage, or those who can afford to pay out of pocket. Requiring coverage of these services would make them available regardless of employment, marital status, sexual orientation, gender identity, or socio-economic status.

This year, Governor Cuomo will advance legislation to expand access to coverage for IVF, as well as medically-necessary fertility preservation services. This legislation will

specifically mandate that large group insurance providers cover IVF and will also require large group, small group, and individual insurance providers to cover egg-freezing services for women with certain health conditions, including those undergoing cancer treatment. Additionally, the legislation will include robust non-discrimination language to ensure that New Yorkers have access to these vital services, regardless of marital status, sexual orientation and/or gender identity.

Proposal. Launch Healthy Relationships Education in Middle and High Schools

New York is a national leader in combating sexual assault and abuse. In 2015, Governor Cuomo signed the Enough is Enough law to combat sexual assault on college campuses. In addition, the Governor created the New York Council on Women and Girls in 2017, after the federal government called the national Council redundant. Governor Cuomo knows that issues that affect women and girls affect all New Yorkers.

However, national events such as the #metoo movement and the Brett Kavanaugh hearings demonstrate that more must be done to combat sexual assault and harassment. Enough is Enough works with college students, and sexual and physical violence can begin much earlier. According to the CDC, New York students report a higher rate of physical dating violence than the national average , and

more than one in six female high school students in New York report being forced into sexual activity by a romantic partner.^{lxi} Dating violence is dangerous and pervasive. Domestic violence is cited as the reason for 25 percent of homeless women and children.^{lxii} Research suggests that these patterns of unsafe dating behaviors can begin as young as eleven.^{lxiii} Research also suggests that many of these concerns can be addressed with high-quality education. Effective education about the prevention of dating violence has been shown to lower its incidence by 60 percent;^{lxiv} students that receive inclusive sex education report less bullying and harassment based on sexual orientation;^{lxv} and highly effective comprehensive sex education has been shown to lower the rates of unprotected sex, sexually transmitted infections, and unintended pregnancy.^{lxvi}

This year, Governor Cuomo will champion Healthy Relationships Education in middle and high schools, calling on the State Education Department to convene a taskforce in consultation with the Department of Health and the Office of Children and Family Services, medical experts, teachers, students and families to update the State's health standards to include up-to-date, medically accurate, comprehensive information on healthy relationships for grades 6 through 12. Instruction in grades 6-12 shall include information regarding medically accurate comprehensive sex education, the same definition of consent used in the Enough is Enough Law, dating

violence, and health in all public school classrooms with parental permission. The new standards would also apply to all residential treatment centers operated or licensed by the Office of Children and Family Services. All of New York's young people must have access to the tools to lower the incidence of sexual harassment, assault, and teen dating violence, to provide young people the knowledge in order to make safe, empowered, and respectful choices.

Proposal. Reduce Maternal Mortality and Morbidity and Racial Disparities

Governor Cuomo is a staunch advocate for women's health and equality. In April of 2018 Governor Cuomo announced a comprehensive effort to target maternal mortality. The multi-pronged initiative included efforts to review and better address maternal death with a focus on racial disparities, expanding community outreach, and taking actions to increase prenatal and perinatal care. Under Governor Cuomo's leadership, New York established a Medicaid coverage pilot for doulas and created the Taskforce on Maternal Mortality and Disparate Racial Outcomes.

While New York has made improvements in reducing maternal mortality rates since 2010, when it was 46th in the nation for the lowest mortality rate, the State still ranks 30th in the nation.^{lxvii} Black women are almost four times more likely nationally to die in childbirth than white women and

two to three times more likely in New York. The Taskforce undertook a six month-long examination of the issue and developed a set of short and long-term solutions to address this crisis.

Building off the successes of the past year and the recommendations of the Maternal Mortality Taskforce, Governor Cuomo will advance a series of policies to reduce maternal mortality and racial disparities in New York State:

- Launch a comprehensive education and training program to reduce implicit racial bias in health care institutions statewide. During the Department of Health's recent statewide listening sessions on maternal mortality, women and families of color consistently reported not being listened to by their health care providers and/or experiencing racism in interactions with the healthcare system. Fostering better communication between patients and providers is key to assuring that patients get appropriate and timely care, which can reduce morbidity and mortality rates. Disparate health outcomes based on race indicate that implicit bias can have a negative impact on health outcomes.^{lxviii} In collaboration with statewide healthcare associations, New York State will develop and coordinate a comprehensive training program in partnership with key national health equity experts and continue to

lead the nation in improving patient care and directly incorporating community feedback into quality improvement programs.

- Expand Community Health Worker (CHW) programs in key communities across the state to provide needed social support, information, and advocacy. Community health workers are a trusted and valued community resource as individuals navigate the healthcare system. This proposal will expand CHW activities to address key disparities, including providing more childbirth education and support, assisting in the development of collaborative child care and social support networks, assisting with the development of a birth plan and supporting increased health literacy among communities around the state.
- Enact legislation to create a statewide Maternal Mortality Review Board. The board will engage with a diverse set of experts to assess the causes of each maternal death and identify both clinical and social strategies to prevent future maternal deaths. In parallel, DOH will establish a Community Stakeholder Council to work with the Board and ensure its responsiveness.
- Create an innovative data warehouse to provide near real-time information on maternal mortality and morbidity as well as racial disparities to support

targeted quality improvement efforts by the State, hospitals, health care providers, and improve maternal outcomes throughout the state. The combination of strong data, a review board, and support for extensive quality improvement efforts is proven to reduce maternal mortality. DOH will seek partners in academic and research institutions and with health care providers to build the data warehouse.

- Governor Cuomo will instruct the Department of Health to convene, in partnership with the American College of Obstetricians and Gynecologists (ACOG), an Expert Workgroup on Postpartum Care to develop recommendations targeting the critical time immediately after birth.

All of these proposals will be coordinated with local community members, and DOH will continue this partnership through ongoing community forums on maternal health and adverse birth outcomes. Direct engagement by community members was critical to the Maternal Mortality Taskforce recommendations, and the Governor will continue to lift the voices of the communities most affected as part of this process.

Moreover, the Governor will direct DOH to explore additional multi-year interventions to address maternal mortality, including the adoption of maternity care value

based payment arrangements, examining insurance reimbursement rates for providers, expanding effective community-based services, and promoting diverse workforce development initiatives.

Proposal. Promote Rural Telehealth Services for Perinatal Care

Under Governor Cuomo’s leadership, New York has made historic gains in ensuring access to health care across the state, including in rural areas. Since 2011, the uninsured rate for rural New Yorkers has declined by almost half—many gaining health insurance for the first time.

Despite this great progress, there are still many areas of the state where people lack access to needed services. More than four million New Yorkers live in a primary care Health Professional Shortage Area, mostly covering rural areas of the state.^{lxix} This shortage impacts the ability of individuals to receive specialty services required while pregnant and postpartum. Specialties such as maternal fetal medicine and neonatology that can be required to better ensure healthy birth outcomes are not available statewide. Women are also often unable to travel for specialty care consultation due to lack of transportation or inability to take significant time off from work. One technological solution for the lack of available specialty providers is to use a telehealth model, in which

patients connect with healthcare providers via phone or videoconference.

This year, Governor Cuomo will direct DOH to launch a comprehensive telehealth initiative to increase access to appropriate health care services, including specialists for high risk pregnant and post-partum patients in rural New York. DOH will implement the following strategic four-point plan to incentivize the development of regional networks of obstetric providers in rural areas of the state.

- Make \$5 million available to regional perinatal centers and other health care providers to expand their telehealth capabilities in rural communities.
- Form a Perinatal Telehealth Workgroup with national experts, including the founders of the successful Arkansas Antenatal and Neonatal Guidelines, Education, and Learning System (ANGELS) model, to outline key strategies and barriers for obstetric providers to expand telehealth services and consultation and consult with key rural communities around the state on their specific needs.
- Engage hospitals participating in the Rural Health Care Access Development Program to encourage expansion of perinatal telehealth initiative.
- Create a pilot project to establish a Project Echo tele-mentoring initiative to engage and enhance the skills of obstetric providers serving a select rural area.

Proposal. Ensure Breastfeeding is Respected in the Workplace

Breastfeeding mothers deserve support, not discrimination or stigma. Yet, too often workplaces do not provide legally required accommodations for lactation, face the costs of burdens of breastfeeding without assistance, or are pushed out of public spaces just for feeding their children. That is why Governor Cuomo signed the Breastfeeding Mother's Bill of Rights in 2015, guaranteeing breastfeeding parents the right to use break time to express breast milk at work and the right to reasonable efforts by an employer to provide a private space to do so. Last year, the Governor directed the Department of Financial Services to provide a clear reminder to health insurers that they must provide comprehensive lactation support services to new mothers.

However, there is still more to be done to ensure that employers are following the law. Therefore, Governor Cuomo will introduce legislation to make absolutely clear that lactation is a pregnancy-related condition covered by the New York Human Rights Law, and that breastfeeding and lactation are protected rights that employers must make reasonable accommodations for in the workplace. If an employer fails to do so, it is considered discrimination under New York law and the employer will be liable.

Proposal. Protect the Educational Rights of Pregnant and Parenting Students

Under Governor Cuomo's leadership, New York has taken unprecedented efforts to root out, investigate, and end pregnancy discrimination in all industries. Before these actions, women reported being denied reasonable accommodations, or reported being demoted during maternity leave. These actions are illegal, and the Governor has made it a priority that these practices end in New York.

However, while teenage pregnancy rates are at historic lows, the environment for students who become pregnant or who are parenting has not changed. According to research from the National Women's Law Center, pregnant and parenting students are often pushed out of school by teachers or the school administration and face hostile environments and sexual harassment.^{lxx} Students report being barred from class photos, not being allowed to participate in extra-curricular activities, and being discouraged from pursuing further study.^{lxxi} According to research, only 53 percent of women who gave birth while teenagers graduate from high school, as opposed to 90 percent of women who did not give birth as teenagers.^{lxxii} According to a survey conducted by the Bill and Melinda Gates Foundation, a third of young women who did not finish high school stated that becoming a parent played a major role in their decision to leave.^{lxxiii}

In order to ensure that the protection against pregnancy discrimination is extended to the school environment, Governor Cuomo proposes to codify and expand on Title IX protections for pregnant and parenting students in State law, and encourage schools to examine board policies regarding school absences, so that pregnant and parenting students can graduate on time.

Proposal. Continue Know Your Rights, Get the Facts Campaign

Nationally, there are ever increasing attacks and misinformation campaigns regarding reproductive health services, including via the proliferation of so-called Crisis Pregnancy Centers that provide misleading and inaccurate information to women on abortion and other reproductive health care. In 2018, Governor Cuomo directed DOH to launch the Know Your Options Public Awareness Campaign to connect New Yorkers to accurate reproductive health care, including family planning, pregnancy care, and abortion services. Comprehensive clinical guidelines are the gold standard for family planning services, and it is vital that each woman in New York knows about available services in their geographic area.

In 2019, the Governor will extend this multifaceted, strategic awareness campaign across the state. New York refuses to go backwards and jeopardize the rights and

healthcare of New Yorkers. This public awareness campaign is designed to combat the insidious spread of misleading, medically inaccurate information about reproductive health and to ensure all New York women know all their options without judgment.

Proposal. Launch Uterine Fibroids and Endometriosis Research and Public Outreach Campaign

Governor Cuomo recognizes the need for greater research, treatment, and care options regarding gynecological conditions including uterine fibroids and endometriosis. Governor Cuomo has taken decisive steps to secure women's rights and support women's health including full coverage for breast cancer screenings. In 2016, Governor Cuomo launched the Get Screened, No Excuses campaign early detection and diagnosis for breast cancer. New York has continuously taken action to advance breast cancer research, raise public awareness, and ensure access to early detection and prevention services. By increasing awareness of uterine fibroids and endometriosis including their symptoms among women and health care providers, women may achieve earlier diagnosis and access an appropriate treatment that meets their needs and preferences.

Uterine fibroids are non-cancerous tumors that grow in the uterine wall and vary in size and number. African-American women experience a higher incidence and relative

risk of uterine fibroids than other racial and ethnic groups including white, Hispanic, and Asian women.^{lxxiv} Among women who seek treatment for fibroids, African-Americans are more likely to experience severe symptoms from fibroids, including pain severe enough to interfere with work and other daily activities. Many are also concerned about the impact of fibroids on their fertility.

Endometriosis occurs when the tissue that normally lines the uterus grows outside of the uterus and on other areas in the body; most often on the ovaries, fallopian tubes, tissues that hold the uterus in place or outer surface of the uterus as well as other locations. This often results in cramping and chronic pain, chronic vaginal bleeding, digestive issues and infertility. Endometriosis may affect more than 11 percent of American women between 15 and 44 and is especially common among women in their 30s and 40s.^{lxxv} However, according to the Endometriosis Foundation of American, there is on average a 10-year delay in diagnosis of this significant women's health issue in African-American women.^{lxxvi} Traditional thinking was that endometriosis was a condition of white women but that conventional thinking is rapidly changing. Unfortunately, when African-American women have chronic pelvic pain it is presumed to be due to other conditions like pelvic inflammatory disease, a pelvic infection or uterine fibroids.^{lxxvii} There needs to be increased

awareness of endometriosis diagnosis and treatment for all women.

To continue to expand awareness and research around uterine fibroids and endometriosis, the Governor is launching the following initiatives:

First, Governor Cuomo will call on the State University of New York to conduct research on the diagnosis and treatment of uterine fibroids and endometriosis. Extensive research is still needed to understand why endometriosis and fibroids develop, methods to decrease delays in diagnosis, why African-Americans get uterine fibroids more frequently and with more severity than other races, increase awareness in the African-American community about endometriosis and how uterine fibroids and endometriosis affects quality of life including fertility. This data-driven strategy will leverage the strength of New York's world-class academic and research institutions.

Second, Governor Cuomo will direct DOH to convene an expert roundtable and distribute best practices guidelines to ensure high standard of care in the diagnosis and treatment of endometriosis and fibroids and promote equal access to treatment throughout the state.

Third, DOH, in conjunction with the Council on Women and Girls, will convene community listening sessions about the barriers women of color face in accessing

gynecological services and the solutions to reduce racial disparities and support gynecological health.

Finally, DOH will support women's health and maternal health programs in promoting access to quality community health services through providing community-based organizations education to help them increase awareness, accessibility, and utilization of comprehensive gynecological and primary care health services in addition to reproductive health services including family planning, pregnancy, fertility, and promote positive provider-patient communication and respect, including information on the right to a second medical opinion.

Proposal. Launch Statewide Safe Sleep Campaign to Prevent Infant Deaths

Under Governor Cuomo's leadership, the New York State Office of Children and Family Services and DOH work collaboratively to educate the public about the risks related to unsafe sleeping conditions for infants and young children. DOH works to ensure that expecting parents are provided with comprehensive education related to safe sleep practice during the prenatal period, and in the postpartum period, at both the OB/GYN and the pediatrician's office and encourages medical providers to educate parents on infant safe sleep. In 2017, OCFS and DOH provided over 5,000 safe sleep kits designed to educate parents and caregivers on safe sleeping

practices. Close to 1,500 Pack 'n' Plays were distributed to families in need in 2017. Additionally, OCFS and DOH have partnered on statewide media campaigns to bring the issue of safe sleep to the forefront of the public's mind.

As a result of these efforts, New York State has seen a sharp decrease in infant mortality over the past decade; a 26 percent decrease between the years of 2002 and 2016 compared to a 15 percent decrease nationally. Despite the State's efforts and the continued reduction in infant mortality, 47 percent of infant deaths in New York State are attributable to unsafe sleeping practices.

Building on the existing efforts of OCFS and DOH, Governor Cuomo will direct DOH and OCFS to launch a new joint initiative to further reduce preventable infant deaths. Firstly, Governor Cuomo will designate May as Infant Safe Sleep Month to raise awareness about safe sleep and preventable deaths from unsafe sleep environments. OCFS and DOH will launch a new public awareness campaign that will include radio, television, and social media, as well as postings on public transit and in major transportation hubs. The State will also conduct a statewide media campaign to educate parents, grandparents, and caregivers about best practices in safe sleep. In collaboration with the American Academy of Pediatrics and the American College of Obstetricians and Gynecologists, DOH will also expand outreach to medical providers, including pediatricians and

obstetricians. Secondly, OCFS and DOH will expand the distribution of safe sleep kits to reach nearly 10,000 families. Safe sleep kits include a door hanger with safe sleep information, a baby book about safe sleep, and an infant sleep sack, which is a safe alternative to a blanket that can suffocate the baby. This effort will target regions where unsafe sleep practices may be more prevalent and where the incidences of infant mortality due to unsafe sleep practices are high. Kits will be distributed to homeless shelters, domestic violence shelters, runaway and homeless youth shelters, mother/baby programs, home visiting programs, and community-based programs serving pregnant and new parents.

Proposal. Pass the Equal Rights Amendment

Since the Seneca Falls Convention in 1848, New York has been a beacon for gender equality. When the U.S. Congress passed the federal Equal Rights Amendment in 1972, New York was one of the first states to vote for its ratification. However, the federal ERA still has not been ratified, and New York State has yet to pass our own amendment to protect against discrimination on the basis of sex in our State constitution nearly a century after it was first proposed.

With Washington's recent attacks on gender equality, the failure to remedy this decades-old wrong and to ensure

that New York's constitution represents New York's values is more troubling than ever.

Therefore, this year Governor Cuomo will again push to pass the Equal Rights Amendment to add sex as a protected class to Section 11 of Article 1 of the New York State Constitution. With this change, Section 11 of Article 1 of the New York State Constitution will read: No person shall be denied the equal protection of the laws of this State or any subdivision thereof. No person shall, because of race, color, sex, creed or religion, be subjected to any discrimination in his or her civil rights by any other person or by any firm, corporation or institution, or by the State or any agency or subdivision of the state.

Proposal. Establish a New Model for Domestic Violence Prevention

Governor Cuomo has implemented the most far-reaching restructuring of New York State government since the 1920s. By eliminating unnecessary bureaucracy, the Governor has improved government performance while saving taxpayer money. Now, the State's approach to victims of crime is ripe for a restructuring. The State currently has several offices focused on various aspects of victimization with some offices responsible for prevention and other offices responsible for response with numerous funding streams

serving many of the same agencies and stakeholders in disparate ways. We can do better.

First, Governor Cuomo will advance legislation to abolish the out of date policy which requires some victims of domestic violence to shoulder a portion of the cost of domestic violence shelter, and eliminates the requirement that victims of domestic violence must apply for public assistance when seeking shelter. There should be no strings attached to receipt of emergency services, like a safe place to shelter. The Governor will also direct state agencies to conduct a full review of domestic violence funding with the goal of making the State's efforts to eliminate the scourge of domestic violence the most responsive, efficient, and effective in the nation.

Second, Governor Cuomo will direct the consolidation of the Office for the Prevention of Domestic Violence, the Office of Victim Services, and the Office of Campus Safety into a new agency called the Division of Victim Prevention and Response. This consolidation will remove statutory barriers that restrict the operations of each agency and will allow the State to serve victims of crime through the lens of a continuum—encompassing outreach, prevention, and response. The new Division will ensure that the State is addressing victimization holistically and better enable New York to address emerging issues, such as cyber bullying and teen dating abuse.

Third, to ensure the continuation of reforms in upcoming years, the Governor will appoint a task force made up of State agency representatives and local stakeholders to review the domestic violence service delivery system in New York State and make recommendations for improvement. This task force will be charged with streamlining State funding for domestic violence wherever possible in order to allow domestic violence service providers to more adequately address both the causes and effects of domestic violence, meet the needs of victims, and realize efficiencies. This restructuring will reduce reporting burdens on providers and State agencies, allow the State to create an overall funding strategy based on best practices, grant providers the flexibility to meet the individual needs of domestic violence victims, and enable more effective program evaluation.

Through these actions, Governor Cuomo will continue his commitment to promote healthy relationships, meet the needs of domestic violence victims, and provide a robust array of services to stop the cycle of victimization. These reforms have the added benefit of allocating taxpayer resources in the most effective manner possible.

Proposal. Pass the Domestic Violence Survivors Justice Act

Governor Cuomo has been a staunch advocate for protecting the rights of victims of domestic violence. In 2018,

the Governor signed legislation prohibiting domestic abusers from possessing firearms and extending the sexual offense evidence collection kit retention period at hospitals from 30 days to 20 years. He also provided funding to distribute personal care items and victim services information to survivors.

Despite these initiatives, there is still much work to be done to assist survivors of domestic abuse, especially those who are stuck in the criminal justice system. Domestic violence and women's incarceration are inextricably linked: one study found that 94 percent of incarcerated women have experienced severe physical or sexual violence in their lifetime.^{lxxviii} Many survivors are incarcerated for committing criminal activity to protect themselves from further violence or because they are coerced into criminal activity by their batterers. Incarceration not only further traumatizes these victims, but it also has severe impacts on their children by further straining familial relationships by utilizing expensive incarceration programs instead of less costly alternative to incarceration programs. While Jenna's Law currently permits judges to administer indeterminate sentences to survivors in some circumstances, it does not go far enough. Jenna's Law requires that the offense was committed against an abuser, that the abuse was a factor in causing the offense, and that the abuser was a member of the offender's family or household. This fails to account for offenses committed due to coercion

by an abuser and offenses committed against or at the behest of an abuser who does not share a household or family with the survivor.

To address these concerns, Governor Cuomo will advance the Domestic Violence Survivors Justice Act, which will build on Jenna's Law to include more meaningful sentence reductions and encompass crimes committed not only against, but also at the behest of, abusers. The Act will also permit a small population of currently incarcerated survivors to apply for re-sentencing and earlier release due to their prior victimization. The Domestic Violence Survivors Justice Act will allow New York to take critical steps toward addressing the years of injustice faced by survivors whose lives have been shattered by abuse and make it less likely that survivors will be re-victimized or re-incarcerated.

Proposal. Eliminate the Statute of Limitations for Rape

Victims of sexual violence are too often denied true justice. Under Governor Cuomo, New York has made powerful changes to help remedy this problem: In 2015, the passage of New York's "Enough is Enough" law created the strongest law in the nation to combat sexual assault on college campuses. In 2016, Governor Cuomo signed legislation to require timely testing of sexual offense evidence collection kits, and this year, he signed legislation to extend the sexual offense evidence

collection kit retention period from 30 days to 20 years, providing victims with the time and space to heal before deciding to contact authorities.

However, statutes of limitations on rape cases still imposes a ticking clock on how long victims are able to come forward if they want to seek charges. For crimes of sexual violence in particular, the clock ticks against the trauma and culture of silence that prevents victims from speaking out. Over the last year, victims who have suffered in silence for decades have bravely spoken about their abuse, and also have laid bare the state's limited ability to prosecute their abusers due to the passage of time.

In recognition of this fact, states across the country are lengthening or eliminating the statutes of limitations on crimes of sexual violence. While New York removed the statute of limitations for Rape in the First Degree, a five-year statute of limitations remains for Rape in the Second Degree and Rape in the Third Degree. Therefore, in 2019 Governor Cuomo will advance legislation to remove the statute of limitations for Rape in the Second Degree and Third Degree. Eliminating the statute of limitations for these crimes will allow victims the full opportunity to obtain justice.

Proposal. Outlaw Revenge Pornography

Throughout his time in office, Governor Cuomo has championed the rights of victims of sexual assault and fiercely advocated for policies to bring about the end of sexual violence. Last year, he successfully advanced and signed into law a pillar of the Women’s Agenda to end sextortion. This law ensured perpetrators who coerce a victim to engage in sexual conduct by threatening their health, safety, business, career, financial condition, reputation, or personal relationships can be brought to justice. This measure to crack down on sextortion followed the Governor’s landmark “Enough is Enough” legislation to combat sexual assault on college campuses in 2015, as well as his creation of a dedicated investigative unit within the State Police to help prevent and solve cases of sexual assault at higher education institutions.

Despite these policies and resources, there is a growing issue of new technology applications and social media being used to target and harm New Yorkers through the dissemination of intimate images or videos without consent—also known as “revenge porn.” According to a recent survey, one out of every eight social media users have been a target of non-consensual pornography with women being nearly twice as likely to be targeted.^{lxxix} Unfortunately, current state law only holds perpetrators accountable when sexual images are taken and shared without a victim’s knowledge, but does little

to protect individuals who willingly share images with another person who then distributes them without permission in order to humiliate and harm. Also, state law fails to hold abusers fully accountable when they harass a victim through digital communications, such as text messages and e-mails, instead of phone conversations. This flawed provision of law has prevented law enforcement from charging perpetrators with aggravated harassment, leaving them to face less severe punishment for their menacing behavior.

To send the message that this type of behavior has no place in New York and to empower victims of this sick crime to take action, Governor Cuomo proposes to build upon his previous legislative efforts to criminalize the disclosure or threat to disclose sexual images or videos with the intent to cause harm to an individual's well-being or reputation. First, this new legislation will prohibit the unlawful publication of sexual materials consensually shared when the person had a reasonable expectation that such material would not be disclosed. Specifically, the crime will be a class A misdemeanor punishable by up to one year in jail or three years of supervision for any person who disseminates images or videos of intimate sexual nature. Second, the new legislation will provide victims with a new ability to seek a court order requiring the private images to be removed from a website along with money damages for the unlawful

publication. In addition, the Governor will advance legislation to hold digital communications—including texts, e-mails, and social media messages—with the intent to harass another person to the same legal standard as phone calls. This measure will modernize the aggravated harassment statute bringing it into the 21st century and allowing law enforcement to combat evolving forms of threatening behavior. In sum, the Governor’s actions will further protect vulnerable New Yorkers from unacceptable forms of abuse and bring perpetrators who violate the intimacy and privacy of others to justice.

Proposal. Extend Human Rights Law Protections to All Public School Students Statewide

New York was the first state in the nation to enshrine its values of equality and fairness into statute as a Human Rights Law, affording every New Yorker “an equal opportunity to enjoy a full and productive life” over seventy years ago. Today, this law prohibits discrimination in employment, housing, public accommodations, credit, and other jurisdictions including some education institutions, based on age, race, national origin, sex, sexual orientation, marital status, disability, military status, and other specified classes, and is enforced by the New York State Division of Human Rights.

However, in a 2012 decision, the New York State Court of Appeals found that public schools were not covered education institutions under the Human Rights Law, and the State Division of Human Rights lost its ability to investigate reports of bullying, harassment, or other forms of discrimination by public school students. This decision was made even though 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. And now the federal government has begun renegeing on its commitment to fully enforce federal civil rights protections for students, such as Title IX and Title VI of the Civil Rights Act, leaving our children with even fewer protections and fewer places to turn if they face harassment or discrimination in public school.

This year, Governor Cuomo will again advance legislation to amend the Human Rights Law to protect all public school students and institutions from discrimination. All students in the State of New York must have the right to pursue an education free from discrimination.

Proposal. Remove Gaps in Rape Shield Law

All people deserve to be free from sexual violence, and trafficking victims and sex workers are no exception. This past year, Governor Cuomo signed legislation to allow prosecutors

to seek justice for victims of child sex trafficking without the need to put victims through the trauma of appearing in court, and legislation to move cases to specialized human trafficking courts to connect victims to crucial services.

Rape shield laws providing crucial protection to victims of sexual violence from having their own sexual histories used against them when they seek justice in a court of law. However, New York's current rape shield law suffers gaps that leave many out of its protections, particularly those who are too often at high risk of victimization. The current law does not apply to victims of sex trafficking crimes and it does not shield victims from having their own convictions for prostitution used against them. To ensure that all people are given the protection they deserve from sexual violence, Governor Cuomo will propose legislation to close these gaps in 2019.

Proposal. Increase Protections Against Harassment in the Workplace

There must be no tolerance for sexual harassment in any workplace. New York is a national leader in the fight against sexual harassment and in recognition of the harm sexual harassment poses to our workplaces and our society, last year Governor Cuomo signed into law the nation's most comprehensive sexual harassment package as part of the FY 2019 budget. The package prohibits employers from using

mandatory arbitration provisions in employment contracts in relation to sexual harassment; ensures that nondisclosure agreements can only be used when the condition of confidentiality is the explicit preference of the victim; amends the Human Rights Law to protect contractors, subcontractors, vendors, consultants, or others providing services in the workplace from sexual harassment in the workplace; and requires that all employers operating in New York have a sexual harassment prevention policy and train all of their employees.

But there is still more to be done to protect workers and hold abusers accountable. Therefore, Governor Cuomo will build on the progress made in New York by advancing legislation to do the following:

- Lower the high bar set for employees to hold employers accountable under the New York Human Rights Law for sexual harassment by amending the requirement that conduct be “severe or pervasive” to constitute actionable conduct;
- Protect employees’ rights to pursue complaints by mandating that all non-disclosure agreements in employment contracts include language stating that employees may still file a complaint of harassment or discrimination with a state or local

agency and testify or participate in a government investigation; and

- Ensure workers know their rights, by requiring all employers to conspicuously post a sexual harassment educational poster in their workplace.

Proposal. Modernize New York's Pay Equity Law

Since taking office, Governor Cuomo has fought aggressively to close the gender pay gap in New York by enacting legislation to close loopholes in the State's equal pay laws, signing executive orders to prohibit state entities from evaluating candidates based on wage history, and requiring state contractors to disclose data on the gender, race, and ethnicity of employees. As part of that effort, in 2017 the Governor directed the Department of Labor to issue a report on the gender pay gap in New York and provide recommendations to break the cycle of unfair, unequal compensation. After holding pay equity hearings across the state, the Department of Labor released its report last Spring.

Acting immediately upon its recommendations, Governor Cuomo introduced a program bill to expand on his executive orders by instituting a salary history ban that prohibits all employers, public and private, who do business in New York from asking prospective employees about their salary history and compensation.

This year, Governor Cuomo will build upon that effort by championing the passage of a salary history ban. In addition, the Governor will advance legislation to expand the definition of “equal pay for equal work” to require equal pay on the basis of race, ethnicity, and gender, and expand the requirement that equal pay be provided for all substantially similar work, adding flexibility in recognition of the complexity of the issue.

Proposal. Create the Task Force on Representation and Corporate Transparency to Shine Light on New York Values

Since taking office, Governor Cuomo has been committed to improving corporate responsibility standards, ensuring that corporations doing business in New York embrace New York values. He is lifting up the working class with the nation’s first statewide \$15 minimum wage, empowering families with the nation’s strongest Paid Family Leave program, and rooting out workplace harassment with the nation’s strongest sexual harassment laws. At the same time, Governor Cuomo is committed to making sure that New York’s economic progress is done responsibly and sustainably for the benefit of all communities in the state as well as future generations.

New Yorkers deserve to know who leads the companies they work for and buy from and whether those

companies share these key New York values. That is why in 2017 Governor Cuomo directed the Department of Labor to hold hearings across the state and issue a report on the gender pay gap in New York, as well as sign Executive Order #162 requiring state contractors to disclose the gender, race, ethnicity, and salary of all employees on all state contracts, agreements, and procurements issued and executed on or after June 1, 2017. This transparency shines light on the performance of contractors in areas such as pay equity. However, this measure only applies to those doing business with the State rather than all companies doing business in the State, and only requires high level reporting on their workforce, rather than information on the diversity of a company's leadership.

To ensure that all companies that do business in the state embrace New York values, in 2019 Governor Cuomo will empanel a Task Force on Representation and Corporate Transparency. The Task Force will consist of business and community leaders who will convene to determine the most effective state intervention to ensure corporate transparency on key issues such as workforce diversity, pay equity, and diversity in corporate leadership. To inform the Task Force's recommendations and future state action to encourage diverse leadership in the private sector, Governor Cuomo will direct the Department of State and Department of Labor in consultation with the Division of Human Rights to conduct a

study to systematically examine the current gender and racial inequity on the boards of companies doing business in New York State. The Task Force will provide their recommendations by the end of 2019 so that any necessary legislation can be considered in 2020.

Proposal. Ensure State Boards Are Representative of New York State

Diversity in leadership correlates clearly with changes in how organizations operate: Research by McKinsey& Company found that companies with leadership that is racially and ethnically diverse are 35 percent more likely to have financial returns above their respective national industry medians; and companies with high gender diversity in leadership 15 percent more likely. Several rating agencies and investment funds, such as CalPERS and PAX World, use the extent of gender diversity as one of their investment criteria.^{lxxx} Yet, while women make up nearly half^{lxxxi} of the corporate workforce, they make up only 21 percent^{lxxxii} of corporate boards in the United States, and women of color only 6 percent. Women and people of color are not only underrepresented in leadership positions in the private sector: Despite record gains in the 2018 elections, less than 25 percent of the U.S. Congress is female and less than 20 percent is nonwhite. Here in New York, despite significant advances, women make up around 33 percent of our legislature and only

35 percent of the seats on our Governor-appointed major state boards and college councils.

In recognition that diverse leaders strengthen our State, in 2017 Governor Cuomo announced bold actions, at the recommendation of the Governor's Advisory Council on Diversity and Inclusion, to increase the number of minorities in the State government workforce, including advancing legislation to accelerate the hiring of highly-qualified diverse candidates and expanding access to Civil Service exam preparation and tests. This year Governor Cuomo build on that progress by setting a goal to ensure that his appointees to major state boards and college councils reach 50 percent female and represent the racial and ethnic diversity of New York State. To increase the representation of women and people of color, and ensure sustainability of diverse leadership into the future, the Governor will direct his Chief Diversity Officer and Appointments Office to develop best practices and a strategic plan for recruitment of board members.

Proposal. Invest in New York's Child Care Infrastructure

The FY 2019 Budget provided an historic amount of funding for child care with over \$800 million dedicated to help low-income New Yorkers access high quality, affordable child care. Additionally, Governor Cuomo signed a bill to establish

the Child Care Availability Task Force, charged with examining and exploring innovative approaches to affordability and access to child care.

Despite record investments in child care, many New Yorkers still struggle to access high quality child care. This issue forces families to choose between quality child care and employment, or places families in the position to use unlicensed child care providers. Employers lose close to \$3 million annually in the United States due to employees' child care related issues.^{lxxxiii}

This year, Governor Cuomo will take a series of actions to increase access to reliable, affordable child care for all New Yorkers. Together, these proposals will stimulate local economies and help increase labor force participation, while simultaneously guaranteeing high quality care and education for the youngest New Yorkers.^{lxxxiv}

- **Ensure Access to High Quality Child Care:** In an effort to ensure that households in receipt of a child care subsidy are afforded continued access to high quality child care, Governor Cuomo will invest an additional \$26 million to increase the value of the subsidy. This increase will help low-income families access affordable, regulated child care.
- **Invest in Regional Strategies:** As the drivers of New York State's economic strategic planning, Governor Cuomo tasks the Regional Economic Development

Councils (REDCs) to include child care as a priority in their 2019 Strategic Plans. The 2019 REDC Guidebook will require each region to consider the child care needs of the region and the important impact access to affordable child care can have on the region's economy and to develop a regionally-specific strategy to increase access to quality, affordable child care.

- Launch Child Care Worker Scholarship: Recruitment and retention of child care employees is essential to maintaining access to reliable child care. There are over 84,000 members of the early childhood workforce in New York.^{lxxxv} However, retention of staff can be challenging due to relatively low wages and opportunities in other child care settings. An estimated 65 percent of child care workers' families participate in one or more public income support programs.^{lxxxvi} To ensure that New York State attracts and retains qualified employees to work in child care center state-licensed child care facilities, Governor Cuomo will launch a child care worker scholarship to cover tuition at SUNY or CUNY schools for part-time students who work at least 20 hours a week in state-licensed child care facility. The ability to achieve higher education while working part-time serves as a win for families and teachers, and helps to create a stable workforce.

- **Establish Common Application for Child Care:** In order to make arrangements for child care, families across New York are expected to call individual providers to inquire about rates and availability. This tedious process relies on parents to take time out of their busy work day to call around to share the same information. To improve this process, Governor Cuomo will direct the Office of Children and Family Services to work with the Child Care Resource and Referral Agencies to develop the first common application for child care in the country, easing the burden of filing multiple applications as families seek child care for their children. OCFS will work to ensure that this application is used across the state.

Proposal. Launch Family Empowerment Community College Pilot Program

New York State is a national leader in ensuring pay equity between genders. Under Governor Cuomo’s leadership, New York has succeeded in achieving the smallest wage gap in the nation—state has the narrowest wage gap in the nation with women earning the equivalent of 89 cents to each man’s dollar.^{lxxxvii} Nationally, women earn just 80 percent of what men do overall.^{lxxxviii} In addition, in 2016, Governor Cuomo signed into law the increase in the minimum wage to \$15 an hour for covered workers, of which more than half are women.

However, women in the State of New York continue to be impacted by the gender wage gap, especially women of color and single mothers.^{lxxxix} Public policy efforts have often focused on breaking through the “glass ceiling”—but the majority of working women are “stuck to the floor” in low wage jobs with little opportunity for advancement. According to research from the Institute for Women’s Policy Research, access to higher education is a tested anti-poverty strategy for single mothers. Research found that just 13 percent of single mothers who hold a bachelor’s degree live in poverty compared with 41 percent with only a high school diploma.^{xc} However, single mothers face unique challenges in college or workforce credential completion, and access to childcare is a major factor. A study of single mothers at Monroe Community College found that student parents who used the campus childcare center had an on-time graduation rate that was more than three times higher than those who did not use campus child care.^{xc1}

To close the gender wage gap and neutralize the “sticky floor,” Governor Cuomo will launch a pilot program providing customized supports for single parents attending participating SUNY and CUNY community college campuses. This innovative program will support up to 400 parents a year for three years. Participants will receive on-campus childcare, intensive personalized advisement, educational supports including tutoring, career counseling and assistance in

transitioning to a 4-year school. These comprehensive systems of support will ensure that single parents are able to access higher education opportunities, and help to move themselves and their children out of poverty.

Proposal. Expand Empire State After-School Program

Governor Cuomo has expanded the number of safe and supportive locations for kids to go after school through the Empire State After School Program. Over the past two years, Governor Cuomo has provided \$45 million to create 28,125 high quality after-school slots in high-need communities. These funds have created safe places for kids to go in areas with high rates of gang violence, have provided opportunities in STEM and robotics, tutoring, and physical activities like swimming. Research suggests that every dollar spent on after-school has a three dollar return on investment.^{xcii} There is now over \$100 million in direct state support for after-school programs.

However, there is still a significant need for additional after-school slots, especially in high-needs communities. Despite the substantial increase in funding that the Governor has provided, the most recent grant funds were over-subscribed by \$20 million— meaning that with additional funds even more students would have been served. Research following over 25,000 students in after-school programs

found that participation in high quality after-school programming lowered the drop-out risk for students.^{xciii} In addition, research has found that for low-income students, the higher the levels of participation in after-school, the smaller the math achievement gap is between them and their high-income peers.^{xciv}

In order to ensure that every child who needs a safe place to go is provided one, the Governor proposes an additional \$10 million to create an additional 6,250 slots in high-need communities across the state. This year's grant funds will prioritize funds for areas with high levels of gang involvement, and will focus on serving homeless students and other students who may not have a safe place to go after school.

Proposal. Continue Investment in Computer Science Education Through Smart Start

In 2018, Governor Cuomo made the largest state investment in computer science, by launching the Smart Start Program.^{xcv} Smart Start works to expand high-quality computer science education by offering teacher support and resources in computer science and technology, especially for the youngest learners, starting as early as kindergarten and creating a continuum through 8th grade. In addition, the Governor also directed the State Education Department to create a taskforce to develop model computer science

standards to revitalize the computer science and technology standards for the twenty-first century.

While the Governor, state leaders, and university partners are developing the State's computer science and engineering workforce every day, the gender gap remains quite stark. According to data from the College Board, although more girls than boys take Advanced Placement exams (over 55 percent of New York test takers are female), girls comprised only 27 percent of the test takers for AP Computer Science.^{xcvi} In addition, data suggests that in schools that offer computer science, the gender gap is largest in average and low need school districts, suggesting there is a gender as well as a course access problem.^{xcvii}

In order to continue to close the gender gap in accessing computer science, Governor Cuomo will provide \$6 million for FY20 to allow more schools to participate in the Smart Start program. This funding, along with the new computer science standards, and other course access achievements will help ensure that the next generation of girls is ready to succeed in computer science and technology.

Proposal. Create the State's First Ever Youth Council

Under Governor Cuomo's leadership, significant focus has been placed on improving conditions for young people, including teenagers. In 2017, Governor Cuomo successfully

raised the age of criminal responsibility to eighteen, established the New Youth Justice Institute, and invested \$30 million in the Urban Youth Jobs program. The youth smoking rate is the lowest it has ever been.^{xcviii} This is on-top of the record setting investment in education of over \$26 billion in K-12 funding, and the launch of the Excelsior scholarship.

However, there are still certain problems plaguing New York's young people. New York State has a higher rate of young people that have been victims of cyberbullying and dating violence than the national averages,^{xcix} the opioid crisis has affected youth in every region of the state, and the teen suicide rate is increasing, especially among girls.^c The majority of young people agree with the statement "Government doesn't care about what I think."^{ci} When Scotland gave 16- and 17-year-olds the ability to vote in the independence referendum, there was an 80 percent turn-out for that age group.^{cii} Young people want to participate, but are not always given the opportunity. In addition, Article 12 on the United Nations Convention on the Right of the Child states that children have a right to be heard on policy matters that affect them.^{ciii}

In order to increase participatory democracy with young people, the Governor will create the State's first Youth Council. The Council will be made up of 62 young people ages 13-21, one representing each county. They will serve for a period of two years, and will advise the Governor and

policymakers on key issues facing young people, including outreach and communication strategies. The Council will meet at least three times a year and will provide policy recommendations on education, juvenile justice, the environment, and civic engagement. In addition, in order to address issues specific to young women and girls, especially cyberbullying, sexual assault and harassment, and female empowerment, there will be sub-committees that specifically addresses these issues.

Proposal. If You Can See It, You Can Be It 2019—Girls in Government

The voices of women and girls are needed in our Democracy now more than ever as women’s rights and access to health care are repeatedly at the center of debate. Women and girls make outstanding contributions to New York State. Today, all three women on the U.S. Supreme Court are from New York State, the leader of New York’s highest court is a woman, the chancellor of SUNY is a woman, two borough presidents are women and several major Upstate city mayors are women. Women make up 27.2 percent of the New York State Legislature, which is higher than the national average. It has been proven time and again that diverse groups make better decisions. In 2018, in order to recruit more women to serve at high levels of Government, Governor Cuomo created the NY Women LEAD fellowship, which placed ten highly

qualified recent graduates alongside senior officials within the Executive Branch.

Governor Cuomo will create an opportunity for girls to learn about the impact they can have through politics through the new Girls in Government initiative, a non-partisan program to encourage girls in grades 8 through 12 to get involved in government and public policy. The program will introduce girls to the machinery of advocacy and public policy and teach young girls about public affairs and issues that matter to them personally and in their community. They will witness first-hand the inner workings of state government and meet with elected officials and senior staff. It is important that youth have an opportunity to develop a world view and to understand the principles that underpin civic engagement and help them become global citizens. The program will not only empower young girls to think outside the box, but also will foster youth voices in the decision making process.

Part 4. Creating a Safer New York

The first duty of government is to keep its citizens safe. Governor Cuomo has made the safety and security of all New Yorkers his top priority. From leading the fight against gun violence, to combating gang violence, to guarding against terror threats, Governor Cuomo is taking unprecedented action to keep New Yorkers safe.

Under Governor Cuomo’s leadership, New York has led the way on preventing gun violence and keeping weapons out of unsafe hands. Following the tragic shooting at Sandy Hook, New York passed the strongest gun safety law in the nation. The SAFE Act banned the sale of assault weapons, limited the size of magazines, required background checks on all gun purchases, banned internet sales of ammunition, and created a database of those not permitted to purchase or possess a firearm due to mental illness. In 2018, Governor Cuomo further strengthened New York’s gun laws, including signing legislation to remove firearms from domestic abusers. At a time when people across the country are rising up and calling for action, New York is setting an example for other states—and this federal government—to follow.

Governor Cuomo has also taken significant actions, in partnership with local communities, to take on MS-13 and other violent gangs. The State has taken a multi-pronged approach to ending gang violence, supporting and strengthening law enforcement and cutting off the recruiting pipeline by making groundbreaking investments to provide our young people with opportunities to prosper.

As we face ever evolving threats and need to remain vigilant, Governor Cuomo has advanced new initiatives and continued ongoing efforts to ensure every New Yorker is safe at home, in the communities, and at school. While the federal government ignores calls for action on common-sense public

safety measures, Governor Cuomo will push to make New York's nation-leading laws even stronger and build upon our evidence-based crime reduction strategies.

Proposal. Enhance School Safety

Governor Cuomo has led the charge to protect our children and schools from gun violence and other threats. With the passage of the SAFE Act, New York established the nation's toughest gun laws and continued the Governor's goal to create the safest possible environment for every student, teacher, and school official across the State. The Governor has also championed initiatives that provide communities with resources and services to help keep students off the streets and away from criminal activity.

Unfortunately, this year demonstrated that mass shootings and gun violence increasingly plague schools across the nation. We must do everything in our power to prevent these tragedies from striking our schools.

Governor Cuomo is advancing a comprehensive school safety initiative to enhance security at schools and establish statewide standards for school safety practices. First, the Governor will introduce legislation to require school districts and law enforcement agencies to enter into a memorandum of understanding (MOU) if they choose to hire a police officer to work in their school. This legislation will

ensure law enforcement's role in the school is clearly defined, separated from disciplinary functions of the school, and agreed upon by all parties. Second, the Governor is directing the School Safety Improvement Team, created as part of the SAFE Act, to develop and promulgate a model MOU as a resource for school districts and law enforcement agencies to consider when developing their MOUs to meet the individual needs of their respective communities. Third, the Division of Criminal Justice Services, through the Municipal Police Training Council, will establish a mandatory, standardized training curriculum specifically designed for school resource officers. This curriculum will ensure that all police officers employed by school districts have the training they need to provide security in the unique circumstances of working in a school.

These school safety initiatives continue Governor Cuomo's commitment to the safety of New York's students and educators and establish New York State as a leader in innovative school safety policies and practices.

Proposal. Establish Extreme Risk Protection Orders to Save Lives

Governor Cuomo will continue to champion the Red Flag Gun Protection Bill, also known as the Extreme Risk Protection Order Bill, which would prevent individuals determined by a court to have the potential to cause

themselves or others serious harm from purchasing, possessing, or attempting to purchase or possess any type of firearm, including handguns, rifles, or shotguns. This legislation builds on New York's strongest-in-the-nation gun laws, and, if passed, would make New York the first state to empower its teachers and school administrators to prevent school shootings by pursuing court intervention.

Under current State law, firearms may be removed from a person subject to a temporary order of protection issued by a criminal or family court, but a court can only issue a temporary order of protection in connection with a criminal or family offense proceeding. Even if a person is believed to pose a severe threat of harm to himself, herself, or others, a New York court cannot issue an order to temporarily seize firearms from that person unless that person has also been accused of a crime or family offense.

This shortcoming in the law persists even though family members often contact law enforcement when they fear that a loved one poses a threat of violence to others or themselves.

The Red Flag Gun Protection Bill would provide all necessary procedural safeguards to ensure that no firearm is removed without due process while ensuring that tragedies like the school shooting in Parkland, Florida and the mass killing at the Waffle House in Nashville, Tennessee are not repeated. In both of those cases, the shooter was reported by

multiple sources to be disturbed and dangerous yet was allowed to purchase and possess deadly firearms. An extreme risk protection order could have prevented countless, needless deaths.

Proposal. Extend the Background Check Waiting Period

Governor Cuomo continues to support legislation to establish a 10-day waiting period for individuals who are not immediately approved to purchase a firearm through the National Instant Criminal Background Check System (NICS). Current federal law requires gun dealers to conduct the NICS background check on a potential purchaser prior to selling a firearm, which immediately provides the dealer with one of three possible notifications. These notifications include “proceed,” “denied,” or “delayed.” In the case of a “delayed” response, the dealer must wait three days before completing the sale. The FBI may continue to investigate the individual past the three-day timeframe but oftentimes by the time law enforcement has determined that the potential purchaser is, in fact, ineligible, the sale has already gone through. Extending the waiting period to 10 days would allow law enforcement sufficient time to complete the background check and prevent the sale and help ensure that only those eligible to purchase and own a firearm are able to do so.

Proposal. Increase Public Trust in New York's Law Enforcement Agencies

Across the country, law enforcement agencies are under mounting public pressure to strengthen their relationships with the communities they serve and build public trust. Abuses of power and misuses of force by police officers erode the integrity of the most visible aspect of the criminal justice system. Following tragic, fatal encounters between police and unarmed civilians in New York and the nation, Governor Cuomo issued an Executive Order in 2015 appointing the New York State Attorney General as the special prosecutor to review cases where law enforcement officers cause the deaths of unarmed civilians. The Governor also directed the Division of Criminal Justice Services (DCJS) in 2017 to update the statewide basic police officer curriculum and expand trainings for police leadership to incorporate the latest practices, such as crisis intervention, de-escalation, and evidence-based, crime-prevention strategies. These actions have had a real impact, but there is a clear and present need for additional reforms to reinforce confidence in the professional men and women entrusted with the duty to protect.

Recognizing that positive relationships between the police and their communities are crucial to creating a safer New York and implementing effective enforcement strategies, the Governor proposes a four-point plan to codify existing

progress and build law enforcement's capacity to serve and protect. To implement the Governor's vision, the State will:

- **Establish a Permanent Special Counsel:** Building upon the Governor's Executive Order, the Governor will support legislation creating a dedicated special counsel to ensure that any future deaths of unarmed civilians by law enforcement will receive a full and fair review. This review process will ensure these cases receive the scrutiny they deserve and increase confidence in the criminal justice system.
- **Modernize Victim Notification Procedures to Ensure Dignity and Consistency:** New York is fully committed to treating victims with dignity and respect. While the State Police have adhered to the latest protocols, the standards for notifying family members in the crucial moments after a loved one has passed in a crime or accident vary across the state. This year, the State will create a uniform protocol for death notifications, incorporating the best practices of the State Police, federal law enforcement agencies, and national advocacy organizations. This protocol will be shared with local law enforcement agencies and training academies to ensure the dignity of the notification process.
- **Track Uses of Force by Law Enforcement:** Currently there are no requirements for police departments to

report uses of force by their officers. As the federal government begins to implement a new data collection effort, the State will require that all New York law enforcement agencies have a use-of-force policy implemented and report all use-of-force incidents resulting in death or serious injury. This information will be aggregated and periodically shared with the public to increase transparency and inform policy discussions.

- **Define the Role of Peace Officers:** Current law provides peace officer status to a wide range of specific jobs, including animal control officers, town commissioners, and campus safety staff, with varying abilities to carry firearms and narrow training requirements. The State will overhaul the law, providing officer status only to designated occupational categories that align with certain job duties.

Proposal. Pass the Child Victims Act

Under current law, child sexual abuse offenses cannot be prosecuted more than five years after they occur and, in most cases, civil lawsuits for this conduct must be brought by the victim's 21st birthday. This is an injustice to childhood sexual assault survivors who have suffered for decades and

often were victimized by the authority figures they trusted most. This injustice will end this year as Governor Cuomo advances the Child Victims Act to provide survivors with a long-overdue path to justice.

Finally, after years of obstruction by Republicans in the State Senate, we can enact legislation to ensure that those who abuse children are held accountable criminally and civilly. Specifically, this legislation will increase the length of time during which a child sex abuser may be held criminally accountable. It will also allow abuse victims to commence a civil lawsuit at any time until they reach age 50. Finally, to ensure that each and every survivor has an opportunity to seek justice, the legislation creates a one-year window for victims whose claims have previously been time-barred to bring suit. This landmark legislation will ensure perpetrators of these heinous acts are held accountable and that survivors of childhood sexual abuse receive their day in court.

Proposal. Expand the State Preparedness Training Center to Meet 21st Century Challenges

The New York State Preparedness Training Center (SPTC) was established in 2006 to provide a state-of-the-art training facility for law enforcement and first responders. Most recently, the State completed the Swift Water Training Facility at the SPTC to realistically simulate flood scenarios and allow first responders to effectively prepare for rescue

operations during a natural disaster. The demands on first responders continue to grow, as climate change makes natural disasters more frequent and more deadly and other 21st century threats emerge.

Governor Cuomo is advancing a number of structural and programmatic changes at the SPTC to continue to best prepare our first responders. These changes are supported by \$5 million in capital funding for a multi-year project to consider a number of improvements, including:

- A high-rise structure for training on elevated threats;
- A residential cul-de-sac venue for real-world scenario training;
- A subterranean venue to conduct searches and practice tactics in underground areas;
- A theater to host larger classes and conferences and for real-world scenario training;
- An indoor drone training center for year-round drone training; and
- An operations building to provide modern classrooms and storage options for the Swift Water Training Facility.

The SPTC also serves as the State's central training venue for public drone operators. State law enforcement and emergency management officials have greatly expanded their deployment of drones to conduct critical functions such as search and rescue missions, traffic management, and

structural inspections. Training at the SPTC is essential to these efforts.

Combined, these initiatives will continue to ensure New York leads the nation in preparing its first responders to meet the challenges posed by ever-evolving threats.

Proposal. Enhancing New York State's Counterterrorism Capabilities to Meet Emerging Threats

In December 2017, Governor Cuomo announced the creation of a Counterterrorism Advisory Panel to conduct an in-depth evaluation of New York's counterterrorism assets, policies, and overall security posture and offer recommendations for how New York can further protect itself from evolving terrorist threats. This panel consisted of Kenneth L. Wainstein, partner at Davis Polk & Wardwell and former Homeland Security Advisor to President George W. Bush, Raymond W. Kelly, former New York City Police Commissioner, and Lisa O. Monaco, former Homeland Security Advisor to President Barack Obama. The work of the panel is complete and recommendations have been submitted to the Governor to implement a robust counterterrorism program for the State of New York.

Governor Cuomo has endorsed the panel's recommendations and will advance a multi-pronged initiative to implement these recommendations to enhance New York State's overall counterterrorism and security posture. The

panel's recommendations include four legislative proposals. First, Governor Cuomo will advance legislation to close existing statutory loopholes to prohibit ownership or sale of a bump stock. As evidenced by the 2017 Las Vegas shooting, bump stocks can be equipped to semi-automatic weapons to simulate machine gun fire with deadly consequences. Bump stocks serve no legitimate purposes for hunters or sportsmen and only cause unpredictable and accelerated gun fire, and there is no reason to allow for their continued sale in New York State. Second, the Governor will introduce legislation to ban the weaponization of drones. While drones are an expanding industry, their proliferation introduces a variety of potential security concerns. For example, would-be terrorists could easily affix firearms, explosive devices, and other weapons to a drone. This common-sense piece of legislation will serve as a deterrent to attaching a weapon to a drone. Third, New York State will institute regulations to monitor the sale and purchase of binary explosives. While explosive materials such as Tannerite are predominantly used by sportsmen for target practice, products like this can easily be used for malicious purposes. Therefore, the Governor will institute a regulatory program to track the sales of these products and ensure they are being used safely and appropriately. Fourth, legislation will be advanced to require two forms of identification when renting a vehicle. Vehicle ramming attacks are becoming an increasingly popular

method of terrorist attack. In fact, the ISIS-inspired terrorist who killed eight people and injured twelve along a bicycle path on the West Side Highway in New York City last Halloween rented a truck to commit this heinous act. This requirement will better ensure that individuals attempting to rent a vehicle are who they say they are prior to a vehicle rental being approved.

In addition to these legislative additions, the panel recommended a number of infrastructure hardening and programmatic initiatives. First, the State will invest in portable crash barriers and bollards to prevent vehicle ramming attacks at critical infrastructure locations and large outdoor and mass gathering events. These structures will be strategically placed in the State's regional stockpiles and deployed to harden soft targets and enhance the physical protective measures around civilians. Lastly, the Governor will direct the Division of Homeland Security and Emergency Services to expand its existing "Red Team" exercises to critical infrastructure partners. Red Team exercises are currently conducted in local communities to test their ability to recognize suspicious activity and evaluate their response to potential terrorism-related events. This proposal would expand this program to critical infrastructure partners to enhance awareness regarding the threats that facilities face and the measures that can be taken to mitigate those threats.

Collectively, these initiatives will ensure New York State has the most robust counterterrorism infrastructure and programs in the nation. New York is the number one target of terrorism in the nation, and these measures will better ensure the safety of all New Yorkers.

Proposal. Build Opportunities for Young New Yorkers to Prevent MS-13 Recruitment

While New York remains the safest large state in the nation, occasional spikes in crime involving youth, as perpetrators or victims, are tragic reminders that a safe environment to learn and grow is still beyond the reach of too many young people. In response, Governor Cuomo has deployed a two-pronged strategy to ensure safety and support for young New Yorkers: first, disrupt the cycle of violence when and where it occurs to ensure that those who seek to harm are held accountable and afforded rehabilitation and, second, expand programs that encourage positive development toward education and employment. This approach was specifically developed over the past two years on Long Island to combat the scourge of the violent gang, MS-13, helping to combat gang activity and prevent young people from falling prey to gang recruiters.

While law enforcement agencies have seen double-digit decreases in violent crime in both Suffolk and Nassau counties over the past year, MS-13 gang members still pose a danger to vulnerable young people, particularly new immigrant children, who are often the focus of their recruitment and violence. To ensure young New Yorkers have the resources to avoid involvement in a gang and law enforcement have the tools to crack-down on gang members, the State is continuing over \$45 million this year to implement the bold, comprehensive vision laid out over the past year to eradicate MS-13. Additionally, the State will further enhance law enforcement intelligence and analysis capabilities, anti-gang operations, as well as fund violence prevention grants, build school-based supports, and improve State Park programming. These new programs will complement existing investments in both social services and public safety, building a comprehensive network to dismantle the immigration to victimization pipeline.

Proposal. Prevent Youth Violence and Support Communities Across New York

Governor Cuomo has tirelessly worked to build opportunities for young people by protecting them from gang violence, expanding youth development services, and addressing disparities in the justice system. Last year, the Governor directed his administration to respond to increases in youth violence in Brooklyn, the Bronx, Albany, and Syracuse. Within each jurisdiction, the needs of young people and the challenges they face differ, but they share similar types of disadvantage which lead to disconnection from school and work, as well as an increased likelihood of trauma and victimization. There is a clear and urgent need to provide additional support for youth who are at risk for becoming a casualty of brutality or running afoul of the law.

This year, the State is deploying a new region-based structure to engage community-based organizations and leaders, identify the key needs and resources, and target \$10 million for direct services and programs to keep young people on the path to prosperity. This comprehensive plan will focus on supporting young people in all facets of their life from

academics and athletics to work and well-being. To date, the State has supported an array of resources, such as extracurricular activities, mental health counseling, dispute mediation, civic engagement, job skills and attainment, as well as mentorship, which can be expanded into new neighborhoods through this initiative. This investment will be distributed across nine regions of New York allowing the state to better prevent violence and local communities to tailor their approach to improve youth outcomes. By meeting the needs and interests of youth, New York can promote positive engagement and prevent needless violence.

Proposal. Fully Implement the Landmark Raise the Age Law

In 2017, Governor Cuomo championed the successful effort to raise the age of criminal responsibility to eighteen, continuing a series of significant reforms to the juvenile justice system. This landmark law created a more effective and fair juvenile justice system that provides age-appropriate services to reduce recidivism. Last year, the first phase of the *Raise the Age* law went into effect diverting sixteen-year-olds

away from the adult criminal justice system. This phase was supported by a \$100 million investment to expand the juvenile justice system with an array of resources to provide youth with the programs they need and the opportunities they deserve at the state and local level. These resources prevented the unnecessary entanglement of youth in the criminal justice system and built a structure to divert young people from ineffective and costly confinement toward rehabilitative programs.

This year, the law will apply to seventeen-year-olds which will expand the opportunities to intervene early and effectively to improve youth outcomes. To support this reorientation of the juvenile justice system, the Governor proposes doubling the amount of funding – to \$200 million – to expand state and local resources to support a continuum of evidence-based services, including prevention, diversion, treatment, reintegration, and supervision. This investment will not only ensure the successful implementation of *Raise the Age*, but also improve participation in school and work, as well as reduce crimes and victimization. Through this strategy, New York will remain a national leader in juvenile justice.

Proposal. Develop Workforce Skills for Young Adults Disconnected from Work or School

Under Governor Cuomo's leadership, the State has prioritized the development of young New Yorkers, particularly youth from underserved neighborhoods, through initiatives, such as the New York Youth Jobs Program. Despite progress, the challenges of finding meaningful vocational or career opportunities have prevented too many young people from reaching their full potential. All too often, these young adults become disengaged from their communities and convinced that a life of crime is their only opportunity to survive.

To encourage engagement in education and employment, the Governor is committing \$5.5 million to create a workforce development demonstration project in targeted communities throughout New York. This project will support workforce services for youth who are disconnected or at-risk for disconnecting from school or a job within neighborhoods that have high rates of violent crime and high rates of placement for youth processed in the justice system. These services will connect vulnerable youth with the essential life and job skills needed to build a career and contribute to their

communities. Specifically, the State will partner with community-based organizations to an opportunity for youth to receive job training and work experiences, new educational and public service opportunities, and counseling services, while also helping develop leadership and civic engagement skills. Through this pilot program, New York will advance a robust model for youth engagement that can be scaled to match its success.

Proposal. Expand Youth Connections to State Parks, Outdoor Recreation, and Conservation

Governor Cuomo has transformed the State Parks to increase access for people of all ages from each corner of New York. These expanded opportunities for outdoor recreation and nature conservation have also proven to promote pro-social behavior and reduce conflict among young people. Parks and recreation centers also reduce stress and alleviate trauma providing much needed respite for youth who may not know where to turn. As pockets of violent crime persist in communities throughout the state, it is important to ensure that young

people have access to safe environments to learn and grow.

In 2019, the Governor will renovate recreation centers and expand programs at State Parks promoting healthy and safe activities for young people. To better serve at-risk youth, the State Parks system will leverage over \$15 million to renovate group facilities which host athletic and educational programs, as well as build meaningful partnerships with community-based organizations and local government agencies. This includes a public/private partnership to rehabilitate Junior's Camp at Harriman State Park. The State will also extend the *Connect Kids to Parks* program to ensure that 4th grade students can visit a park or historic site as a field trip. Finally, the State will continue its *Excelsior Conservation Corps* to support young people who participate in a ten-month program protecting natural resources, receiving educational scholarships, and earning valuable experience in the growing green sector of the economy.

Proposal. Enact Comprehensive Safety Reforms for Large Passenger Vehicles

The horrific tragedies involving modified stretched limousines in Schoharie County in 2018 and Suffolk County in

2015 filled every New Yorker with a deep sense of empathy and sorrow for the victims and their loved ones, and reminded us all how quickly life can change. It is in these moments of sad reflection that we must gather strength and move forward with the resolve necessary to ensure these heartbreaking catastrophes are never repeated.

Governor Cuomo proposes a number of statutory reforms to both protect passengers and hold those accountable who seek to flout the law. These proposals include:

- An outright ban on the registration of remanufactured limousines, prohibiting their operation in New York State;
- Require drivers to hold a Commercial driver license with a special passenger endorsement to operate a for hire vehicle with 8 or more passengers;
- Make it a felony to remove an out of service sticker placed by a DOT inspector from a vehicle without having the vehicle re-inspected and cleared by DOT to return to service;
- Increase the civil penalty to a maximum fine of \$25,000 per violation for any person found operating with suspended DOT operating authority or operating a vehicle without such authority and subject such actors to felony prosecution;

- Establish stronger registration suspension and vehicle impoundment powers, including an explicit process for immediate suspension of operating authority by the DOT Commissioner in circumstances that endanger the health, safety, and welfare of the public;
- Explicitly authorize DOT and DMV to seize suspended license plates;
- Make it a felony for any owner/operator to tamper with a Federal Motor Vehicle Safety Standard tag or vehicle inspection sticker;
- Ensure vehicle impoundment occurs for purposes of felony violations and subject multiple violators to the potential for civil forfeiture of vehicle;
- Require mandatory reporting by inspection stations to DMV if a vehicle attempts an unauthorized inspection;
- Create new criminal penalties for any DMV-regulated inspection station that illegally issues an inspection sticker;
- Prohibit U-turns for larger vehicles on all roads within the state;
- Eliminate the exception to seatbelt requirements for limousines, buses, taxis, liveries, and school buses; and,

- Establish a DOT inspection fee of \$120 per inspection for vehicles subject to such inspection;

The Governor is committed to enacting these essential safety reforms into law to honor the lives of those we lost and their friends and family members who have tirelessly advocated for these changes on their behalf.

Proposal. Authorize Speed Cameras

Governor Cuomo firmly believes that school children have the right to safely access their schools for the purposes of education and enrichment. In 2013, he signed a bill into law authorizing the City of New York to develop a system to advance school zone highway safety utilizing camera technology to record and enforce speeding violations. The program was expanded to authorize the deployment of speed cameras in 140 school zones throughout the City of New York the following year. Unfortunately, in June 2018, the New York State Senate concluded its legislative session without taking action to extend the aforementioned laws, thus ending an extremely effective program that demonstratively and successfully protected school children from dangerous drivers.

The termination of the speed camera program just before the commencement of the 2018 school year was wholly unacceptable and placed school children at risk of physical

harm and death in the very same places where they are to be educated, cared for, and protected. In order to ensure the safety of school children and parents alike, the Governor took important and necessary action to continue this program through an emergency declaration. In order to protect this program moving forward, the Governor will put forward a proposal to reinstate this program in statute.

Part 5. Enacting the Democracy Agenda

Voting is the cornerstone of our democracy, and Governor Cuomo has taken unprecedented action to protect the sanctity of the election process and expand access to the polls to all New Yorkers. Governor Cuomo recognizes that there is still much more to be done to remove barriers that have prevented and discouraged voters from exercising their sacred right to vote.

Proposal. Allow Universal Vote By Mail

The New York State Constitution currently restricts absentee ballots to only those people who provide a qualifying reason, such as absence from the county on Election Day or an illness or disability. This unnecessarily prevents New Yorkers from being able to vote by mail for reasons other than those currently listed in the constitution, or simply for convenience. We need to make voting as accessible as possible to as many

people as possible, and we need to amend the constitution to make absentee ballots available to any eligible voter, no matter their reason for wanting one.

Proposal. Enact Statewide Early Voting

Early voting makes voting more convenient for voters whose professional or family obligations make it difficult to physically get to the polls on Election Day. Early voting also reduces waiting times and eases logistical burdens for poll workers on Election Day. Early voting has been adopted by many states and it is unacceptable for New York to lag behind the rest of the nation in voting accessibility – this year we will finally pass a vote to institute early voting statewide.

By combining early voting with electronic poll books, we will also make it easier for poll workers to keep track of voting records and verify voter identity and registration status.

Proposal. Permit Same-Day Registration

The New York State Constitution currently prohibits a voter from registering to vote less than 10 days before an election and still be able to vote in that election. In today's world with today's technology, there is no policy or administrative reason to prevent voters from registering to vote on the day of an election. We will propose amending the

constitution to eliminate this outdated but formidable barrier to the ballot box.

Proposal. Make It Easier to Register to Vote

Although New Yorkers today are given the opportunity to register to vote when interacting with State agencies, they must affirmatively ask to be registered. We propose to reverse that process and register eligible New Yorkers to vote unless they affirmatively ask not to be registered. Automatic voter registration will boost voter registration and turnout in this state and strengthen our democratic process.

New Yorkers should also be able to register to vote online. Apart from DMV, there is currently no online option for voter registration in New York State. We must change that. We will ensure that all automatic voter registration opportunities are available online, and we will enable New Yorkers to simply apply to register to vote on the State Board of Elections website if they choose to do so.

Proposal. Synchronize Federal and State Elections

For far too long, New York State has held separate primary elections for state and federal elections. With the addition of a presidential primary every four years and a general election, this means that in some cases New York is

holding four different elections in a year. This confuses voters and is a waste of administrative resources. It is time to unify the federal and state primaries once and for all and ensure that voters only go to the polls once to choose their nominees.

Proposal. Make Election Day a Holiday

An inability to take off of work should never be a barrier to voting. For this reason, Governor Cuomo will advance legislation to ensure that every worker in New York State receives paid time off to vote on Election Day.

Proposal. Permit Pre-Registration for Minors

New Yorkers are not permitted to register to vote unless they will be 18 years of age by the end of the year and by the date of the election in which they intend to vote. This restriction cuts off access to high school students, many of whom are just learning the meaning of civic engagement. Governor Cuomo will propose allowing 16 and 17-year-olds to pre-register to vote, meaning that a voter will automatically be registered on his or her 18th birthday. This simple fix will allow the State to take advantage of tomorrow's generation today and will further boost our democratic process.

Proposal. Eliminate Restrictions on Voting Before Noon in Upstate Primaries

State Election Law currently prohibits poll places from opening before noon in primary elections only in upstate New York. This creates unequal access to the ballot across the state. New Yorkers everywhere are entitled to the same opportunity to vote, and we will fix this issue by ensuring that voting hours are extended for primary elections upstate to match those voting hours across the rest of the state.

Proposal. Ensure Registration Portability Across the State

When New Yorkers move to a different county, their voter registration does not move with them. This unnecessarily complicates a voter's registration status and requires the voter to re-register with his or her new local board of elections as if he or she were registering for this first time. We will ensure that when a voter moves elsewhere in the state, his or her voter registration will seamlessly go with them. This will eliminate another unnecessary obstacle to the ballot box.

Proposal. Fight to Ensure that All New Yorkers Are Counted in the 2020 Census

As mandated by Article I, Section 2 of the U.S. Constitution, the decennial Census is the once per decade

count of the nation's people. All U.S. residents are counted, regardless of citizenship or immigration status. The data collected by the decennial census determine the State's share of seats in Congress, the granting of \$53 billion dollars per year in federal aid to the State, and the allocation of votes among the states in the electoral college.^[1]

The Census is therefore the bedrock of our democracy—but the 2020 Census is expected to be costlier and more difficult to accomplish than ever before. This Census will be the first in which most New Yorkers will be asked to complete their questionnaire online—a change that will create new barriers to response for many older and rural New Yorkers as well as those living in poverty.

Moreover, in March 2018, the Trump administration announced that it intends to include a question regarding citizenship in the 2020 Census. This patently anti-immigrant question is a gross political act intended only to serve the political agenda of those in power in Washington. The fear of deportation or other retaliation from the federal government will make New York's immigrants less likely to participate in the Census. In fact, data from previous Census surveys suggest that a question on citizenship will chill response in New York more heavily than it will in 47 other states.^[2] By stifling response and thereby misrepresenting the number of New Yorkers, this question jeopardizes critical funding for health care, education, social services,

highway repair, and other vital programs which benefit all New Yorkers.

To combat President Trump's scare campaign, New York State is leading a group of 17 other states in litigation to block the addition of the citizenship question. In addition, Governor Cuomo directed the Department of Labor and the Office of Information Technology Services to undertake an exhaustive effort to ensure that the Census Bureau has a complete list of residential addresses in the state—which are the building blocks for achieving a complete count. Working with partners like Cornell University, the State was able to submit 360,000 new and corrected household addresses to the Census Bureau.

Still, there is more work to do. In 2019, Governor Cuomo will launch a comprehensive campaign to protect the integrity of the 2020 Census and to ensure that every New Yorker is counted. First, Governor Cuomo will launch a statewide media campaign to ensure that all New Yorkers are aware of the count. Second, the Governor will direct all state agencies to make New Yorkers aware of the Census and to help residents complete their online Census questionnaire. And third, Governor Cuomo will direct the Department of Labor and the Department of State to work with the New York City, the 57 counties outside New York City, local governments, and community-based organizations to develop local strategies and outreach

campaigns to ensure that every New Yorker is counted and New York receives its fair share of political representation and federal funding.

Proposal. Increase Criminal Penalties for Assaulting the Press

The freedom of the press is a Constitutionally-guaranteed right and a pillar of our democracy. The guardians of this right are journalists and other members of the media, who are responsible for providing local, national, and international news to the public and providing for transparency in our society.

However, the Trump administration has launched an attack on the press, labeling journalism it does not like as “fake news” to advance the Administration’s own agenda and inspire hatred of the media among the public. Unfortunately, the rhetoric and public discourse has dissolved into violence and attempted attacks on journalists, news outlets, and members of the press. In 2017, a congressional candidate violently assaulted a reporter for asking unwanted questions—an act that was later celebrated by President Trump.^{civ} Last October, Cesar Sayoc mailed 14 bombs addressed to prominent political figures and news agencies, two of which were addressed care of CNN at their New York studio.^{cv} In August 2018, Robert Chain was arrested after

calling the Boston Globe approximately a dozen times threatening to shoot reporters.^{cvi}

The men and women working in journalism should feel safe performing the duties of their jobs. In order to provide additional protections for journalists in light of recent events, the Governor is advancing legislation that would make an assault against a journalist while performing his or her journalistic job duties a felony level offense.

Thomas Jefferson once wrote, “Were it left to me to decide whether we should have a government without newspapers, or newspapers without a government, I should not hesitate a moment to prefer the latter.” We must preserve and protect our right to have free and open discourse without fear of retribution or attack.

Part 6. Enacting 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 which dramatically increased transparency and accountability throughout State government. The Governor’s relentless efforts culminated with an historic agreement in 2016 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*.

Governor Cuomo will continue to fight for ethics and campaign finance reform in New York State.

Proposal. Adopt Campaign Finance Reform

Governor Cuomo will advance a comprehensive package of campaign finance reform to combat the unprecedented influence of big money in politics and empower the voices of all New Yorkers.

- **Public Financing of Elections:** There is no incentive in today's campaign finance system for candidates to focus on ordinary donors. Large donors provide large donations which drown out the voices of ordinary people. Public campaign financing is the remedy to this problem. By enacting a 6:1 public financing matching ratio for small donations, candidates will be incentivized to focus on small donors.
- **Lowering Campaign Contribution Limits:** Governor Cuomo is proposing lowering contribution limits for all candidates. By implementing these reforms, and creating a strong public financing system, New York will dramatically reduce the influence of money in

politics and return to a government by the people and for the people.

- **Ban Corporate Contributions and Fully Close the LLC Loophole:** Ever since the Citizens United decision in 2010, corporate money has overtaken our elections system. It is time for New York State to finally say enough is enough. Governor Cuomo will fix this problem one and for all by banning all corporate and LLC contributions. It is time to restore the power to the people, and take it out of the hands of dark money and special interest donors.
- **Strengthen Disclosure Laws that Expose Dark Money in Politics:** In June 2016, Governor Cuomo advanced ethics reform legislation to address the impact of Citizens United v. Federal Election Commission, 558 U.S. 310 (2010). The Governor cautioned about the increase of dark money in politics and promised to “strengthen disclosure requirements and mandate that groups report the identity of anyone exerting control over them.” In August 2016, the Governor signed into law New York Executive Law § 172, which requires disclosures of political relationships and behaviors widely recognized to be influential but which operate in the shadows. Now, with the lessons of the 2018 election in hand, the Governor proposes strengthening this law in a variety

of ways to assure all New Yorkers have critical information about who is actually speaking to them. Further, the Governor is seeking to streamline the reporting process for 501(c)(3) and 501(c)(4) organizations, including by providing a mechanism for organizations to apply for a statutory exemption before the start of a reporting period.

Proposal. Require Candidates for Statewide Office to Disclose Their Tax Returns

There is currently no requirement that elected officials disclose their past tax returns. This lack of transparency deprives voters of a critical ability to trust that their leaders are following the same tax laws that the rest of New Yorkers are required to follow. Tax transparency also helps to ensure that our leaders are working for the people and not for themselves, and that politicians are free of financial conflicts of interest when enacting public policy. Under this proposal, candidates for the State Assembly and the State Senate will be required to provide the past five years of federal and state tax returns to the state board of elections as a condition of getting on the ballot for a general election. Candidates for statewide office will be required to provide ten years of federal and state tax returns. This measure is an important step toward restoring faith in our democratic system.

Proposal. Require Financial Disclosures by Local Elected Officials

Over 30,000 state elected officials, and their employees, are obligated by law to file financial disclosure statements with the Joint Commission on Public Ethics (JCOPE) annually. Yet, county and municipal elected officials who run our local governments have no such disclosure obligation to the state. This proposal would require these local elected officials to submit basic financial disclosure information to JCOPE, just like their state counterparts, so that the people of New York State can have the information they need about the people they choose to represent them at all levels of government.

Proposal. Enact a First-in-the-Nation Lobbying Code of Conduct

Governor Cuomo has been committed to strengthening New York's ethics laws. In 2016, Governor Cuomo signed legislation strengthening lobbying laws, which required political consultants who provide services to sitting elected officials or candidates and who have clients with business before the government to register under the lobbying laws and disclose their clients. The law also increased penalties for lobbying violations. Despite these reforms and continued enforcement, it is more important than

ever for New York to lead and protect the public trust in government. That is why Governor Cuomo is proposing the adoption of a tough, first-in-the-nation lobbying code of conduct to prevent and punish bad actors.

- **Adopt Stronger Disclosure and Conflict of Interest Requirements:** The Governor’s proposal creates new duties for lobbyists in law: the duty of honesty, disclosure to the government and clients, and a duty to provide accurate information. This includes a requirement that lobbyists disclose conflicts of interest to their clients and to government officials they are lobbying.
- **Lower Lobbyist Disclosure Thresholds to \$500:** Lobbyists and clients of lobbyists only need to register with the Joint Commission on Public Ethics and disclose their lobbying activities when their compensation and expenses total over a certain threshold amount. The Governor proposes lowering that threshold for reportable lobbying to \$500. Additionally, the Governor proposes lowering the threshold for a “reportable business relationship.” Together these proposals will mean lobbyists duty to register and disclose detailed information about their practice and their business relationships with elected officials would be triggered at \$500. These new lower thresholds and increased filing requirements for

lobbyists and clients of lobbyists, would mean that many more people engaged in lobbying activities would be required to file disclosure documents with Joint Commission on Public Ethics.

- **Require Campaign Contribution Disclosures:** Presently lobbyists have no duty to disclose their campaign contributions and solicitations to the Joint Commission on Public Ethics. This means that right now lobbyists can bundle significant contributions, or donate significant amount themselves, to the campaign of an elected official, without any sunlight on whether those donations are getting that lobbyist preferential access to the elected official for their clients. This proposal would fix that major disclosure loophole and require lobbyists to disclose all campaign contributions and campaign bundling so that people may know and understand the extent to which campaign contributions may be affecting the impartiality of their elected officials.
- **Eliminate the Revolving Door Between Lobbyists and Political Consultants:** The Governor proposes creating a fire wall between political consultants who are hired to help elect state government officials and registered lobbyists, who lobby those same state government officials. This proposal would prohibit someone who worked as a political consultant on the

campaign of an elected official from lobbying that person. The proposal would also prohibit the reverse: i.e. it would no longer be permissible for someone engaged in lobbying an elected official to turn around and act as their campaign political consultant. By eliminating this revolving door between lobbyists and political consultants, we can cut off ways that special interests try to buy access to an elected official.

- **Prohibit Lobbyists from Making Loans to Candidates:** Loans being made by lobbyists to candidates create a particularly dangerous risk of quid pro quo corruption in our government. We must ensure that our elected officials are beholden to nobody except the people. For that reason, the Governor will prohibit lobbyists from making loans to candidates.
- **Expand the Length and Scope of Post State Employment Restrictions:** This proposal would increase the existing “two-year bar” that prevents state employees from interacting with their former agency from two years to five years. This proposal would also expand the scope of these restrictions by explicitly prohibiting those covered by the five-year bar from lobbying or registering as a lobbyist during that time frame. All policy making state employees would be subject to these restrictions including

executive agency staff, legislators, and legislative staff. Robust post-state-employment restrictions are critical to ensuring that those in decision making roles in our government are not unduly influenced by former colleagues who are being paid by private parties and are no longer bound by a duty to the public interest.

- **Ban Employees from Volunteering on their Employer’s Campaign:** Expand the Little Hatch Act to prevent employees of an elected official from volunteering for that official’s campaign. Employees will still be permitted to take leave and be paid.
- **Strengthen Punishments for Lobbying Violations:** Lobbyists who fail to file required disclosures, make intentionally false statements, or violate their duties to honesty will face significant penalties and debarment.

Proposal. Improve Transparency through 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 about the workings of state government. The Governor proposes a reform of FOIL to improve transparency and promote openness in state government. But transparency cannot just be limited to the

Executive—everyone must be held accountable to the same standard.

The Governor therefore proposes that FOIL apply equally to the Legislature. The public should have a right to equal access of records from the women and men elected to represent and serve their interests in 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. Strengthen Procurement Rules and Oversight

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 is advancing new measures that will grant authority to the State Comptroller (OSC) and the Inspector General (OIG) to approve certain State University of New York (SUNY) and City University of New York Construction Fund contracts, SUNY Research Foundation contracts, and OGS Centralized Contracts.

In addition, for the first time, contractors, vendors or grantees of state agency contracts and grants will be required to certify, under penalty of perjury, that there was no collusion in bidding or conflict of interest and disclose employment,

financial and family relationships between the contractor and State officials or State elected officials involved in, or benefitting from, the procurement. These certifications will also be subject to OIG review.

Governor Cuomo is also issuing an Executive Order to prevent bad actors from abusing the procurement system, to ensure that state agencies and authorities conduct business with responsible entities and individuals, and to ensure that taxpayer dollars are not paid to entities or individuals who lack integrity, are incapable of providing satisfactory performance, or fail to comply with existing laws. State agencies and authorities will analyze the backgrounds of their vendors and contractors to ensure they have performed in a responsible manner and continue to do so during the course of the contract. Any vendor or contractor that is debarred or found to be non-responsible will be posted on a centralized public website to make sure that other agencies and authorities are aware and do not contract with non-responsible entities.

Proposal. Build a Dynamic, User-Friendly Database of Economic Development Projects

In an effort to increase transparency and modernize the information available on State economic development efforts, the Governor is directing Empire State Development (ESD) to build and host a searchable online database that will

give the public more current and relevant information on projects that receive ESD assistance. When deployed, the new database will provide the public with more recent information on projects and combine the data from many static, program-specific reports into one dynamic, user-friendly website.

Part 7. Ensuring Immigrant Rights

New York State is home to over 4.4 million immigrants, representing one out of every five New Yorkers, who each contribute significantly to our state's economy, culture and social fabric. Since taking office, the Governor has taken aggressive steps to provide assistance to immigrant communities. In 2011, he 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, signed legislation holding entities that defraud immigrants accountable, and established the Office for New Americans. Governor Cuomo also launched NaturalizeNY, the first public-private partnership of its kind to encourage and assist eligible immigrants in New York State with becoming U.S. citizens. In 2017 the Governor launched the Liberty Defense Project—the nation's first public-private immigrant legal defense initiative—in response to the surge in demand

for help that was overwhelming nonprofit organizations serving immigrants, and he will continue these efforts going forward.

Yet New York's immigrants remain under relentless assault from President Trump and the federal government. Governor Cuomo will continue to stand up for immigrants and uphold the values of the Lady in our Harbor.

Proposal. Pass the Jose Peralta DREAM Act

Since 2002, undocumented students qualify for in-state tuition at SUNY and CUNY if they graduated from a New York high school or received a GED in the state. Yet, each year, many talented students who have lived in this state and have graduated from New York high schools are denied the opportunity to fulfill their potential simply because they lack the formal citizenship status of their peers. We can do better.

Governor Cuomo will pass the Senator Jose R. Peralta DREAM Act to finally open the doors of higher education to thousands of New Yorkers. The Senator Jose R. Peralta DREAM Act will give undocumented New York students, who are deserving of the same advantages given to their citizen peers, access to the Tuition Assistance Program, as well as state administered scholarships. An investment in young immigrants' futures is an investment in New York's future.

Proposal. Codify Executive Order Prohibiting State Agencies from Inquiring About Immigration Status

As Washington pursues misguided immigration policies, New York has taken action to help protect all New Yorkers from unwarranted targeting by government. In 2017, Governor Cuomo issued Executive Order 170, prohibiting State agencies and officers from inquiring about or disclosing an individual's immigration status unless required by law or necessary to determine eligibility for a benefit or service. Law enforcement officers are also prohibited from inquiring about immigration status unless investigating illegal criminal activity. This prohibition against inquiring into status includes, but is not limited to, when an individual approaches a law enforcement officer seeking assistance, is the victim of a crime, or is witness to a crime. The Executive Order was further amended to prohibit civil arrests by federal immigration authorities within state facilities without a judicial warrant or order or the civil arrest is related to a proceeding within such facility.

Governor Cuomo proposes codifying the protection of the amended EO 170 into law.

Proposal. Provide a Fair Justice System for New York's Immigrants

New York State has long served as a beacon of hope and opportunity for immigrants from around the world. This State was made great by their innumerable contributions and every New Yorker has benefited from their participation in the economy as employers, employees, customers, and taxpayers. Since taking office in 2011, Governor Cuomo has recognized that immigrants are a vital part of the fabric of New York and maintained his support for their contributions as a source of energy and revitalization. The Governor continually embraces the diversity offered by immigrants – finding collective strength within individual differences – and repeatedly welcomes people seeking to build their lives in this land of the free.

Specifically, the Governor issued an Executive Order expanding language access across state agencies, suspended the State's participation in a federal program requiring local law enforcement to help identify individuals for deportation, enacted legislation protecting immigrants from fraud and discrimination, and established the Office for New Americans, increasing the participation of immigrants in civic and economic life leading to naturalization and citizenship. Just this past year, the Governor created the Liberty Defense Fund—an unprecedented public-private legal defense project—to provide access to legal representation and

assistance to immigrants, regardless of citizenship status, and advocated for passage of the DREAM Act to allow undocumented immigrants access to tuition assistance and scholarships making higher education a reality for all. The Governor also issued an Executive Order this fall prohibiting state agencies and officers from inquiring about, or disclosing, an individual's immigration status unless required by law, regulation, or criminal investigation.

To build upon these progressive actions and lead where the federal government has failed, Governor Cuomo proposes a common sense measure designed to ensure further protections for all immigrants in New York State. This change will create greater equality before the law, eliminating the possibility that minor interactions with the criminal justice system are used as a pretense for deportation. This protection is even more important given the federal government's recent immigration enforcement targeting not just immigrants with serious criminal convictions but also those merely arrested or charged with a non-violent offense. The Governor will push to enact the One Day to Save New Yorkers bill. For class A misdemeanors, such as graffiti and criminal mischief, the maximum sentence of imprisonment is exactly one year—365 days. Due to federal law, any immigrant who is convicted of a crime that may be punishable by a sentence of one year or more can be deported. Shockingly, this deportation can take place even if the individual

ultimately receives a sentence of incarceration or probation less than one year. To protect these immigrants from excessive punishment that does little to protect public safety, the Governor proposes reducing the maximum sentence for class A misdemeanors by one day from 365 to 364 days. This one day would guarantee immigrants are entitled to the protections they deserve and prevent unwarranted deportation.

Proposal. Create the Refugee and Immigrant Student Welcome Grant

New York State is home to over 4.4 million immigrants and has resettled over 105,000 refugees since 2002.^{cvi} Each member of the refugee and immigrant population contributes significantly to our state's economy, culture and social fabric. Under Governor Cuomo's leadership great measures have been taken to protect the rights of refugees and immigrants. In 2013, Governor Cuomo established the Office for New Americans as a stand-alone New York State agency. He also launched NaturalizeNY, the first public-private partnership of its kind to encourage and assist eligible immigrants in New York State with becoming U.S. citizens. Furthermore, in 2018, the Governor provided a broad array of services and resources for unaccompanied minor children, including immigrant children that have separated from their parents as a result of the inhumane federal government's zero tolerance

policy. Resources included education, mental health and health care services for the immigrant children and actions to support family reunification.

However, children of refugees and immigrants still have an extraordinarily difficult task of acclimating to their new communities. Once resettled in the U.S., a child's ability to successfully navigate the school experience is dependent on a number of factors such as age, culture, coping strategies, parental support, degree of uninterrupted schooling, and reception by the host community. Refugee children need attentive school staff, extra individual attention, and intensive support to tackle not only academic challenges, but social, emotional, material and health concerns as well. Schools are not linguistically or culturally equipped to adequately meet the special needs of this population. Additionally, parent involvement in school and community activities is strongly associated with positive outcomes in students' academic performance and school behavior. However, refugee and immigrant family members oftentimes lack critical English skills and support to transition financially and culturally into their new communities.

To continue to support the resettlement of refugees and to welcome immigrants to New York State, Governor Cuomo will invest in a new Refugee and Immigrant Student Welcome Grant. The Governor proposes an allocation of \$1.5 million per year for five years to school districts with higher

refugee and immigrant populations. This funding will improve the delivery of services to refugee and immigrant students in New York State and help them integrate into their new communities. In addition, \$500,000 of these funds will be prioritized for districts on Long Island serving unaccompanied minor students. As the Trump administration seeks to impose the lowest cap ever for refugee admissions program's 43-year history,^{cviii} New York State will hold Lady Liberty's torch high and make our message loud and clear: New York will continue to welcome refugees and immigrants with open arms.

Part 8. Protecting LGBTQ Rights

Throughout Governor Cuomo's career, he has been a national leader in championing LGBTQ rights. The Governor led the charge to pass the historic Marriage Equality Act. Building on this historic accomplishment, Governor Cuomo has continued to lead the nation as a champion for LGBTQ rights—implementing regulations affirming that all transgender individuals are protected under the State's Human Rights Law, strengthening health care and insurance regulations to protect and support transgender individuals, and making it easier for transgender individuals to obtain corrected birth certificates. To combat discrimination and bias against the LGBTQ community and other marginalized

groups in New York, Governor Cuomo established a Hate Crimes Task Force and a hotline for individuals to report bias or hate crimes.

Governor Cuomo will continue to fight to ensure that all New Yorkers, regardless of gender identity or sexual orientation, are treated equally and can live free from discrimination. Under Governor Cuomo's leadership, New York State is actively fighting back against any attempts by the Trump administration to erode the rights of LGBTQ individuals.

Proposal. Pass the Gender Identity and Expression Non-Discrimination Act

Discrimination against transgender New Yorkers—in housing, employment and public accommodations—is unacceptable. In 2015, Governor Cuomo became the first governor in the nation to issue state-wide regulations prohibiting harassment and discrimination on the basis of gender identity, transgender status, or gender dysphoria. Additionally, in 2017, the Governor established a Hate Crimes Task Force and a hotline for individuals to report bias or hate crimes.

However, discrimination and harassment continue to threaten transgender individuals, and an epidemic of violence against transgender people is still gripping this country, especially those in communities of color and others that are

multiply marginalized. The Gender Expression Non-Discrimination Act (GENDA) would solidify protections against discrimination, harassment, and hate crimes against people on the basis of gender identity. Passing GENDA will allow for all New Yorkers to be treated with the fairness and dignity they deserve.

Proposal. Ban Conversion Therapy

Being lesbian, gay, bisexual, or transgender is not a disease, disorder, illness, deficiency, or shortcoming to be cured. That is why wide variety of leading medical and mental health professionals have determined that so-called “conversion therapy” —which refers to therapy intended to change an individual’s sexual orientation or gender identity — is ineffective. Indeed, the practice of conversion therapy has been repudiated as harmful to patients, and particularly young patients, by many medical and professional organizations, including: the American Academy of Pediatrics; the American Counseling Association; the American Psychiatric Association; the American Psychological Association; the American School Counselor Association; the National Association of School Psychologists; and the National Association of Social Worker; the American Academy of Child and Adolescent Psychiatry; and the Pan American Health Organization.^[1]

In recognition of this harm, in 2016 Governor Andrew M. Cuomo announced comprehensive regulations to prevent the practice of conversion therapy in state mental health facilities and prevent health insurance coverage of conversion therapy. However, there is more to be done to fully protect the physical and psychological well-being of New Yorkers, including lesbian, gay, bisexual, and transgender youth, from exposure to the serious harms caused by conversion therapy; and to protect New Yorkers from harmful practices that falsely claim to change an individual's sexual orientation or gender identity.

Therefore, this year Governor Cuomo will introduce legislation to expand the definition of professional misconduct for professions licensed under the education law to include engaging in, advertising for, or allowing someone under one's direction or oversight to engage in conversion therapy with a patient under the age of eighteen years.

Proposal. Ban the "Gay Panic" Defense

Governor Cuomo has been a national leader in championing LGBTQ rights in New York State. In 2015, regulations were implemented by the Governor to affirm that transgender individuals are protected under the State's Human Rights Law, and that all public and private employers, housing providers, businesses, creditors and others should

know that discrimination against transgender persons is unlawful and will not be tolerated. In 2017, the Governor established a Hate Crimes Task Force and a hotline for individuals to report bias or hate crimes.

However, a loophole in New York State law currently allows those responsible for violent crimes to receive a lesser sentence, and in some cases, even avoid being convicted, by placing the blame on a victim's actual or perceived sexual orientation or gender identity. While so-called "gay and trans panic" defenses are not currently recognized as freestanding defenses in New York law, to reduce a murder charge to manslaughter or to justify homicide, defendants have used concepts of these panics in three ways: a defense theory of provocation, arguing the discovery, knowledge, or potential disclosure of a victim's sexual orientation or gender identity was a sufficiently provocative act that drove them to violence in that moment; a defense theory of diminished capacity or insanity, arguing the discovery, knowledge, or potential disclosure of a victim's sexual orientation or gender identity caused them to have a temporary mental breakdown, driving them to violence, or a so-called homosexual panic; and a theory of self-defense, arguing they had a reasonable belief they were in immediate danger based on the discovery, knowledge, or potential disclosure of a victim's sexual orientation or gender identity.

This year, Governor Cuomo will again push to close the loophole in New York State by passing legislation to ban gay and trans panic defenses. These defenses have no medical or psychological basis, and that is why the American Bar Association unanimously approved a resolution in 2013 calling for state legislatures to eliminate the gay and trans panic defenses through legislation.

Proposal. Make Surrogacy Legal in New York State

With advances in reproductive technology and evolving understanding about what constitutes a family, couples and individuals who could not before have children so are now fulfilling their dreams of becoming parents and growing their families. New York State law presently bans the practice of gestational surrogacy, and creates destabilizing uncertainty about who the legal parents are when a child is conceived via other reproductive technology like artificial insemination or egg donation.

The Governor is proposing legislation to lift the ban on surrogacy contracts to permit gestational carrier agreements, while setting forth the criteria for such agreements. The legislation will also allow families entering into surrogacy contracts to seek an “Order of Parentage” from a court prior to the birth of a child. The legislation provides robust protections to all parties and is designed to ensure fully informed consent. The legislation

also makes clear that nothing in any agreement relating to assistive reproductive technology may limit the right of the carrier to make her own health care decisions. New York law must catch up to the times, legalize this important form of reproductive technology, and protect all New York families regardless of how they are able to grow.

Part 9. Serving Our Veterans

Governor Cuomo is committed to serving our veterans, recognizing that they risked their lives to defend our nation and the ideals and principles we hold dear, and it is our duty to support them in return when they come home.

Since taking office, Governor Cuomo has made strengthening services for veterans, active service members and their families a top priority. From holding the State's first Summit on Veterans and Military Families, to launching a 'Strike Force' partnership with the United States Department of Veterans Affairs to help alleviate the federal government's backlog of benefit claims, to enacting the nation's largest set-aside for service-disabled veteran-owned businesses, with more than 500 companies certified, the Governor has spearheaded a number of programs and reforms to support U.S. military service members across New York.

This past year alone, New York State has obtained \$52 million of tax-free federal benefits for veterans and their

families, established the nation's first Discharge Upgrade Advisory Board to review applications from veterans seeking to upgrade their character of discharge and launched the Justice For Heroes Initiative to provide five law schools awards of \$150,000 apiece to implement or improve clinical legal programs that help veterans, service members, and their families bridge the justice gap.

In the year ahead, Governor Cuomo will extend and expand existing programs and couple them with new initiatives to support our veterans, service members, and their families in New York.

Proposal. Support for Transgender Troops

New York State does everything it can to support and advocate for all veterans. From appointing veterans' liaisons to manage programming for service members, veterans, and their families, to hosting the first-ever New York State Veterans and Military Families Summit that focused on creating a comprehensive approach to improving services to veterans and military families, Governor Cuomo has taken important actions to make all veterans and their families feel welcome in New York State.

Nationally, veterans who identify as LGBTQ have faced significant challenges and discrimination. Federal laws such as "Don't Ask, Don't Tell," prevented more than 100,000 from

obtaining an honorable discharge solely because of their sexual orientation, denying them vital federal benefits. More recently, the Trump administration has sought to ban transgender people from military service. Many LGBTQ veterans, including some of the 37,000 veterans in New York who identify as LGBTQ feel that the federal government has turned its back on them, and many do not utilize the potentially life-changing government benefits, programs, and services that they rightfully deserve.

New York will stand with all veterans regardless of sexual orientation or gender identity. This year, all New York State Division of Veterans' Affairs staff will receive LGBTQ cultural competency training to help understand how to best serve LGBTQ veterans. DVA will also work with LGBTQ-focused organizations to make sure that each and every LGBTQ veteran receives individualized assistance in a safe and supportive environment, including by helping LGBTQ veterans upgrade their service discharges so that these brave veterans will be able to access healthcare, education, financial compensation, and other benefits they have earned. DVA will encourage veterans to attain an honorable discharge, assist them in navigating the upgrade process, and advocate on their behalf.

Proposal. Launch a Coordinated Initiative to Combat Veteran Suicide

Having risked their lives to defend our nation, many veterans return home with physical and mental injuries. Governor Cuomo is committed to meeting the needs of these brave warriors and helping them heal. In 2012, Governor Cuomo approved funding for the PFC Joseph P. Dwyer Veteran Peer Support Program to help returning veterans cope with post-traumatic stress disorder and traumatic brain injury by offering peer-to-peer mentoring. In addition, the Governor Cuomo has signed legislation that provides combat veterans employed by the State with additional days of leave to obtain health-related services and grants New Yorkers suffering from post-traumatic stress disorder (PTSD) access to the State's medical marijuana program.

Suicide is the 7th-leading cause of premature death in New York. The trauma of war and the transition to civilian life make veterans particularly susceptible. Nationally, the suicide rate is 1.5 times greater for veterans than for non-veterans. In New York, it is nearly three times the state's overall rate. Homeless veterans and Native American veterans are particularly vulnerable, and the majority of veterans lost to suicide are not receiving healthcare from the VA. It is a multidimensional problem that requires a comprehensive response.

To combat veteran suicide, New York State will launch a wide-ranging, coordinated initiative involving both private and public sector service providers. The Joseph P. Dwyer Veteran Peer Support Project will be expanded from 16 counties to all 62. State personnel will receive training in how to recognize the warning signs of suicide and how to identify veterans, especially homeless veterans, and connect them with veteran-specific services. The State will also launch a telehealth services pilot program to reach Native American veterans.

Proposal. Reward Military Experience and Training with Academic Credit

During their service, veterans developed skills and gained experience in many areas we value highly in New York, such as technology, leadership, and law enforcement. Governor Cuomo's "Experience Counts" campaign has helped veterans obtain careers as commercial drivers, security guards, bookkeepers, accounting and auditing clerks, computer support specialists, and other professions based on their military experience. Governor Cuomo also signed legislation waiving the application fee for civil service exams for honorably discharged veterans because we want these experienced professionals in government. In addition, Active Duty military and their dependents attending SUNY or CUNY pay only the in-state tuition rate.

Nevertheless, veterans commonly miss out on receiving academic recognition for training during active duty military service because SUNY and CUNY lack consistent standards. A veteran who served as a nuclear reactor operator should not have to take introductory physics, a military police officer should not have to take entry-level criminal justice courses, and a Navy SEAL should not need to take a swim test. These unnecessarily repetitive requirements discourage veterans from enrolling in colleges and delay their return to the civilian workforce.

New York will establish a committee to develop and implement a veteran-friendly policy for military training and experience that standardizes academic credits across all SUNY and CUNY campuses. SUNY, CUNY, the NYS Division of Veterans' Affairs, and the NYS Division of Military and Naval Affairs will prepare and implement these long overdue standards.

Proposal. Prevent Pension Poaching Scams

Governor Cuomo has consistently demonstrated a commitment to protecting our veterans and their families and ensuring they have access to the compensation and pension payments they deserve. A Division of Veterans' Affairs "strike force" has dramatically reduced the number of backlogged claims at U.S. Department of Veterans' Affairs regional offices

in New York. In 2017 alone, the NYS Division of Veterans' Affairs generated more than \$100 million in new and recurring disability compensation and pension payments for veterans and their dependents.

Veterans who fight to protect our state and nation should never have to continue fighting enemies when they return home. Far too often, deceitful businesses target veterans who are elderly and/or disabled, promising to help veterans and their family members obtain federal benefits in exchange for an often-substantial fee. Even though these businesses are legally forbidden from charging a fee for filing these claims, and even though many of these businesses lack the accreditation necessary to file these claims, states struggle to prosecute these wrongdoers unless the state statute specifically outlaws this harmful practice.

Governor Cuomo proposes enacting the nation's strongest legislation against so-called pension poaching. This law will implement new disclosure requirements for businesses that advertise their fee-based services of filing claims and appeals for VA benefits, and will enable the prosecution of businesses that violate these standards. In doing so, New York will set a national benchmark for preventing the men and women who served our country from becoming victims of financial exploitation.

3. Health and Environmental Justice

In his 1941 Four Freedoms speech, Franklin Delano Roosevelt described the third essential human freedom—freedom from want—as a “healthy, peacetime life” for the inhabitants of every nation of the world. To secure that essential freedom, affordable healthcare and stewardship of the environment are a must, which is why ensuring that healthcare and environmental justice are centerpieces of Governor Cuomo’s 2019 Justice Agenda.

As the federal government continues to wage a war against the Affordable Care Act, we will make sure New Yorkers are protected. Governor Cuomo is calling for legislation that protects those with pre-existing conditions, codifies the health exchange, and ensures continued access to prescription drug coverage. We will take bold new steps to promote healthy communities, reduce exposure to toxic chemicals, control the health threats from tobacco, and protect the most vulnerable among us, because in New York we believe healthcare is not a luxury—it is a basic human right.

Despite overwhelming scientific consensus, the federal government still denies climate change, even turning a

blind eye to their own scientific reports. But as New Yorkers know too well, climate change is a reality and the consequences of delay are a matter of life and death. In 2019, Governor Cuomo is launching a Green New Deal economic opportunity presented by clean energy, make New York's electricity 100 percent carbon-free by 2040, and ultimately eliminate the state's entire carbon footprint. By supporting a just transition to clean energy and advancing nation-leading investments in clean energy infrastructure, New York will promote sustainable economic growth while creating tens of thousands of good jobs.

Together, these actions under the 2019 Justice Agenda will deliver cleaner, greener and healthier communities, addressing environmental and health issues with bold action and charting the long-term course toward a truly sustainable New York.

Part 1. Protecting Quality, Affordable Health Care

Access to quality affordable health care is a right, not a privilege. Under Governor Cuomo's leadership, New York has made significant progress in the fight to provide affordable access to health care for all New Yorkers. The State's uninsured rate of 5 percent is the lowest in New York's history and approximately half of what it was when Governor Cuomo took office. Premiums are down and New York has one of the most robust insurance marketplaces in the nation, the

New York State of Health, where enrollment has increased every year since its introduction with 22 percent of New Yorkers participating.

Notwithstanding this progress, challenges remain. Most alarmingly, the Trump administration's assault against the Affordable Care Act (ACA) threatens the gains that have been made. Decisive action is required to fight back against threats from Washington and to move New York forward towards universal access.

Governor Cuomo is proposing a comprehensive plan to protect the stability of New York's health insurance market and ensure that all New Yorkers have access to affordable health care.

Proposals: Codify Health Care Protections and Coverage Guarantees for New Yorkers

Under Governor Cuomo's leadership, New York has built the strongest health insurance market in the country. The Governor was diligent in ensuring that the launch of the New York State of Health was a success and has worked to continuously improve health insurance options.

However, a sustained federal assault on the Affordable Care Act puts New York's success in danger. New York has fought back to protect New York's insurance market, including mandating that insurance companies cannot discriminate against New Yorkers based on preexisting conditions, age or

gender and protecting contraceptive coverage. While the Trump administration has failed to repeal the ACA, the federal government continues looking for more ways to strip New Yorkers of their health care, including joining a lawsuit in 2018 to gut protections on preexisting conditions.

In light of the continued federal attacks on the ACA, Governor Cuomo believes it is essential that New York codify key ACA provisions and enhanced State regulatory protections into State law. This is critical to stabilizing the health insurance market and inoculating New York from any further federal attacks on the health care system. The ACA codification package will include:

- **Ban Preexisting Condition Limitations:** Guarantee all New Yorkers that insurers are prohibited from imposing preexisting condition limitations, regardless of federal interference.
- **Essential Health Benefits for Coverage:** Ensure that all insurance policies sold in New York cover the essential benefits current outlined in regulation.
- **Prescription Drug Coverage:** Require that insurers publish an up-to-date list of all formulary drugs accessible to consumers, prohibit discriminatory benefit designs, and create a standard and expedited formulary exception process for prescription drugs not on the insurer's formulary.

- **Contraceptive Coverage:** In 2018, Governor Cuomo took action to protect reproductive rights and ensure coverage of contraception in for all New Yorkers, The Governor proposes codifying these protections in State law.
- **Coverage for Medically Necessary Abortions:** Ensure that women have full access to medically necessary abortions without cost-sharing no matter what actions are taken at the federal level.
- **Mental Health Parity:** Require mental health parity for mental health and substance use disorder benefits for individual, small, and large group coverage regardless of whether mental health parity is required on the federal level.
- **Prohibit Limited Benefit Insurance Plans:** Prohibit insurers from evading state law by selling limited benefit or other non-compliant “junk” policies or association health plans which fail to provide required coverage and consumer protections.
- **The New York State of Health Marketplace:** Ensure that all New Yorkers have continued access to a transparent marketplace that promotes quality and affordable health coverage and care, reduces the number of uninsured persons, educates consumers and assists individuals with access to coverage and premium assistance.

- **Open Enrollment:** Protect the New York State of Health by establishing an annual open enrollment period for individual coverage in state law and continuous open enrollment for large group coverage.

Proposal. Take Action to Achieve Universal Access to Health Care

Under Governor Cuomo's leadership, New York was one of the first states in the nation to implement its own health insurance marketplace under the ACA and over 4.7 million New Yorkers have enrolled in coverage through the marketplace, helping to reduce the number of the uninsured by nearly 1 million. Notwithstanding that the uninsured rate is at a historic low and insurance coverage choices are available across the State, some New Yorkers are still not covered. New York must work to close the gap to ensure every New Yorker has access to high-quality health care.

Governor Cuomo is establishing a Commission on universal access to health care to be supported by Department of Health and Department of Financial Services, and comprised of health policy and insurance experts to develop options for achieving universal access to high-quality, affordable health care in New York. This review process will consider all options for advancing access to care, including strengthening New York's commercial insurance market, expanding programs to include populations that are currently

ineligible or cannot afford coverage, as well as innovative reimbursement models to improve efficiency and generate savings to support expanded coverage. The Commission will report its findings to the Governor by December 1, 2019.

Proposal. Regulate Pharmacy Benefit Managers

Governor Cuomo has worked hard to keep health insurance premiums affordable for all New Yorkers. The single largest driver of premium increases is pharmaceutical drug costs. Last year, the Governor signed legislation that banned certain problematic conduct engaged in by middlemen in the distribution chain of pharmaceuticals called pharmacy benefit managers or PBMs, namely requiring contractual provisions called pharmacy gag-clauses. PBMs have amassed tremendous power and influence over the sale of pharmaceuticals, but despite playing such an important role in such highly regulated markets, they remain regulatory black boxes.

Governor Cuomo proposes robust regulatory oversight of PBMs through licensing and examination of these important healthcare industry participants. Such a regime would ensure that PBMs are not engaging in any unfair business practices to the detriment of consumers or markets and would remove conflicts of interest and set other minimum

standards necessary to take this opaque \$100 billion industry into the light.

Part 2. Fighting to End the Opioid Epidemic

The opioid epidemic is devastating our communities and causing pain and suffering for our families. In 2017, 3,224 New Yorkers died as a result of an overdose involving opioids—a 200 percent increase in opioid overdose deaths since 2010.^{cix} The crisis affects us all, no matter where we live or who we are. In the face of such tragedy, New York is leading the fight against opioid addiction. Governor Cuomo has taken a bold and comprehensive approach, enacting a series of innovative initiatives that educate the public about the risks associated with opioids, aggressively enhancing addiction prevention efforts, expanding access to treatment and recovery services, and increasing consequences for drug traffickers. Although the number of opioid overdose deaths continued to rise in 2017, the annual rate of increase dropped significantly—from 39 percent between 2015 and 2016 to 7 percent between 2016 and 2017.^{cx} These numbers show that we may be turning the tide on this epidemic, but that there is still more work to do.

Under Governor Cuomo's leadership, immediate access to all forms of treatment is now an attainable vision in New York. Families no longer have to worry about their

insurance company blocking the front door to a treatment program with rules requiring prior approval. They no longer have to first try and fail at an outpatient treatment program before they can they access a treatment bed. If they are in crisis at 2:00 AM on a Saturday, they can go to one of the new Open Access Centers around the State which are open 24 hours a day, 7 days a week. If they live in a rural community, they can access services through mobile treatment units. New York State has created a statewide recovery support network by opening new treatment centers, developing recovery centers, youth clubhouses, Family Support Navigators, mobile clinics, and regional resource centers to provide treatment, support services, and information to New Yorkers and their families in a stigma-free and supportive environment. Twelve health hubs around the state help ensure that people with opioid use disorders are connected to the services they need, using a harm reduction philosophy of meeting individuals' basic needs first and moving them along the continuum of care. In all settings, people can talk with others with the lived experience of addiction who can provide them with support. New Yorkers are also able to get the live-saving overdose reversal medication naloxone from a state sponsored program and from their insurer.

In 2019, Governor Cuomo will expand upon this foundation by implementing a series of initiatives to further combat opioid addiction by increasing access to Medication

Assisted Treatment (MAT), the gold standard of care for treating Opioid Use Disorder, eliminating even more insurance barriers to accessing care, empowering all New Yorkers to combat the epidemic, and increasing prevention efforts.

Proposal. Protect New Yorkers from Predatory Practices

In 2018, the Governor signed legislation to prohibit patient brokering or the payment of “kickbacks” by treatment providers—primarily located outside of New York State—in exchange for referring patients to their programs.

These out of state treatment providers are also exploiting vulnerable New Yorkers by overcharging for services and conducting excessive drug testing.^{cxii} This occurs in spite of the fact that good, quality treatment is available every day in New York State. When treatment is provided out of state, we have no assurance that New Yorkers will receive quality, effective treatment.

Governor Cuomo will build on the patient brokering law and advance legislation to 1) require that out-of-state facilities be licensed in their home state and accredited by a nationally recognized organization or that they will comply with OASAS requirements, and 2) prevent predatory out-of-state providers from targeting justice involved individuals by working with courts to immediately connect individuals to in-state treatment programs and by advancing legislation to

protect in-state court ordered treatment. With these actions, New York will implement the strongest practices in the nation to protect its residents, forcing predatory treatment programs to look elsewhere to fill their facility quotas.

Proposal. Expand Access to Buprenorphine

Buprenorphine is an important advance in Medication Assisted Treatment, which, like methadone and injectable naltrexone, is used in combination with counseling as appropriate to help people reach and sustain recovery from Opioid Use Disorder. Like methadone, doctors and other prescribers must get special training and a designation from the federal government to prescribe buprenorphine for Opioid Use Disorder. Unlike methadone, which must be dispensed daily in a clinic, buprenorphine can be prescribed in many different settings, including in a primary care provider's office. However, the number of medical professionals who are designated to prescribe it has been slow to ramp up and it has not traditionally been available in many settings where people go for help.

Governor Cuomo has launched an initiative to aggressively expand access to buprenorphine both by increasing the number of medical professionals who are designated to prescribe it and by expanding the number of settings in which it is prescribed. Due to this targeted effort, the number of certified practitioners who can prescribe

buprenorphine in New York has increased 39 percent from June 2017 to September 2018, to a total of 4,912 prescribers. In 2017, more than 66,000 people in New York received buprenorphine prescriptions to treat Opioid Use Disorder, an increase of 36 percent from 2012. As a result of a pilot project launched in 2017 in Western New York, buprenorphine is now being offered in 14 hospitals with follow-up connections to 27 clinic sites in Erie, Niagara, Genesee, Orleans, Wyoming, and Chautauqua counties. In 2018, New York State partnered with the two hospitals in Staten Island to establish a standard protocol to connect people in the Emergency Department (ED) with addiction treatment services by screening for substance use, initiating buprenorphine when appropriate, and linking individuals to community-based treatment programs. In early 2019, the existing pilot in Western New York will be expanded to include 8 additional hospitals and similar pilots will be launched among hospitals on Long Island and in rural areas of the state.

To further expand this front-line action, Governor Cuomo will direct the Department of Health (DOH) to require all hospitals statewide to develop protocols for their EDs to address Opioid Use Disorder based on the standard of care for treatment or referral for treatment. The protocols must cover the following services in the ED: screening patients for substance use disorder, initiating or referring for treatment when appropriate, and facilitating a patient's connection to

community-based services. Governor Cuomo will also direct the Office of Alcoholism and Substance Abuse Services (OASAS) and the Office of Mental Health (OMH) to ensure that buprenorphine can be accessed in the programs they license and operate. Additionally, the Governor will fund the development of innovative partnerships between federally Qualified Health Centers (FQHCs) and addiction treatment programs to increase access to buprenorphine.

To support medical professionals prescribing buprenorphine and encourage more prescribers to become designated, Governor Cuomo will also direct OASAS, OMH, and DOH to oversee implementation of a statewide learning collaborative. This initiative will target primary care, OB/GYN, emergency department, and correctional settings to facilitate rapid access to buprenorphine for the populations they serve.

Proposal. Expand Access to Medication Assisted Treatment in Criminal Justice Settings

The risk of fatal overdoses among people recently released from prison is 12 times greater than the rest of the population.^{cxii} Providing MAT in correctional facilities significantly reduces the risk of opioid overdose post-incarceration. Over the past several years, Governor Cuomo has dedicated funding and expanded treatment services in State and local correctional facilities; MAT is now provided in 6 state facilities and many county facilities. Despite this

progress, there is an urgent need to expand to additional facilities.

To expand access to treatment in prisons and jails, Governor Cuomo has directed OASAS to distribute over \$4 million to support addiction treatment services in over 50 facilities. Additionally, Governor Cuomo will expand access to MAT by providing \$1.2 million to support the establishment of up to three new MAT programs in State prisons. The funding will enable people who are incarcerated to receive the medication needed to help them rehabilitate while they are in custody and to continue treatment to aid their reintegration into their communities when they are released.

Governor Cuomo will also direct the Department of Corrections and Community Supervision (DOCCS) to enhance the current program model offered at its drug treatment campus to provide a more therapeutic service delivery focused on prolonged substance use and trauma informed care. Additionally, the Governor will direct the DOH to seek federal approval to provide Medicaid coverage for incarcerated individuals during the last 30 days of incarceration for medical, pharmaceutical, and health care coordination services. This would enable individuals leaving incarceration to connect to community-based care prior to release.

Proposal. Improve Access to Medication Assisted Treatment for Individuals Living on the Street

On a single night in January 2018 there were over 3,4,200 individuals living on the streets across the State, and just over 1,700 were identified as suffering from chronic substance use disorder.^{cxiii} Homeless individuals are known to experience higher rates of substance use disorder, as compared to those who are stably housed.^{cxiv} For many, the first step to achieving stable housing and lasting recovery is access to treatment.

Governor Cuomo will direct OASAS and DOH to partner with local government in an urban area of the State and community-based organizations to develop a pilot project which will expand access to MAT as part of their outreach efforts to homeless individuals with opioid use disorder. Partnering with experienced organizations will ensure this vital treatment model reaches New York's most vulnerable citizens.

Proposal. Increase Access to Naloxone

Through New York State's efforts to enhance naloxone training and availability, more than 360,000 New Yorkers have been trained and equipped with the opioid overdose reversal medication. More than 14,000 overdose reversals have been reported by people administering naloxone since 2006 with over 8,000 occurring since January 2017. Of these,

more than 3,100 were by law enforcement personnel, nearly 450 were by fire fighters, and 4,460 were by community responders.^{cxv}

Governor Cuomo has enabled K-12 schools to maintain naloxone by both providing funding for schools to obtain kits, and by changing state law to ensure that school nurses are able to respond to student needs. Educators are provided training to ensure ready and appropriate access for use during emergencies. At the higher education level, all CUNY and SUNY police and first responders have naloxone kits. They are also available in the campus health centers. Both CUNY and SUNY have reported using naloxone to save lives

Many overdoses occur inside food service and retail establishments. Trained employees and customers who administer naloxone while first responders are en route save lives. They should receive the same legal protections that already exist for other workers in key public spaces, like schools and libraries. Governor Cuomo will direct DOH to advance legislation that expands Good Samaritan laws to apply to workers in restaurants, bars, and other retail establishments. With this change, naloxone can be administered in an emergency without the threat of liability, thereby maximizing access to this lifesaving medicine. In addition, Governor Cuomo will increase access to naloxone at SUNY and CUNY by ensuring that naloxone is provided as part of every dorm first aid kit, or available for the Resident

Assistant on duty every night in every SUNY and CUNY dorm. All college organizations at SUNY and CUNY, including the Greek systems and athletics, will be required to have someone trained and naloxone available for all events, meetings, and sporting events.

Proposal. Prevent and Detect Opioid and Substance Misuse in Health Care Settings

New York has led the nation in closing a critical front door to opioid addiction —the overprescribing of opioids for pain. Governor Cuomo championed legislation requiring prescribers to limit initial opioid prescriptions to 7 days for acute pain, check the Prescription Monitoring Program registry, maintain a written treatment plan when opioids are used for pain lasting more than 3 months or beyond the normal healing time, and take a course on pain management and appropriate prescribing of controlled substances before prescribing any controlled substances. Building on these efforts. More people than ever before are being identified as having or being at risk of substance use disorders. Importantly, many people are still missed and do not receive the help that is available to them.

To further address this, New York will become the first state to aggressively adopt: 1) routine screening for substance use utilizing a standardized questionnaire, for all patients in primary care settings and 2) connection to treatment and

community services, as appropriate. Additionally, the Governor will require hospitals to have standard protocols for pain management in line with safe prescribing practices and for screening of substance use disorders in the Emergency Department. This action will further protect New Yorkers from becoming exposed to addictive substances at the outset, without limiting quality clinical care or the health care practitioner's judgment. Governor Cuomo will also introduce legislation requiring prescribers in Emergency Departments to check the Prescription Monitoring Program registry before prescribing controlled substances, a requirement Emergency Departments have been exempt from until now. This will help individuals receive the care they need.

Proposal. Launch a Comprehensive Substance Use Prevention Blueprint for Schools

There are many prevention resources in New York State and schools are required to teach substance use prevention in health class. However, there is wide disparity in what is taught. In 2018, Governor Cuomo and Staten Island Borough President James Oddo created a School-Based Prevention Task Force comprised of local prevention providers, educators, and other stakeholders. This Task Force developed recommendations to standardize prevention curriculum in all K-12 schools on Staten Island to ensure that each child, regardless of the school they attend, receives the

same comprehensive prevention programming focused on opioid use prevention, resilience and coping skills.

At Governor Cuomo's direction, New York State will build on these successes by launching a statewide collaborative to streamline all prevention resources and develop best practices, standards, and metrics for substance use prevention into a focused "Prevention Blueprint" that will assist schools to follow a comprehensive, evidence-based and data-driven approach to prevention. OASAS shall work in collaboration with the State Education Department, Department of Health and the Office of Mental Health to develop the Prevention Blueprint for use in the 2020-21 school year.

Proposal. Enforce Behavioral Health Parity and Remove Insurance Barriers to Care

Millions of New Yorkers are now able to access immediate, affordable, substance use disorder treatment due to Governor Cuomo's commitment to identifying and eliminating many insurance barriers to care and establishing a permanent Behavioral Health Ombudsman Program to help all New Yorkers access their insurance coverage for substance use disorders and mental health services. While New York has made great strides, we must go further. Across the nation, there continue to be significant barriers limiting access to behavioral health services. Individuals and families who pay

for comprehensive health insurance coverage face stigma, discrimination, and inequality with inadequate networks and payment disparities.

Governor Cuomo will ensure that New York leads the nation in access to care and introduce a comprehensive parity reform bill to enhance State monitoring, oversight, and enforcement of insurance plans and to require insurers to apply the same treatment and financial rules to behavioral health services—like substance use and mental health service—as those used for medical and surgical benefits. In addition, the Governor will assess the remaining insurance barriers that keep New Yorkers from accessing care by prohibiting insurers from requiring prior authorization to access covered forms of MAT and explore limiting patient co-payments for outpatient addiction treatment to the equivalent of a doctor’s office visit and to one co-payment per day.

Proposal. Address Root Causes of the Opioid Epidemic

The opioid crisis is fueled by many social and economic factors. Solutions for such a complex crisis require innovation. In September 2019, New York State hosted the first Empire State Opioid Epidemic Innovation Challenge to co-create solutions to curb the local and national opioid epidemic, attended by the Lieutenant Governor and 200 other people at Columbia University. New York State will continue its leadership in designing innovative solutions by investing

additional monies in partnership projects across the state that address and improve social cohesion, enhance economic opportunity and build community wealth and resiliency.

The State will use a “collective impact” approach to community building and social connection in communities that have been hit especially hard by the epidemic for a series of pilot projects. The collective impact framework aims to achieve significant and lasting change through innovative and structured approaches to collaboration among corporations, nonprofit and government entities, and citizens. New York State will facilitate partnerships with local organizations in these communities to develop measurable, time-bound goals to engage community members to enhance social and economic capital and build community wealth.

In the first phase, the State will award five \$50,000 in planning and development grants to communities to invest in building social and economic capital, facilitating social connection, addressing the effects of trauma, building community wealth and resiliency, developing data-driven solutions, and addressing root causes of the opioid epidemic through demonstrated deliverables and metrics. In the second phase, the State will provide grant awards to implement the pilot projects.

Proposal. Provide Police Officers and Prosecutors with the Tools to Combat Deadly Fentanyl and Analogs

There has been a dramatic increase in overdose deaths due to the introduction of an alarmingly lethal substance—fentanyl and its analogs—in the illegal drug supply. These new drugs are not automatically illegal in New York State. In fact, some analogs are prohibited by the federal government’s controlled substances schedule but are not in the State schedule.

The Governor is advancing legislation to give law enforcement the ability to arrest and prosecute drug traffickers who deal in emerging fentanyl analogs. This measure will add analogs to the State’s controlled substances schedule, prohibiting their manufacture, purchase, or possession and would authorize the State Health Commissioner to add new drugs that have been added to the federal schedule I to the state schedule I, following a period of public engagement. This public engagement will provide an opportunity to promote public awareness about these dangerous substances and solicit feedback from subject matter experts.

The Governor is also directing the Division of Criminal Justice Services (DCJS) to expand its law enforcement two-day narcotics investigation training course to every region in New York State. DCJS will host ten 16-hour training sessions for criminal justice officials throughout the state over the next

year. Finally, the Governor is tasking DOH, DCJS, and State Police to lead a multi-agency team in developing a joint policy to enable local public safety and health officials to better track opioid overdoses and identify “spikes.”

Proposal. Support New Yorkers in Recovery from Addiction

New York State has developed the largest recovery support network in the nation by investing in recovery supports and services such as youth clubhouses, recovery centers, supportive living, and the expansion of peer recovery services across the State. Understanding that our youth/young adults and individuals returning to work after treatment are two distinct populations of New Yorkers in need of additional assistance, Governor Cuomo will expand upon existing resources to ensure New York continues to be the national leader in the development of recovery supports.

Recovery high schools are specialty schools where students in recovery can learn in a substance-free and supportive environment and have proven to be an effective model to help youth in recovery stay healthy and graduate. Under Governor Cuomo’s leadership, in 2017, OASAS issued a Request for Information for interested BOCES regarding recovery high schools, and there was an enthusiastic response from every region of the State. In 2018, Governor Cuomo signed legislation that would allow students in non-

component BOCES districts, such as students in Rochester, New York City, or Buffalo to participate in recovery high schools. School districts have been working with OASAS and SED and community agencies to get schools started in coming years.

However, students in recovery cannot wait. Virtually all youth in recovery reported being offered drugs their first day back at school. Eight percent of the opioid deaths that New York faced in 2016 were to people under the age of 24.^{cxvi} In order to help support the immediate expansion of recovery high schools in New York State, the Governor proposes \$2 million in start-up grants for up to five recovery high schools operated by BOCES to begin operation during the 2019-20 school year.

Furthermore, a significant barrier to maintaining recovery is access to employment opportunities, Governor Cuomo will propose a tax credit that will incentivize businesses to hire individuals with a history of addiction. This tax credit is designed to encourage and accelerate growth across the state while also creating a recovery-oriented culture in businesses and local communities. New York will continue to lead the nation by implementing a first of its kind tax credit, for up to \$2,000 per employee for New York businesses that hire individuals in recovery and that are willing to support and encourage their continued recovery.

Part 3. Creating Healthy Communities

Governor Cuomo knows that the health and well-being of New Yorkers depends both on their access to high-quality, affordable health care and on the quality of their environment. That is why he is advancing a bold suite of proposals to protect public health, defend the environment from Washington's strategy of environmental attacks, and create a cleaner, greener, and healthier New York.

Proposal. Protect New Yorkers from Unknown Exposure to Toxic Chemicals

Governor Cuomo has been steadfast in his commitment to protecting New Yorkers from unknown exposure to harmful substances. Under his leadership, New York State has made unprecedented investments in clean water, prevented the use of harmful flame retardant chemicals in child care products, and required the disclosure of hazardous chemicals in household cleaning products.

Despite these strong efforts, New Yorkers are still regularly exposed to potentially harmful chemicals in the products they use every day, often without their knowledge. Products ranging from toothpaste to floor polish frequently contain known carcinogens or endocrine disruptors, yet their manufacturers have no obligation to disclose that information to New York consumers. Even with broad online disclosure

required for certain product categories, consumers are often unaware of the availability of such information, reducing their ability to determine for themselves which chemicals their families are exposed to. As federal standards continue to weaken, it is all the more important that New York State protect its residents.

To further protect New Yorkers from potentially harmful chemicals, Governor Cuomo will introduce legislation authorizing and directing the Department of Environmental Conservation, the Department of Health and the Department of State to develop an on-package labeling requirement for designated products, indicating the presence of potentially hazardous chemicals. New legislation will authorize DEC, DOH, and DOS to develop regulations outlining the parameters of the new labeling requirement, including the more than 1,000 carcinogens and other chemicals that will trigger labeling and the types of consumer products that will be subject to the new regime. DEC, DOH, and DOS will consider a suite of potentially hazardous chemicals, including chemicals considered carcinogens or that carry material reproductive risks, and will evaluate the feasibility of requiring labeling for cleaning products, personal care products, toys, cosmetics, and other consumer products. In consultation with experts and advocates, DEC, DOH, and DOS will develop a science-based approach to keep New Yorkers aware of the risks associated with commonly used products.

In addition, the legislation will extend the previously established household cleaning product disclosure requirements to cover all cleaning products sold in New York State, and it will give DOH the authority to require similar disclosure for the manufacturers of personal care products like shampoo, deodorant, or baby powder. Under these requirements, cleaning product and personal care product manufacturers must make certain product ingredient information publicly available on their websites and on a publicly accessible database currently being developed in cooperation with the Interstate Chemical Clearinghouse.

Governor Cuomo will further direct DEC, DOH, and DOS to study potential expansion of the disclosure and labeling requirements to other product areas and to explore additional potential measures to empower consumers with more information.

Proposal. Control Health Threats from Tobacco

Governor Cuomo has taken unprecedented steps to ensure the health and safety of all New Yorkers. Under Governor Cuomo's leadership, New York State has moved from the 18th healthiest state in the nation in 2012 to the 10th healthiest state in the nation in 2017. In 2017, Governor Cuomo expanded the Clean Indoor Air Act to prohibit e-cigarette use in nearly every workplace to protect workers

and the public from harmful secondhand tobacco smoke and vaping aerosols.

Despite this progress, tobacco use continues to be the number one cause of preventable death in New York State. About 28,000 adult New Yorkers die every year as a result of smoking. Additionally, an increasing number of underage youth are using both traditional cigarettes and e-cigarettes. From 2014 to 2018 youth use of e-cigarettes increased by 160 percent from 10.5 percent to 27.4 percent and more than half of teens falsely believe that e-cigarette use is harmless.

Governor Cuomo will propose comprehensive legislation to combat the rising use of tobacco products. This legislation includes:

- **Raising the Minimum Sales Age for Tobacco and E-Cigarette Products from 18 to 21:** Most underage youth obtain tobacco and vapor products from friends who are over 18 and can legally purchase products. Raising the minimum age will remove sources of tobacco from high schools.
- **Ending the Sale of Tobacco and E-Cigarette Products in Pharmacies:** Health care related entities should not be in the business of selling tobacco, the leading cause of preventable death in New York State. Ending the sale of tobacco and e-cigarette products in pharmacies will reduce the availability, visibility, and social acceptability of tobacco use, especially to youth.

- **Clarify the Department of Health’s Authority to Ban the Sale of Certain Flavored E-Cigarette Liquids:** Flavored combustible cigarettes, except menthol, were banned by the FDA in 2009 to reduce youth smoking as they were frequently used as a starter product.^{cxvii} Most e-cigarette users said their first e-cigarette was flavored. Flavors, such as sweet tart, toffee, and bubble gum, make e-cigarettes more attractive and make e-cigarettes more attractive to youth. Legislation is being introduced to provide the Department of Health the authority to ban the sale of flavored liquids that target youth use of e-cigarettes.
- **Restricting Available Discounts Provided by Tobacco and E-Cigarette Manufacturers and Retailers:** New York has the highest cigarette tax in the nation, but manufacturers and retailers have developed tactics to reduce prices, such as “buy one, get one free” discounts. These tactics directly target price-sensitive consumers, including youth. Restricting discounts on tobacco and vapor products will strengthen the impact of New York’s tax on tobacco and disincentivize tobacco use.
- **Introduce a Tax on E-Cigarettes.** Tobacco use is reduced or prevented when the price of tobacco products is high. Youth are particularly sensitive to price increases on tobacco products. New York State

has one of the highest taxes on combustible cigarettes and one of the lowest youth smoking rates in the country. The same rationale is expected to apply to taxation and youth use of e-cigarettes and e-liquids.

- **Require E-Cigarettes to Be Sold Only Through Licensed Retailers:** Currently the sale of e-cigarettes is almost entirely unregulated. Restricting the sale to licensed retailers will allow the current enforcement infrastructure to ensure that minors do not purchase tobacco products.

Proposal. Reduce Childhood Lead Exposure by Lowering the Blood Lead Level Action Thresholds and Ensuring Residential Rental Properties Are Lead Safe

Governor Cuomo has taken unprecedented action to safeguard the health and safety of children in New York State by limiting lead exposure. In 2016, Governor Cuomo signed into law landmark legislation requiring schools to test for lead in their drinking water. In 2017, Governor Cuomo signed into law the Clean Water Infrastructure Act which provided funds for lead service line replacement.

Despite this substantial progress, there are still communities where lead poisoning remains a significant problem. Lead exposure can result in neurological damage, memory loss, hearing problems, behavioral disorders and other health problems. Young children are routinely tested for

lead, but recent research and scientific understanding of the toxicity of lead demonstrates that levels of lead once thought to be safe can have serious detrimental effects on young children.

Governor Cuomo proposes lowering the blood lead level that prompts a public health response for a child to increase early identification of lead exposure and to ensure the appropriate intervention is initiated. This change will ensure and encourage health care providers, parents, and public health officials to take action earlier to protect the child from further harm. In addition, the proposal adds a preventive approach by directing the Commissioner of Health to promulgate regulations to ensure residential rental properties are maintained in a condition that protects children from the dangers associated with exposure to lead based paint hazards. This approach will require remediation by rental property owners of lead based paint hazards, limit future lead exposure, and prevent other children from becoming lead poisoned.

Proposal. Address Asthma with Comprehensive Healthy Homes

Governor Cuomo recognizes that the greatest health challenges are complex and often linked with other societal issues that extend beyond healthcare and traditional public health activities.

Under Governor Cuomo's direction, New York was ranked the 10th healthiest state in the 2017 and again in the 2018 annual America's Health Rankings reports, making the largest five-year gain of all 50 states.^{cxviii} New York's success has been driven in recent years by the state's Prevention Agenda, which serves as the blueprint for state and local action to improve public health. To achieve the Prevention Agenda goal of becoming the healthiest state in the nation, New York is focusing increased attention on addressing the social determinants of health and incorporating a Health Across All Policies approach to its work.

While the Prevention Agenda has made tremendous gains in improving health outcomes, there are still measures where progress is lagging: specifically, the rates of emergency department visits and hospitalizations due to asthma, particularly among children.

Reducing the burden of asthma is a critical public concern and the economic costs are significant. According to the Centers for Disease Control and Prevention's (CDC) Chronic Disease Cost Calculator, the 2017 estimated total costs for asthma in NYS in 2017 were over \$3.5 billion, including loss of productivity.

Vulnerable and low-income families are disproportionately at risk of having poor asthma outcomes and research shows that a significant portion of these costs could be avoided by integrating interventions that address

both physical and behavioral health and the home environment.

Governor Cuomo will launch a multi-agency pilot program to serve vulnerable children and adults living with asthma, building on the successes of Medicaid's Delivery System Reform Incentive Payment (DSRIP) Program asthma projects. This will be accomplished through a comprehensive healthy homes model that integrates energy efficiency and housing services with home-based asthma self-management education, home environmental assessment and remediation, and home-injury prevention interventions. This healthy homes model is designed to improve home safety and reduce adverse health outcomes, both those resulting from unintentional household injury and those leading to asthma-related hospitalizations and emergency department visits.

The New York State Energy Research and Development Authority (NYSERDA) and the New York State Department of Health (DOH) will jointly implement the New York State Healthy Homes Pilot, which will serve approximately 500 Medicaid households in the highest asthma burden regions of the State. Pilot funding will support the integration of the healthy homes model through Value-Based Purchasing arrangements to drive a sustainable approach for addressing social determinants of health impacting asthma.

More specifically, households will receive a wide range of home-based services to improve asthma control, including education on medication management, identification and reducing asthma triggers including integrated pest management services, and resources such as HEPA vacuums, mattress and pillow covers, and asthma-friendly cleaning kits.

In addition, pilot participants will receive a home energy and environmental assessment to identify opportunities for improved energy performance and possible health and safety issues, such as in-home energy education; air sealing; insulation; heating, ventilation, and air conditioning (HVAC) improvements, and other energy-saving measures.

As part of Medicaid's Value-Based Payment reform, the pilot will measure progress and quality metrics spanning multiple social determinants of health that impact asthma and evaluate potential savings, including energy efficiency savings and reductions in healthcare costs associated with avoidable emergency department visits and hospitalizations.

Proposal. Strengthen Suicide Prevention Infrastructure through State and Local Partnerships

In 2017, Governor Cuomo directed the formation of the New York State Suicide Prevention Task Force. As part of his ongoing commitment to reducing the number of New

Yorkers who die by suicide each year, he charged the task force with identifying gaps in current programs, services, and policies while simultaneously making recommendations to facilitate greater access, awareness, collaboration and support of effective suicide prevention activities.

Suicide is an enormous public health problem. Suicide is the 10th leading cause of death in the United States.^{cxix} According to the Centers for Disease Control, from 1999 to 2016, suicide rates in New York State rose by nearly 30 percent, while other leading causes of death such as cancer, heart disease, and motor vehicle accidents all decreased.^{cxx} Each year nearly 1,700 New Yorkers die by suicide.

Building on the work of the Task Force, the Governor will charge New York State agencies with partnering with communities in five critical areas: innovative public health approaches, healthcare systems, cultural competence in prevention programming, comprehensive crisis care, and surveillance data. Communities that demonstrably strengthen suicide prevention infrastructure will receive a New York State designation.

Proposal. Reduce the Impact of the Diabetes Epidemic Through Implementation of the National Diabetes Prevention Program

Governor Cuomo is deeply committed to improving health outcomes for all New Yorkers. Under Governor

Cuomo's leadership, the New York State Department of Health has supported the public and private partnership to reduce the growing problem of type 2 diabetes through the CDC-recognized the National Diabetes Prevention Program. However, there is more to be done to reduce the impact of the diabetes epidemic in New York State.

In New York State, an estimated 1.66 million New Yorkers people, or 10.5 percent of the adult population, have been diagnosed with diabetes.^{cxxi} Another 1.3 million people, or 9.9 percent of adults in New York State without diabetes, have been diagnosed with prediabetes.^{cxxii} Given that national data indicate only 11.6 percent of people with prediabetes are aware of their condition, it is estimated that significantly more New Yorkers have prediabetes but are undiagnosed^{cxxiii}. Type 2 diabetes also disproportionately impacts adults of lower socioeconomic status. However, type 2 diabetes can be prevented by making healthy food choices, increasing physical activity, and losing small amounts of weight.

Building on the successful foundation of established National Diabetes Prevention Programs in New York, the Medicaid program will cover services under this Program for individuals diagnosed with prediabetes. The National Diabetes Prevention Program focuses on lifestyle change, so the impacts are sustained, and gives people the skills they need to prevent the development of diabetes.

Proposal. Invest in Community Based Supports for Aging New Yorkers.

Governor Cuomo's commitment to older New Yorkers is unprecedented. Under his leadership, New York State government has shown a continued dedication to the state's more than 3.7 million older adults and the informal caregivers who support them. In 2018, Governor Cuomo issued an executive order to support New York as the first age-friendly state in the nation. This designation includes healthy aging and maintaining independence through the expansion and better coordination of community-based services. Using the state's Prevention Agenda as the overarching framework, the Governor launched a Health Across All Policies approach, where seventeen state agencies work together to take into account how policies and programs can positively impact public health. Core aging programs and services administered by the New York State Office for the Aging have continued to grow under Governor Cuomo's leadership, increasing access to services statewide.

Despite this unprecedented progress, more needs to be done to meet the current demand for community-based services. Governor Cuomo proposes investing \$15 million in community-based supports for aging New Yorkers. This needed targeted investment in NYSOFA's programs and services will help serve more older adults and will help them maintain their autonomy, support family and friends in their

caregiving roles, and delay future Medicaid costs. Working with the Department of Health, NYSOFA will develop specific metrics to evaluate the success of this investment.

Proposal. Enhance Safety and Quality of Care of Nursing Homes

Governor Cuomo is committed to ensuring the health and safety of New York's aging population. In August of 2017, the Governor's leadership earned New York the designation as the First Age-Friendly State in the Nation, certified by AARP and the World Health Organization (WHO), thereby meeting the first goal of the Governor's Health Across all Policies initiative launched in the 2017 State of the State

Despite the recent successes in promoting high quality care for older New Yorkers, there is still a need to ensure higher quality and oversight of safety in nursing homes and adult care facilities. Between 2014 and 2017 the number of allegations of nursing home resident abuse increased 93 percent, the number of complaints received about nursing home care increased 36 percent and the number of citation issued by the DOH that were repeats of citations issued within the previous year increased 31 percent.^{cxxiv} Nursing homes care for vulnerable populations in need of complex care and we must ensure that residents received the quality of care that they deserve.

Governor Cuomo will propose legislation to enhance the quality and safety of nursing homes and protect nursing home residents. The bill will give the Department of Health the authority to place an independent quality monitor in poorly performing nursing homes, will enhance transparency and strengthen oversight over nursing homes and adult care facilities, and will impose more stringent penalties for violations.

Proposal. Create the Family First Transition Fund

Under Governor Andrew Cuomo's leadership, New York State has invested in many innovative interventions to prevent families from entering the child welfare system and give them the supports they need to thrive. Recently passed federal legislation, the Federal Family First Prevention Services Act, provides new opportunities for New York State to further intensify its focus on the recruitment and retention of kinship and foster families to provide safe and appropriate home settings for children removed from their parent or guardian.

At Governor Cuomo's direction, the State will leverage the investment of private foundation funding to create a Family First Transition Fund that will provide resources to local departments of social services and foster care agencies to:

- Increase outreach and recruitment of potential foster parents;
- Develop innovative solutions that will allow kinship and foster family homes to more readily meet State requirements;
- Provide reimbursement to kin or relative foster parents for transportation to family visits, medical appointments, court appearances; and
- Provide respite care options for families.

Additionally, the Fund will provide support for expenses related to children's extracurricular and recreational activities to encourage age and developmentally appropriate activities which are crucial to the positive social and emotional development of children.

The additional investment from the new Family First Transition Fund will enable New York State to better prepare for the implementation of Family First and will position New York to continue to prioritize the needs of its most vulnerable children and families and ensure local departments of social services are equipped to meet those needs while maintaining compliance with important federal benchmarks.

Proposal. Expand Access to Services for People with Autism Spectrum Disorder

New York has a proud history of serving people with Autism Spectrum Disorders and their families. Public and private insurance coverage for these services is critical. To ensure coverage, Governor Cuomo will advance parity legislation that will require insurers to apply the same treatment and financial rules to Autism Spectrum Disorders as those used for medical and surgical benefits, including making their medical necessity criteria transparent. The Governor will also direct the Department of Health to expand Medicaid to cover Applied Behavioral Health Analysis treatment for over 4,000 children with Autism Spectrum Disorders, including those that have aged out of the Early Intervention program. These measures will guarantee that the most vulnerable families get the life changing behavioral health services they need.

Part 4. Launching the Green New Deal

Recognizing the imperative to create healthy communities today while protecting the environment for generations to come, Governor Cuomo is consistently on the front lines of the battle against climate change. In addition to securing environmental protection and promoting sustainability, the Governor's vision for a clean, resilient New

York calls for the clean energy industry to be a significant engine of economic opportunity and growth.

The signs of a changing climate are indisputable. When Hurricane Irma and Hurricane Maria struck Puerto Rico in late 2017, Governor Cuomo and New Yorkers across the state leapt to action to deliver aid and support. In response to an official request from Governor Ricardo Rosselló, Governor Cuomo led a sweeping effort to provide emergency goods and services and deployed more than 1,000 personnel including hundreds of utility workers and power experts to help with electricity restoration. In stark contrast to the federal government, New York's commitment to Puerto Rico remains unwavering, but without swift action to reduce the greenhouse gasses that drive climate change, devastating hurricanes like Maria—and Superstorm Sandy—will be the new normal.

During Governor Cuomo's first two terms, New York banned fracking of natural gas, committed to phasing out coal power by 2020, and was among the first states to mandate 50 percent renewable power by 2030. Under the Reforming the Energy Vision (REV) agenda, renewable energy is growing rapidly across the state: solar has increased over 1,500 percent, New York has held the largest renewable energy procurements by a state in U.S. history, and offshore wind is poised to transform the state's electricity supply to be cleaner and more sustainable. Governor Cuomo's climate leadership

is demonstrating that a transition to clean energy is more than technically feasible and cost-effective – it can be an engine of new economic opportunity.

Amidst the Trump Administration’s assault on the environment and in order to continue New York’s progress in the fight against climate change, Governor Cuomo is announcing New York’s Green New Deal, a nation-leading clean energy and jobs agenda that will put the state on a path to carbon neutrality across all sectors of New York’s economy. At the Governor’s direction, New York will move boldly to achieve this goal with specific near-term actions and long-term strategies to spur unparalleled innovation and transform the state’s electric, transportation, and building infrastructure while prioritizing the needs of low- and moderate-income New Yorkers. This landmark initiative will further drive the growth of New York’s clean energy economy, create tens of thousands of high-quality 21st century jobs, provide all New Yorkers with cleaner air and water by reducing harmful emissions, and set an example of climate leadership for the rest of the nation and world to follow.

Proposal. Mandate 100 Percent Clean Power by 2040

As part of the Green New Deal, Governor Cuomo is proposing a mandate of 100 percent clean, carbon-free electricity in New York State by 2040, the most aggressive goal

in the United States and five years sooner than the target recently adopted by California. The cornerstone of this new goal is an increase of New York's successful Clean Energy Standard mandate from 50 percent to 70 percent renewable electricity by 2030. This globally unprecedented ramp-up of renewable energy will include:

- Quadrupling New York's offshore wind target to 9,000 megawatts by 2035, up from 2,400 megawatts by 2030
- Doubling distributed solar deployment to 6,000 megawatts by 2025, up from 3,000 megawatts by 2023
- More than doubling new large-scale land-based wind and solar resources through the Clean Energy Standard
- Maximizing the contributions and potential of New York's existing renewable resources
- Deploying 3,000 megawatts of energy storage by 2030

Achieving 100 percent carbon-free electricity will require investments in resources capable of meeting diverse demands throughout the state, as well as a substantial increase in cost-effective energy efficiency. Harnessing a complementary set of carbon-free energy resources will assure reliability and affordability for all New Yorkers as the electricity system is both modernized and optimized. To ensure that clean energy opportunities are available for those

that need it most, as part of this nation-leading commitment, Governor Cuomo is directing the New York State Energy Research and Development Authority (NYSERDA), in concert with the Department of Public Service (DPS), to expand and enhance their Solar For All program and couple it with energy savings opportunities, increasing access to affordable and clean energy for low-income, environmental justice and other underserved communities.

Proposal. New York's Path to Carbon Neutrality

The Green New Deal will create the State's first statutory Climate Action Council, comprised of the heads of relevant state agencies and other workforce, environmental justice, and clean energy experts to develop a plan to make New York carbon neutral. The Climate Action Council will consider a range of possible options, including the feasibility of working with the U.S. Climate Alliance to create a new multistate emissions reduction program that covers all sectors of the economy including transportation and industry and exploring ways to leverage the successful Regional Greenhouse Gas Initiative to drive transformational investment in the clean energy economy and support a just transition.

The Climate Action Council will also identify and make recommendations on regulatory measures, clean energy

programs, and other State actions and policies that will ensure the attainment of statewide emission reduction and carbon neutrality goals. The Council will consider programs and measures that can significantly and cost-effectively reduce emissions from all major sources, including electricity, transportation, buildings, industry, commercial activity, and agriculture. The Council will also explore opportunities for the beneficial electrification of transportation and heating of buildings as a means to drive substantial and deep emissions reductions. Finally, the Council will make recommendations to ensure a just transition to the clean energy economy for New York's world-class workforce and most vulnerable citizens.

The Climate Action Council will commence its work immediately in order to support the development of the next State Energy Plan over the next two years and will provide meaningful opportunities for public comment as it develops New York's first carbon neutrality roadmap.

Proposal. A Multibillion Dollar Investment in the Clean Tech Economy that will Reduce Greenhouse Gas Emissions

Demonstrating New York's real-time commitment to implementing the most ambitious clean energy agenda in the United States, Governor Cuomo is also announcing \$1.5 billion in competitive awards to support 20 large-scale solar, wind, and energy storage projects across upstate New York. These

projects will drive a total of \$4 billion in direct investment in New York's growing clean energy economy, as well as add over 1,650 megawatts of capacity and generate over 3,800,000 megawatt-hours of renewable energy annually – enough to power nearly 550,000 homes and create over 2,600 short-term and long-term jobs. Once all permitting and local requirements are met, several projects are expected to break ground as early as August 2019 and all projects are expected to be operational by 2022. The projects will reduce carbon emissions by more than 2 million metric tons, equivalent to taking nearly 437,000 cars off the road. Combined with the renewable energy projects previously announced under the Clean Energy Standard, New York has now awarded more than \$2.9 billion to 46 projects, accelerating New York's progress and commitment to Governor Cuomo's Green New Deal.

Proposal. Expand NY Green Bank and Catalyze at Least \$1 Billion in Private Capital

In 2013, Governor Cuomo announced NY Green Bank, a \$1 billion investment fund designed to accelerate clean energy deployment. Since then, NY Green Bank has become globally recognized as a leading sustainable infrastructure investor, committing nearly \$640 million and mobilizing nearly \$1.75 billion in private capital for clean energy projects across the state.

Building on NY Green Bank's successful and self-sustaining track record, Governor Cuomo announced in the fall of 2017 that NY Green Bank would raise at least \$1 billion of private capital and expand its clean energy investing activities nationally. To deliver on that commitment and further support the Green New Deal, Governor Cuomo is now calling for the development of terms for a public-private partnership to effectuate NY Green Bank's third-party capital raise and national expansion.

Proposal. Chart a Path to Making New York's Statewide Building Stock Carbon Neutral

Buildings – and the fossil fuels traditionally used to heat and cool them – are a significant source of energy-related carbon pollution. As such, Governor Cuomo has made the improvement of energy efficiency in buildings a major priority. The Governor's New Efficiency: New York agenda, released on Earth Day 2018, contains a comprehensive portfolio of proposals and strategies to meet an ambitious new target of reducing on-site energy consumption by 185 trillion BTUs by 2025. In addition, Governor Cuomo launched RetrofitNY in 2016 to stimulate the development of an energy efficiency industry that can tackle the challenge of deep building retrofits that will enhance building performance, reduce energy usage, and improve the quality of life for low- and moderate-income New Yorkers.

Because buildings are one of the most significant sources of greenhouse gas emissions, Governor Cuomo is announcing a comprehensive strategy as part of the Green New Deal to move New York's building stock to carbon neutrality. The agenda includes:

- Advancing legislative changes to support energy efficiency including establishing appliance efficiency standards, strengthening building energy codes, requiring annual building energy benchmarking, disclosing energy efficiency in home sales, and expanding the ability of state facilities to utilize performance contracting.
- Directing the Public Service Commission to ensure that New York's electric and gas utilities achieve more in scale, innovation, and cost effectiveness to achieve the state's 2025 energy efficiency target, especially through their energy efficiency activities and clean heating and cooling programs, and that a substantial portion of new energy efficiency activity benefits low- and moderate-income New Yorkers.
- Directing State agencies to ensure that their facilities lead by example through energy master planning, net zero carbon construction, LED retrofits, annual benchmarking, and by meeting their electricity needs through clean and renewable sources of energy, specifically including the exploration of clean energy

solutions at State Parks and at State facilities within the Adirondack Park to dramatically reduce emissions, create jobs, and increase resiliency.

- Developing a Net Zero Roadmap to articulate policies and programs that will enable longer-term market transformation to a statewide carbon neutral building stock.

Together, these bold actions will establish New York as a global leader on environmentally sustainable buildings while catalyzing major economic development opportunities and helping to create good jobs.

Proposal. Direct State Agencies and Authorities to Pursue Strategies to Decarbonize their Investment Funds and Ramp Up Investment in Clean Energy

In 2018, Governor Cuomo called on the New York Common Fund, which manages over \$200 billion in retirement assets for more than one million New Yorkers, to adopt a serious and responsible plan for decarbonizing its portfolio. Over the past year, the Governor has worked with the Office of the Comptroller to establish an advisory panel of experts to develop a decarbonization roadmap and guide the Common Fund toward investment opportunities that combat climate change.

As part of the Green New Deal, Governor Cuomo is taking the next step, by directing State authorities, public

benefit corporations, and the State Insurance Fund, which collectively hold approximately \$40 billion in investments, to commence a process to review and evaluate the feasibility and appropriateness of divesting from fossil fuels. To scale up investment in renewable energy, green infrastructure, and climate solutions, agencies and authorities will also work to educate plan administrators and investment consultants regarding investment opportunities in the clean energy sector.

Proposal. Increase Carbon Sequestration and Meet the U.S. Climate Alliance Natural and Working Lands Challenge

In 2015, Governor Cuomo launched the Climate Resilient Farming Program to reduce greenhouse gas emissions from agriculture and to increase resiliency of New York State farms impacted by climate change. Just last year, New York accepted the U.S. Climate Alliance's Natural and Working Lands challenge, ensuring that land stewardship and land sequestration efforts join energy reduction and adaptation activities as part of our collective climate solutions.

To meet our Natural and Working Lands commitment, Governor Cuomo will establish new research partnerships to incorporate forest and agricultural carbon into New York's greenhouse gas inventory and climate strategy and to establish a carbon sequestration goal for our natural and working lands. To help achieve this goal, Governor Cuomo

proposes doubling the State's investment in the Climate Resilient Farming program and creating new forestry grant programs—enhancing the Healthy Soils NY program and enabling farmers, forest owners, and communities to achieve the economic and environmental co-benefits of sound management practices.

Proposal. Create a Carbon-to-Value Innovation Agenda and Establish the CarbonWorks Foundry

Avoiding the worst consequences of climate change will require not only reductions in emissions using existing technologies, but also innovation, particularly with respect to withdrawing CO₂ from the Earth's atmosphere. Innovative new technologies are emerging in response to this challenge that can capture CO₂ from the atmosphere and either permanently sequester the carbon underground or transform it into valuable fuel or products, known as carbon-to-value. While many of these technologies are still in their infancy, they show promise in the collective fight to address climate change.

Accordingly, Governor Cuomo is announcing that in 2019, New York State, with the help of experts, environmental groups, academic institutions, and other stakeholders will create a Carbon-to-Value Innovation Agenda as a blueprint for the future of carbon-to-value technology as well as carbon capture, utilization and storage in New York. NYSERDA will provide \$15 million to support multiple efforts to further New

York's Carbon-to-Value Innovation Agenda. This will include NYSERDA and SUNY working with academic institutions, experts, and philanthropic partners to establish the CarbonWorks Foundry, a new incubator and accelerator devoted to carbon-to-value technology development with a focus on carbon harvesting. Finally, NYSERDA will engage other State agencies to create a framework for a low-carbon procurement standard, which can create a market for low-carbon cement and concrete, building materials, and other valuable low-emissions products.

Proposal. Deliver Climate Justice for Underserved Communities

In 2016, the Governor introduced an ambitious environmental justice framework, establishing a statewide commitment to addressing the historic disparate environmental burdens suffered by communities of color and low-income communities. In 2017, he introduced an Environmental Justice and Just Transition Working Group to ensure that environmental justice and a just transition of New York's workforce are an integral part of New York's clean energy and climate agenda. In the past 3 years, New York State has invested more than \$16 million through the Environmental Protection Fund in environmental justice initiatives. New York also currently has over 151,000 individuals employed by clean energy industries throughout

the state and has committed \$70 million in workforce training in the clean energy economy. As part of the Green New Deal, Governor Cuomo will build upon these important foundations for making environmental justice and just transition central to moving to a carbon neutral economy.

The Green New Deal will help historically underserved communities prepare for a clean energy future and adapt to climate change by codifying the Environmental Justice and Just Transition Working Group into law and incorporating it into the planning process for the Green New Deal's transition. To increase the effect of funds and initiatives that target energy affordability, the Governor is directing the State's low-income energy task force to identify reforms to achieve greater impact of the public energy funds expended each year. The Governor is also directing each of the State's ten Regional Economic Development Councils to develop an environmental justice strategy for their region.

New York State currently directs more than \$700 million in ratepayer and federal funds each year to combat energy poverty and increase access to clean energy solutions for the 2.3 million low-income households in the state. However, current programs only reach 1.4 million households each year with bill assistance programs, and less than 20,000 households each year with clean energy measures.

As part of the Green New Deal, Governor Cuomo will address energy poverty in New York State by directing the

low-income energy task force, comprised of NYSERDA, DPS, OTDA, and HCR, to develop a roadmap and unified strategy to increase the impact of funds and initiatives that target energy affordability. Specifically, the Governor is directing the task force to assess policy, programmatic, and administrative reforms necessary to achieve greater impact of public funds expended each year.

Proposal. Create a Fund to Help Communities Impacted by the Transition Dirty Power

Governor Cuomo is introducing legislation to provide funding to help communities that are directly affected by the transition away from conventional energy industries and toward the new clean energy economy. Specifically, this funding will protect communities impacted by the retirement of conventional power generation facilities. The Governor is also calling upon the Environmental and Just Transition Working Group to contribute to and advise on the development of a Just Transition Roadmap for the Green New Deal.

Proposal. Develop Clean Tech Workforce and Protect Labor Rights

To ensure creation of high-quality clean energy jobs, large-scale renewable energy projects supported by the Green

New Deal will continue to require prevailing wage, and the State's offshore wind projects will be supported by a requirement for a Project Labor Agreement. To prepare New York's workforce for the transition, New York State will take new steps to support workforce development, including establishing a New York State Advisory Council on Offshore Wind Economic and Workforce Development, as well as investing in an offshore wind training center that will provide New Yorkers with the skills and safety training required to construct this clean energy technology in New York.

Proposal. Make New York the National Hub for Offshore Wind and Deploy 9,000 Megawatts by 2035

New York is leading the nation on offshore wind, which, as an emerging clean energy industry in the U.S., has tremendous potential for both the energy sector and economic development in the state. Called for by Governor Cuomo and released in 2018, New York's Offshore Wind Master Plan is the most comprehensive offshore wind strategy in the country and has charted the course for this energy resource to play a significant role in achieving a carbon-free electricity grid. In November 2018, New York issued its first major offshore wind solicitation for at least 800 megawatts, which will set the stage for large-scale development of this important resource and the economic advantages that come with it.

To ensure New York State is the focal point for offshore wind development and this growing industry, Governor Cuomo is proposing nearly quadrupling the State's target for offshore wind deployment from 2,400 megawatts by 2030 to 9,000 megawatts by 2035, the most aggressive offshore wind goal in U.S. history. To complement this bold statement of national and global leadership, Governor Cuomo is directing new actions, as part of the Green New Deal, to accelerate offshore wind progress in three specific areas: port infrastructure, workforce development, and transmission infrastructure.

- **Ports:** Invest \$200 million in New York port infrastructure to unlock private supply chain capital and maximize the long-term economic benefits to the state from the regional development of offshore wind. This multi-location investment would represent the nation's largest infrastructure commitment to offshore wind and would solidify New York's position as the hub of the burgeoning U.S. offshore wind industry.
- **Workforce Development:** Establish a New York State Advisory Council on Offshore Wind Economic and Workforce Development and invest in an offshore wind training center that will provide New Yorkers with the skills and safety training required to

construct this clean energy technology right here in New York.

- **Transmission:** Initiate a first of its kind effort to evaluate and facilitate the development of an offshore transmission grid that can benefit New York ratepayers by driving down offshore wind generation and integration costs.

The development and adoption of offshore wind is a critical component of the transition to a clean energy economy and presents a major economic opportunity for New Yorkers, including the creation of thousands of high-quality jobs. With these new commitments, the New York will continue to lead in this exciting and developing field.

Part 5. Continuing New York's Environmental Leadership

By taking historic action across all sectors of New York State's economy, Governor Cuomo's Green New Deal will put New York on the path to carbon neutrality and seize the economic opportunity presented by the transition to clean energy. As the Green New Deal agenda is rolled out, new steps will also be required to protect New York's environment, support the sustainable development of healthy communities, reduce pollution across the state, and invest in the protection of New York's natural resources.

Under Governor Cuomo's leadership, New York is working with other U.S. Climate Alliance states to reduce short-lived climate pollutants (SLCP), driving down these highly-polluting emissions by phasing down hydrofluorocarbons (HFCs), capturing and putting waste methane to work, and addressing super emitters. Furthermore, in response to federal inaction, New York is working with other states to advance energy efficiency standards for consumer products and appliances to save Americans billions in energy costs and cut greenhouse gas emissions. U.S. Climate Alliance states are also pursuing opportunities to increase carbon storage in forests, farms, and ecosystems, and are launching a new initiative to identify best practices for land conservation, management and restoration to develop a carbon storage policy framework for implementation.

Governor Cuomo has made protecting New York from the Trump administration's assault on the environment a key priority. While the federal government continues to promote fossil fuels and roll back key environmental protections, Governor Cuomo is proposing bold new measures to block offshore drilling for oil and gas, reduce statewide pollution of all types, unlock innovation for new clean energy solutions, expand investment in healthy communities, and make historic commitments to New York's natural resources. Building upon New York's legacy of

environmental stewardship, Governor Cuomo will secure the health of New York's environment and communities for generations to come.

Proposal. Expand the Bottle Bill to Include Most Nonalcoholic Drinks

New York's commitment to recycling since Governor Mario Cuomo enacted the New York's Solid Waste Management Act 30 years ago remains unwavering. Under the Act, local municipalities adopted local recycling laws requiring source separation of recyclables which have diverted more than 320 million tons of recyclables from disposal, reducing 1 billion metric tons of CO2 in the process.

However, New York and the nation are experiencing a significant downturn in the global market for recyclable materials fueled in large part by China's recent "National Sword" policy. Consequently, prices have fallen and costs for recyclable materials collection and processing have risen, placing significant financial burdens on municipalities and rate payers. In addition to the economic challenges, past and current research in New York's streams, lakes and harbors shows that plastic waste continues to spoil our environment and threaten natural resources.

In order to reduce litter and provide relief to overburdened municipal recycling entities who are struggling amidst changes to the global recycling markets, Governor

Cuomo will expand the Bottle Bill to make most non-alcoholic beverage containers eligible for 5 cent redemption, including those for sports drinks, energy drinks, fruit and vegetable beverages and ready-to-drink teas and coffee. The Bottle Bill expansion will include some exceptions for bottles containing dairy milk, milk substitutes, infant formula, syrups and flavorings, medical prescriptions and dietary supplements. This proposal will also help reduce sorting and financial burdens on local government recycling programs. Additionally, the Governor will include amendments to the Bottle Bill legislation to address implementation issues and to respond to feedback from stakeholders, as well as enhanced penalties. The Governor will also direct DEC to conduct a study, in consultation with industry and retailers, on expanding the bottle bill to include wine and liquor.

Proposal. Prohibit the Use of Plastic Bags

Since 2009, New York State's Plastic Bag Reduction, Reuse and Recycling Act has required certain stores to have a plastic bag recycling program for their customers, diverting plastic bags and other film plastics towards recycling and out of landfills and our environment. In March 2017, Governor Cuomo created the New York State Plastic Bag Task Force, chaired by DEC Commissioner Basil Seggos, which met several times to develop a comprehensive statewide solution

to address pollution caused by plastic bags. As a result of these meetings, a Governor's Program Bill was introduced last year prohibiting the provision of plastic carryout bags to customers at the point of sale.

New Yorkers use billions of plastic bags annually. These bags do not biodegrade, creating massive amounts of litter in neighborhoods and waterways and posing a threat to the health of New Yorkers and the environment. They also create significant recycling issues, becoming tangled in recycling facility equipment, which compromises worker safety and costs money to repair, and contaminates recycled materials, thereby diminishing their value.

To address the environmental impacts of single-use plastic bags, Governor Cuomo proposes a statewide plastic bag prohibition. This ban will help reduce the greenhouse gas emissions associated with plastic bag production and disposal.

Proposal. Protect Our Coast from Offshore Drilling

Under Governor Cuomo's leadership, New York has taken unprecedented actions to improve the health of our oceans and to support vital coastal economies like fishing and tourism. Long Island and the New York Harbor are home to 11.4 million people, with 60 percent of our state's population living along nearly 2,000 miles of tidal coastline.

In January 2018, the Trump administration threatened New York's coastline with its Outer Continental Shelf Oil and Gas Program for 2019-2024, proposing to make more than 90 percent of the total offshore acreage in the United States available to oil and gas drilling.^{cxxv} This plan would open two areas of the North Atlantic coast adjacent to New York State for fossil fuel exploration. An exclusion from the offshore drilling program was granted to Florida on the grounds that it relies heavily on tourism as one of the nation's top ocean economies.

The Trump administration's proposal to vastly expand offshore drilling poses an unacceptable threat to New York's ocean resources, economy, and communities. New York is currently the nation's third-largest ocean economy, and the administration's offshore drilling plan jeopardizes nearly 320,000 jobs and billions of dollars generated through tourism and fishing industries.^{cxxvi}

In 2019, Governor Cuomo will continue to fight the Trump administration's reckless offshore drilling proposal in order to prevent environmental disasters, safeguard our offshore assets, and bolster our efforts to support renewable energy development. The Governor will continue to advance the Save Our Waters bill to prohibit the leasing of lands, including underwater lands, for offshore drilling and exploration, and drilling infrastructure, in New York State waters. The 'Save Our Waters' bill:

- Prohibits leases for oil and gas exploration or production in New York waters, including Long Island, New York City, and the Hudson River.
- Prohibits infrastructure on State land associated with offshore oil and gas production in the North Atlantic.
- Prohibits transportation within the navigable waters of the state of crude oil produced from the federal waters, designated as the “North Atlantic Planning Area.”

Proposal. Establish \$10 Billion Green Future Fund

Under Governor Cuomo’s leadership, New York has grown investments in environmental protection and climate action through the \$2.5 billion Clean Water Infrastructure Act, \$400 million Water Infrastructure Improvement Act, \$300 million Environmental Protection Fund, and \$5 billion Clean Energy Fund. And in the last year alone, the Governor committed over \$80 million to combatting harmful algal blooms.

As Washington wages an ongoing assault on the environment, New York must continue to show the world the way forward, with bold investments and action to protect our future. Now more than ever before, New York must work with other states to make smart, strategic investments to safeguard our environment, protect clean water, make communities

more resilient in the face of climate change, and once again stand up for the survival of our children and our planet.

In 2019, Governor Cuomo will advance a \$10 billion Green Future Fund to support clean water infrastructure, renewable energy and clean transportation, and open space and resiliency. This historic investment is part of the Governor's proposed new \$150 billion infrastructure investment over the next five years. The new \$10 billion Green Future Fund will provide critical resources over the next five years to further expand these leading efforts, including:

- \$5 billion for Drinking Water and Wastewater Infrastructure: Building on the historic \$2.5 billion Clean Water Infrastructure Act, this additional funding will further augment the State's investments in grants and loans to assist communities with upgrading their water infrastructure and ensuring all New Yorkers have access to clean water. This will include strategic investments to help address emerging contaminants, such as 1,4-dioxane and PFCs, as well as harmful algal blooms toxins.
- \$3 billion for Renewable Energy and Clean Transportation: New York's growing investments in renewable energy are already leading the nation, and this funding will continue our pace of clean energy funding while also providing resources to transform the transportation sector, including funding for

emission free electric vehicles and charging infrastructure. These investments, driven by the Governor's Clean Energy Standard mandate of 50 percent electricity from renewables by 2030 and NYSERDA's Clean Transportation Program and ChargeNY 2.0, will reduce greenhouse gas emissions while spurring clean tech jobs.

- \$2 billion for Parks, Public Lands, and Resiliency: New York's network of State parks and protected open spaces are the foundation of the State's growing outdoor recreation economy, and this funding will bolster the State's efforts to improve and upgrade our state parks and DEC resources and protect new open spaces to provide new recreational opportunities, while also improving the State's resiliency from more intense and frequent storms fueled by climate change.

Proposal. Continue Historic \$300 Million Environmental Protection Fund

In 2016, Governor Cuomo achieved an unprecedented milestone in environmental protection, securing a record \$300 million investment for the Environmental Protection Fund (EPF). The EPF is successfully safeguarding our natural resources, creating vibrant, livable communities, and driving job creation. In fact, the Trust for Public Land estimates that for every \$1 of EPF funds invested in land and water

protection, \$7 in economic benefits are generated for the State of New York.

This year, Governor Cuomo proposes maintaining the State's historic \$300 million EPF. This investment will prioritize programs to protect New York's water bodies, promote stewardship projects in parks and on other state lands, revitalize municipal waterfronts, and build community resilience to climate change—all while creating jobs and stimulating local economies.

Proposal. Charge SUNY ESF with Leading Clean Tech Consortium

During his first two terms, Governor Cuomo has led New York State through Hurricane Irene, Tropical Storm Lee, Superstorm Sandy, and numerous extreme winter weather and wind events. He has also made unprecedented investments in clean tech, green energy job training, clean drinking water systems and resilient infrastructure to build the resilient communities of tomorrow.

But extreme and unpredictable weather is now the norm—and New York State must continue to adapt in order to thrive. From severe storms threatening our coastal infrastructure to harmful algal blooms and unregulated contaminants threatening our drinking water, New York communities are increasingly impacted by the very real effects of a rapidly changing climate.

This year, Governor Cuomo will call upon the SUNY College of Environmental Science and Forestry to convene a consortium of higher education institutions, including Clarkson University, to develop innovative clean tech solutions to help our communities adapt and thrive in the face of a rapidly changing climate. Areas of focus will include protecting our water quality, building resilient communities and infrastructure, increasing carbon storage through forestry, combatting invasive species, developing new eco-friendly materials, and advancing renewable energy. The consortium will engage with business, workforce and labor leaders, and other community stakeholders.

Proposal. Make New York State a Premiere Eco-Tourism Destination

Governor Cuomo has made promoting the State's unsurpassed natural areas and recreational assets a priority. Efforts to promote these lands through I Love New York and other campaigns have proven successful. 71 million people visit state parks annually, generating \$5 billion in park and visitor spending. More than 2.1 million people fish in New York annually, generating \$2.7 billion annually in direct expenditures.

Current levels of unprecedented high use in popular areas have resulted in challenges to public health and safety as well as impacts to natural resources and the visitor

experience. In addition, the economic benefits of tourism are not reaching as many local communities as they could through increased marketing and visitation.

Governor Cuomo's proposal will seek to establish New York State as a premiere eco-tourism destination, delivering a superior visitor experience on all New York State lands open to the public for recreational purposes, promoting the state's world-class public and private offerings to travelers interested in outdoor tourism, and striving to develop sustainable practices which protect the recreation experience and natural resources while building capacity within the communities to accommodate visitors.

To complement the Governor's Empire State Trail, a sister water trail will be developed, linking over 1700 miles of navigable State waterways together with consistent branding and website development. New York will also increase promotion of the world class fishing opportunities by launching a Governor's Fishing Challenge competition. And in heavily traveled areas and popular State-owned destinations, New York will invest in safe and environmentally-friendly transportation options, launching electric shuttle systems and installing additional electric vehicle charging stations for visitors.

Proposal. Expand Parks and the Empire State Trail in the Hudson Valley

Governor Cuomo has made protecting and improving access to New York's open spaces a top priority of his administration. Under his leadership, New York has invested more than \$800 million in 178 state parks and historic sites, added nearly 14,000 acres of open space to its park system, launched the Connect Kids to Parks program statewide which offers free school field trips and free learn to swim lessons and has doubled school children visitation, and initiated I Love My Park Day, which has increased fourfold since its inception. State parks attracted more than 71 million visitors in 2017, a 23 percent increase since 2011.

In the Hudson Valley, Governor Cuomo provided \$5.5 million for the gateway visitor centers at both ends of the Walkway Over the Hudson and opened the Ulster Welcome Center in June. A \$10 million expansion of the National Purple Heart Hall of Honor in New Windsor Cantonment Historic Site will further recognize and pay tribute to those who have been awarded the Purple Heart, America's oldest military decoration. At Harriman State Park, the State is investing \$14 million and revitalizing over a dozen of the nation's first and oldest outdoor summer group camps which serve 20,000 children, youth at risk and families each year.

The State is completing the Hudson River Skywalk, a scenic pedestrian trail linking the Thomas Cole National

Historic Site to Olana State Historic Site, the Empire State Trail, and, ultimately, the City of Hudson. In addition, the State and the Olana Partnership are jointly contributing \$20 million, with up to \$10 million of State dollars already working to restore and make accessible to the public all of Olana's 250-acre landscape designed by Frederic Church. The \$10 million raised by the Olana Partnership will fund the Frederic Church Center, a new visitor orientation facility.

In 2017, Governor Cuomo launched the Empire State Trail, which will be a continuous 750-mile walking and bicycle trail spanning the state from New York City to Canada and Buffalo to Albany. When completed by the end of 2020, the Empire State Trail will be the longest multi-use state trail in the nation.

In the Hudson Valley, New York State is connecting various existing but fragmented trail segments to create a continuous trail from the Battery at the tip of Manhattan to Albany.

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