

**Building on  
Success**



**2014 State of the State  
Governor Andrew M. Cuomo**



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## **GOVERNOR ANDREW M. CUOMO BUILDING ON SUCCESS**

It has been three years since I assumed office as Governor of the State of New York. During that time, we have worked hard to restore our state as a model for the nation and demonstrate the impact an effective and responsive government can have on the lives of its people. To understand how much has been accomplished, we have to think back to where we were when we started this journey.

Three years ago, New York's government was a national punch line. Albany was mired in scandals and dysfunction. Special interests and their campaign contributors controlled Albany and the people paid the price.

State government had been on a decades-long spending spree. The growth in expenditures had far exceeded the rate of inflation and the growth in New Yorkers' personal income. Taxes were the highest in the nation. The State produced late budgets year in and year out.

This ineffective government had a direct impact on New York's economy. Businesses and families were leaving the state. Job losses mounted, particularly Upstate. The unemployment rate had reached a two-decade high and the number of unemployed New Yorkers had reached record levels.

Homeowners and businesses suffered under ever-rising property taxes. People lost faith in their government and in the future of the state. We were nearing an abyss and many believed that the situation was hopeless, the state forever broken.

Together, we faced these problems head-on. We tackled issues considered intractable for decades and achieved meaningful results. We restored fiscal discipline, reining in out-of-control spending. We cut taxes for every New Yorker. Working with the Legislature, we broke the gridlock in Albany and passed three consecutive on-time budgets.

After decades of delay, New York State passed the first-ever property tax cap, received voter approval of casino gaming to produce much-needed jobs and tax revenues, and resolved financial conflicts with Native Americans in a way that will produce hundreds of millions of dollars for State and local government.

On issue after issue, our administration worked to improve the lives of average New Yorkers. We cut middle class income tax rates to their lowest level since 1953, and provided an additional family tax credit of \$350 for each of the next three years. We also relieved over 700,000 small businesses and self-employed individuals of the MTA payroll tax. The state is safer, with a new DNA database, a stronger ban on texting while driving, and the nation's toughest gun control law. New York State's Health Exchange is bringing health care to many New Yorkers who could not afford it before.

Programs such as the Green Bank and NY Sun have improved the environment. Teacher evaluations and expanded pre-kindergarten programs are ensuring that all of New York's children will receive the best possible education. Our steadfast dedication to making New York a more just state has resulted in the enactment of marriage equality, a fairer minimum wage, and much-needed juvenile justice reforms.

The state is much stronger than it was three years ago. There are 380,400 more private sector jobs. Unemployment is down in every region. Exports are up.

All three rating agencies raised the State's credit outlook to positive.

These changes are being felt in every part of the state. Western New York and the North Country, which have been ignored for too long, are getting new help and are on the rebound. Buffalo is seeing new investments and its economy is showing new strength. Upstate cities are resurgent.

We have made great strides in the past three years, but there is much more to be done. Working together, we will build on this progress to create an even brighter future for all New Yorkers.

**Building on  
Success**



# **1. Tax Relief**

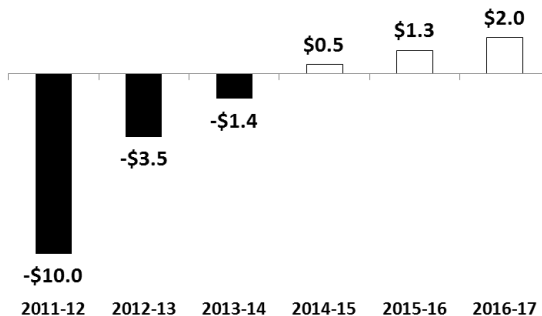
Under Governor Cuomo's leadership, New York has built the necessary foundation to reverse decades of economic decline, attract new jobs and foster economic growth. Key to this success has been the Governor's efforts to put New York State's fiscal house in order by controlling spending and ending our reputation as the tax capital of the nation.

To achieve that goal, Governor Cuomo recognized that it was imperative to first make State government work again. And he has. For each of the past three years, Governor Cuomo and the Legislature have passed budgets that not only were passed on time, but also included fundamental reforms making it

possible to close multibillion dollar deficits with no new taxes, fees or gimmicks. Eliminating automatic inflators and pegging growth in education and Medicaid spending to rational levels helped achieve long-term structural balance. These actions have paid off, as all three rating agencies gave the State a positive outlook for the first time in New York's history.

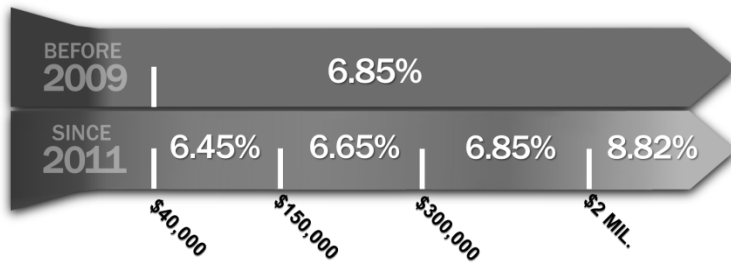
Because of these fiscal reforms, the State is poised to go from what was a projected \$10 billion deficit when the Governor took office to a \$2 billion surplus by 2016-17. Rather than using this revenue surplus to increase spending, Governor Cuomo has chosen instead to cut taxes for individuals and businesses in order to provide relief to taxpayers and grow the economy.

**Figure 1.1**  
**From a \$10B Deficit to a \$2B Surplus**



Today, thanks to Governor Cuomo, middle-class New Yorkers are paying the lowest personal income tax rates in more than 60 years. Before 2009, a person paid the same tax rate whether they made \$40,000 or \$40 million. Adding additional income tax brackets is saving middle-class families money while making the system fairer.

**Figure 1.2**  
**More Progressive Income Tax Structure**



The State has eliminated the MTA payroll tax for 700,000 small businesses and the self-employed and has cut taxes for families, small businesses and manufacturers. In addition, the FY2013-14 Budget stimulates economic activity with a new family tax credit of \$350.

Spending restraint has also translated to a significantly lower tax burden on New Yorkers. Governor Cuomo's commitment to fiscal restraint has

saved New Yorkers over \$14.3 billion, compared to spending projections when he took office, or more than \$1,655 per taxpayer.

These steps improved our business climate and eased the burden on taxpayers. In addition, this commitment to fiscal responsibility makes it possible to continue to invest in New York State's growth strategy while also delivering significant tax relief to residents and employers.



***Property taxes are the largest tax burden in New York, generating \$51 billion in revenue compared to \$40 billion from the income tax.***

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The most onerous tax in the state for homeowners and business remains the property tax. Property taxes constitute the largest tax burden in New York, generating \$51 billion in revenue compared to \$40 billion from the income tax. In addition, under the current system, low- and middle-income taxpayers effectively pay more in property taxes than they do in income taxes.

Skyrocketing local property taxes have made it increasingly difficult for middle-class families to stay in their homes and have driven businesses out of our state.



Since its enactment in 2011, New York’s statewide property tax cap has succeeded in holding average property tax growth in the last two years to less than half the average growth rate from 2000 to 2010.<sup>1</sup>

In 2013, Governor Cuomo appointed the New York State Tax Relief Commission to identify additional ways to reduce the state’s property and business tax burden. This Commission’s findings, along with the findings of the Governor’s Tax Reform and Fairness Commission, have established a menu of options to improve New York’s tax climate for businesses, families and hard-working taxpayers.

Governor Cuomo is proposing a \$2.2 billion package of tax relief to help New York residents and businesses.

### **Freeze Property Taxes for Working Families**

To provide relief for homeowners, the Governor proposes to freeze property taxes for two years.

New York’s real property taxes are the highest in the nation, with an average residential bill of \$5,040.<sup>2</sup> Three of the four counties with the highest property tax bills in the country—Westchester, Nassau and

Rockland—are in New York, and 13 out of the 15 counties with the highest property taxes as a percent of home value are in Upstate New York.<sup>3</sup> One of the main reasons that property taxes are so high is the sheer number of local governments that place significant burdens on taxpayers and adversely affect the business climate.

### ***Incentivize Local Governments to Share Services***

Residents will be eligible for the 2-year property tax freeze if their local governments meet two important requirements:

#### **1) Local governments must stay within the property tax cap.**

The State will provide a tax rebate equal to the amount of the increase in a homeowner's tax bill in all jurisdictions that stay within the cap, which will provide a powerful incentive for school districts and local governments to find efficiencies to keep property tax growth in check.

Governor Cuomo has already taken significant steps to help local governments control property tax

increases. He led the fight to pass pension reforms that will save local taxpayers \$69 billion over 30 years while reducing pressures for future property tax increases. In addition, the State provided further mandate relief to local governments by taking over their share of Medicaid cost growth, which will save counties and New York City \$1.2 billion over five fiscal years; reformed the Early Intervention program; and enacted binding arbitration reform—all to help local governments save.

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***New York is one of only ten states where a resident can live in and be taxed by three general purpose local governments at the same time.***

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## **2) Local governments must take concrete steps to reduce costs.**

To qualify for the second year of tax relief, localities must remain within the property tax cap and agree to implement a shared services or administrative consolidation plan.

New York is one of only ten states where a resident can live in and be taxed by three general

purpose local governments at the same time—a county, town and village.<sup>4</sup> In addition, other special purpose entities such as school districts, fire districts, library districts, lighting districts and garbage districts levy their own taxes, assessments and fees on residents, and many provide overlapping or duplicative services with general purpose governments.

New York has nearly 10,500 separate local governments—equal to

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one government for every 395 New York households outside of New York City. State government has made great strides in consolidating back office



***New York has nearly 10,500 separate local governments—equal to one government for every 395 New York households.***

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operations, information technology and office space and has reformed the procurement process. Local governments must follow suit.

The property tax freeze will apply to all areas of New York State that are subject to the real property tax cap, and will therefore exclude New York City.

While capping and freezing real property taxes can keep the burden of property taxes from increasing,

additional steps are needed to provide relief to already overburdened property taxpayers.

### **Create a Property Tax “Circuit Breaker” Based on Ability to Pay**

To further reduce the property tax burden on 1.9 million low- and middle-income taxpayers, Governor Cuomo proposes the creation of a property tax “circuit breaker” based on a taxpayer’s ability to pay.

Households earning up to \$200,000 will be eligible for this tax rebate. When fully phased in, the circuit breaker will generate \$1 billion in tax relief for New York State taxpayers, and the average household will save an estimated \$500. The benefit would be administered as a refundable tax credit against the personal income tax, and will be available to all homeowners in New York City and to homeowners outside New York City whose jurisdiction is adhering to the property tax cap.

For taxpayers with incomes below \$120,000, the credit would equal 20 percent of the amount of property taxes paid that exceed 3 percent of income. For incomes between \$120,000 and \$150,000 annually,

the benefit would equal 15 percent of the amount of property taxes paid that exceed 4 percent of income. For annual incomes between \$150,000 and \$200,000, the benefit would equal 10 percent of the amount of property taxes paid that exceed 5 percent of income. All credits would be capped at \$1,000.

**Figure 1.3**  
**Property Tax Relief “Circuit-Breaker” Proposal**

<b>Income (AGI)</b>	<b>Burden Threshold</b>	<b>Excess Credit %</b>	<b>Maximum Credit</b>
\$120,000 or less	3%	20%	\$1,000
Between \$120,000 and \$150,000	4%	15%	\$1,000
Between \$150,000 and \$200,000	5%	10%	\$1,000

**Provide Tax Relief for Renters Facing Significant Housing Burdens**

In New York, over 3.3 million households are renters, with many facing severe housing burdens. Fully one third of the state’s renting households are families with children under the age of 18, and about half of those families have two children or more.<sup>5</sup> Over 829,000 low-income renter households spend more

than 50 percent of their monthly cash income on housing costs—leaving these families with little for food and other necessities.<sup>6</sup> Thousands of moderate-income families also face similar burdens. While renters do not pay property taxes directly, a portion of their monthly rent is used to cover property taxes for the landlord.

Governor Cuomo proposes providing tax relief for renters with incomes below \$100,000 by offering a refundable personal income tax credit that increases with family size. This new credit would provide over \$400 million in tax relief.

### **Additional Tax Relief to Boost Manufacturing**

New York and the nation are on the cusp of a manufacturing revival. A recent survey by the Boston Consulting Group found that more than half of executives at manufacturing companies with sales of more than \$1 billion are considering returning some production to the United States from China, an increase from only 37 percent in 2012.<sup>7</sup>

In addition, the number of companies in the process of moving back also rose, with 21 percent actively engaged in bringing work back to the United

States, up from 10 percent in 2012.<sup>8</sup> The study cites competitive labor rates, proximity to customers, product quality, skilled labor, and transportation costs as the leading reasons for this turnaround. Given New York's strength in these areas, the Governor will propose cutting taxes even more to attract manufacturers considering re-investing in the U.S.

Significant attention has been paid to the burden of real property taxes on homeowners, but a substantial share of real property taxes are also paid by businesses. Businesses paid more than \$18 billion in property taxes in 2012, over a third of all property taxes collected. And because business property taxes, unlike corporate income, are owed regardless of profitability, they are an



***Businesses paid more than \$18 billion in property taxes in 2012, over a third of all property taxes collected.***

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especially onerous barrier to growth for start-ups and other young businesses so critical to New York's future.

To address this burden on businesses, Governor Cuomo proposes a property tax credit to offset a portion of a manufacturer's income tax liability. This refundable credit would equal 20 percent of a manufacturer's



annual real property taxes. This credit would lessen a major barrier to economic competitiveness and would attract new manufacturing businesses, especially to Upstate New York and the suburbs of New York City. The credit would provide \$136 million in tax relief to over 21,000 existing manufacturing firms and would reinforce our message that New York is cutting taxes and is the place to do business.

Upstate manufacturers will receive even greater tax relief, with the proposed reduction of the corporate income tax rate to zero for manufacturers located outside of the MTA region. This proposal is described in Chapter 2.

### **Corporate Tax Reform: Treating Businesses Fairly**

Governor Cuomo proposes cutting the corporate franchise tax rate from 7.1 percent to 6.5 percent—bringing the rate to the lowest level since 1968—while making important modernizations to the tax.

The State’s basic corporate franchise tax is badly outdated, unduly complex, and contains provisions that serve as a disincentive to increasing employment in

New York. The tax remains largely the same as when it was enacted in the 1940s.

Furthermore, New York tax law has not kept up with dramatic changes in the financial services sector resulting from federal reforms enacted over a decade ago. The continued use of an outdated bank tax discourages businesses from adding employees in New York, hindering New York's ability to attract and grow jobs in the modern economy.

The system also results in a lengthy and complex audit process in which some audits can take years to resolve. While the Department of Taxation and Finance has implemented several measures to streamline and simplify its processes, more than 20 percent of corporate income tax collections are received after the completion of the audit process.

Merging the bank tax into the corporate franchise tax and lowering the rate to 6.5 percent will create jobs, modernize the corporate structure to reflect a 21st century financial services sector, simplify compliance and eliminate disincentives for financial firms to invest in New York. The proposal would provide \$346 million in tax relief annually when fully implemented in 2016-17.

## **Cut the Move-to-Die Tax**

New York is one of only 15 states that impose an estate tax.<sup>9</sup> The current estate tax level is based on federal law as it existed in 1998, and is badly in need of reform. The federal estate tax exempts the first \$5.25 million of an individual's estate, while New York exempts only estates valued below \$1 million.<sup>10</sup> Unchanged for 15 years, the current New York estate tax threshold has not kept pace with the value of homes owned by middle-class residents. As a result, many businesses and middle-class households find themselves subject to New York's estate tax, even while owing no federal estate taxes.

Reforming New York's estate tax could help address concerns that taxpayers are moving to other states such as Florida that do not impose an estate tax. Raising the New York estate tax threshold to \$5.25 million and lowering the top rate to 10 percent would exempt nearly 90 percent of all estates from the tax, restoring fairness and eliminating incentives for many New Yorkers to leave the state later in life.

## **Accelerate the Phase-Out of the 18-A Utility Surcharge**

The Temporary Utility Assessment (18-A) is a 2 percent assessment on electric, gas, water and steam utility companies. The 18-A Surcharge is particularly burdensome for New York businesses, especially those in energy-intensive industries. New Yorkers already pay some of the highest energy bills in the nation and the surcharge only exacerbates this problem. Legislation was recently adopted to phase out this surcharge by 2017-18.

Governor Cuomo proposes that the surcharge be eliminated immediately for industrial customers and that the phase-out be accelerated for all others, providing \$200 million in relief. This will immediately improve the business climate for industrial customers where electric power is a significant cost of production.

## **Form the Joint Executive-Legislative Commission to Reduce Regulatory Barriers to Business**

Governor Cuomo's comprehensive tax relief package will improve the climate for New York employers and make the state more attractive as a

destination for companies. A second challenge frequently raised by employers is the voluminous and outdated regulatory barriers that drive up the cost of business. After years of discussion in State government with no action, the Governor will work with the Legislature to create a joint commission to identify ways to eliminate regulatory barriers that make it difficult to do business in New York State and hinder economic growth.

The Governor has taken important steps to reduce the burden on businesses in the last three years—including significant unemployment insurance and workers' compensation reform—and just recently a bipartisan Senate Commission on regulatory reform held hearings across the state. But employers cannot afford to wait any longer, and the Executive and legislative branches should together take action to address this impediment to economic growth.



**Building on  
Success**



## **2. Economic Development**

Since coming into office, Governor Cuomo's top priority has been strengthening the state's economy to create jobs. He has worked over the past three years to reduce the burdens on companies doing business in New York and foster new commercial growth and business investment. The Governor's tax relief proposal is also a critical component of New York's job growth strategy, complemented by his regional, bottom-up economic development approach.

To help invigorate economic growth, the Governor redesigned the State's economic development strategies through the creation of ten Regional Economic Development Councils, replacing top-down

development with an approach that brings together local leaders from labor, business, and academia to develop long-term strategic plans based on each region's specific priorities and unique resources. The Governor realigned State resources to support the Regional Councils and eliminated barriers to economic development. The Regional Councils were part of a process that awarded \$785 million in State funding and tax incentives for job creation and community development in 2011, \$762 million in 2012 and \$716 million in 2013. This new strategy has resulted in 75,000 new or retained jobs in New York.



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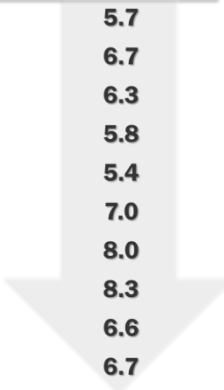
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All told, New York State has added 380,400 private-sector jobs since 2010, and ranks second in the nation for jobs created since the recession.<sup>11</sup> Unemployment is down in every region of the state and New York has the most jobs in its history.



**Figure 2.1**  
**Unemployment is Down in Every Region of the State**

	NOV. 2010	NOV. 2013
<b>CAPITAL REGION</b>	<b>7.5</b>	<b>5.7</b>
<b>CENTRAL NY</b>	<b>8.4</b>	<b>6.7</b>
<b>FINGER LAKES</b>	<b>7.9</b>	<b>6.3</b>
<b>HUDSON VALLEY</b>	<b>7.5</b>	<b>5.8</b>
<b>LONG ISLAND</b>	<b>7.3</b>	<b>5.4</b>
<b>MOHAWK VALLEY</b>	<b>8.4</b>	<b>7.0</b>
<b>NEW YORK CITY</b>	<b>9.1</b>	<b>8.0</b>
<b>NORTH COUNTRY</b>	<b>9.9</b>	<b>8.3</b>
<b>SOUTHERN TIER</b>	<b>8.1</b>	<b>6.6</b>
<b>WESTERN NY</b>	<b>8.3</b>	<b>6.7</b>



New York needs strong and modern infrastructure to create jobs. The New York Works program exemplifies the Governor’s entrepreneurial model of government. New York Works fosters an innovative and synergistic strategy between government and the private sector, allowing the State to leverage scarce resources by generating significant private-sector investment. The New York Works Task Force, composed of leading finance, labor, planning and transportation professionals, is charged with coordinating capital plans across 47 agencies and authorities, overseeing investment in the State’s capital assets, and accelerating hundreds of vital projects

across the state, including improving 81 parks and historic sites, inspecting and repairing 137 dams and flood control and coastal protection and recreation projects, repaving 2,157 miles of roads and rehabilitating or replacing more than 110 bridges.

To facilitate efficient infrastructure improvement, Governor Cuomo and the Legislature enacted a law allowing the use of design-build techniques on New York Works projects. This streamlines the contracting process by holding a single contractor accountable for both the design of the project and its construction, with the potential to save nine to 12 months for bridge repair and construction.

The centerpiece of the New York Works infrastructure program is the replacement of the Tappan Zee Bridge in the Hudson Valley. Plans for a new bridge were originally announced more than ten years ago without any results—but Governor Cuomo changed that. Only one year after the Governor put forward a plan for a new bridge, the Thruway Authority awarded a contract, which brought the total cost of the project down to \$3.9 billion, over \$1 billion less than previously estimated. He also secured a record-setting \$1.6 billion federal TIFIA loan, the largest in TIFIA

program history. Just two years after the Governor stepped in, installation of the permanent foundations for the new spans began. Dredging and pre-construction of trestles began in Spring 2013. This has been guided by an integrated communication effort and engagement with both local communities and environmental groups.



***The New NY Bridge is  
the largest highway  
and bridge project in  
America.***

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The New NY Bridge is the largest highway and bridge project in America, and one of the most ambitious infrastructure projects in the country.

With Governor Cuomo’s \$1 billion “Buffalo Billion” commitment, New York State is helping Western New York realize immediate economic growth and put people back to work while setting the stage for sustainable economic opportunity for future generations. In the largest Buffalo Billion initiative to date, Governor Cuomo announced in 2013 that New York State will build a state-of-the-art anchor hub facility for high-tech and green energy businesses at RiverBend in Buffalo. Two California-based companies at the forefront of the clean energy revolution, Sora and Silevo, will collectively invest \$1.5 billion into the

project and relocate major parts of their operations to the Buffalo High-Tech Manufacturing Innovation Hub at RiverBend, creating 850 permanent jobs and 500 construction jobs, and attracting additional manufacturing companies to the site.

The model follows on a strategy Governor Cuomo announced in a landmark deal that signaled an important change in the direction of the state. In September 2011, the State entered into an agreement for a joint \$4.4 billion investment with five international technology companies, including IBM and Intel, that would make New York the international center of next-generation computer chip technology, based on the burgeoning success of the State's pioneering support for the SUNY College of Nanoscale Science and Engineering.

This strategy has since expanded along a Nano Corridor extending from Albany westward to the Computer Chip Commercialization Center (Quad-C) at SUNYIT in Utica, a \$125 million, 250,000-square-foot technology complex co-founded and managed by SUNY College of Nanoscale Science and Engineering (CNSE), and beyond to Buffalo. Major components of this strategy include:

- In Rochester, the Smart System Technology & Commercialization Center offers a 140,000-square-foot, state-of-the-art facility containing over 50,000 square feet of certified cleanroom space and the largest array of world-class micro-electromechanical systems-related solutions in the industry, all under one roof and managed by CNSE.
- Rochester is also home to the CNSE Photovoltaic Manufacturing and Technology Development Facility, a 57,000-square-foot facility with over \$19 million in cutting-edge tools and equipment that will enable more than 100 high-tech jobs.
- In Buffalo, the Medical Innovation and Commercialization Hub, a partnership among CNSE, AMRI and Buffalo Niagara Medical Campus, will enable a state-of-the-art, shared-user facility for research, development, and testing for drug screening, pharmaceutical development, technology optimization, business attraction, workforce training, and bioinformatics. State investment will leverage \$200 million from private industry investment and will support over 250 high-tech jobs on site.

Knowing that New York's future economy lies in innovation and advanced technology as well as in the traditional transportation of goods and people, Governor Cuomo also launched NYSUNY 2020—a sustained, competition-based model to support job

growth through our universities. The NYSUNY 2020 Challenge Grant Program, administered jointly with the State University of New York (SUNY), supports individualized long-term economic development plans on SUNY campuses and their surrounding communities. The program enhances SUNY's academic mission, maintains academic affordability, and places college campuses across New York at the center of the state's regionally based economic revitalization strategy. This year, the Governor added \$55 million for a third round of the SUNY 2020 program and \$55 million to launch the CUNY 2020 program to provide competitive grants for projects that connect economic development and academic excellence.

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***START-UP NY is a pioneering job initiative to transform SUNY communities across Upstate into tax-free areas designed to attract new businesses and encourage existing businesses to expand.***

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In 2013, Governor Cuomo built on these initiatives by launching START-UP NY, a game-changing strategy to create tax-free communities affiliated with

our public and private universities and bring new businesses to Upstate.

START-UP NY is a pioneering jobs initiative to transform SUNY communities across Upstate into tax-free areas designed to attract new businesses and encourage existing businesses to expand. Companies participating in the plan operate completely tax-free—including a waiver of income taxes for employees and of sales, property and business taxes for the company—while also developing strategic partnerships with higher education institutions. All SUNY campuses outside of New York City, certain CUNY campuses and designated private colleges north of Westchester are eligible to participate. In addition, 200,000 square feet of off-campus space will be designated for colleges north of Westchester and Strategic Sites will be designated on unused State-owned land and property. Eligible businesses include companies with a relationship to the academic mission of the university that are creating new jobs, including new businesses, out-of-state businesses that relocate to New York and existing businesses that expand their New York operations while maintaining existing jobs.

The Governor's Innovation Hot Spots competition complements START-UP NY and is designed to make New York a leader in growing new technology-based companies by attracting venture capital and industry-sponsored research spending. The Hot Spots will foster innovation by offering start-ups valuable business support services to help commercialize academic research and promote further collaboration between business and academia. The Western New York, Finger Lakes, Southern Tier, Central New York and North Country regions will establish inaugural Innovation Hot Spots and each will receive up to \$250,000 annually in State financial support to expand their direct technical and business support assistance to young firms. In addition, a \$50 million Innovation Venture Capital Fund will provide critical seed and early-stage funding for new business formation, facilitating the transition from ideas and research to the development of marketable products.

Recognizing that broadband services are vital to growing the state's economy, Governor Cuomo committed more than \$68 million in funding to expand high-speed internet access in rural Upstate and underserved urban areas through funding from the



Connect NY Broadband Grant Program and three funding rounds of the Regional Economic Development Councils. This represents the largest direct investment of state funding into expanding broadband access in the United States.

New York's diverse economy is driven by other industries as well. Tourism, for example, is a significant contributor to the economy of New York, with increases in the number of visitors and tourism-driven economic activity and jobs in 2013.

To support the state's tourism economy in 2013, Governor Cuomo hosted a Tourism Summit in Albany and launched the Path Through History campaign, which highlights significant historic sites, locations and events throughout New York. Events showcasing Upstate New York as a world-class tourism destination included the first-ever Adirondack Challenge, a two-day festival with a whitewater challenge. Governor Cuomo also announced that the BassMaster Elite Series will return to New York in 2014, and will feature the "Governor's Challenge," a fishing competition featuring the Governor, other elected officials and some of the biggest names in professional fishing. The state also hosted the PGA Championship, which had a \$102

million economic impact on the Rochester region, and the Governor announced a landmark agreement to bring the 101st PGA Championship and the 45th Ryder Cup to Bethpage State Park in Farmingdale.

The Taste NY initiative fuses the state's agriculture sector with tourism to highlight the great variety of wine, beer, spirits and food products grown and produced here in New York. The Governor's Cup Wine Tour in the Finger

Lakes region featured more than 200 restaurateurs, wine buyers and media in attendance to kick off a campaign to promote



***Voters overwhelmingly supported the Governor's resort gaming initiative on the ballot in November.***

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New York State wines and to celebrate the winner of the 2013 Governor's Cup. Taste NY participated in more than 15 events in 2013, including the Manhattan Cocktail Classic, the Great New York State Fair, Hudson Valley Food and Wine Fest, Farm Aid, Cider Week, and the NYC Wine & Food Festival.

To further promote Upstate job creation and tourism, voters overwhelmingly supported the Governor's resort gaming initiative on the ballot in

November. Under the Upstate New York Gaming Economic Development Act, the first four destination gaming facilities will be located in Upstate New York. Eighty percent of State revenues from the casinos will be used statewide for aid to schools or property tax relief.

No element of New York's economy is more important than small businesses, which compose 98 percent of all businesses and employ more than half of the private sector workforce in New York. To support the development of small businesses, Governor Cuomo created a statewide small business outreach initiative to help this vital sector grow.

In 2014, Governor Cuomo will build on these successful strategies to grow the economy and encourage economic development and job creation.

## **Maintain Our Focus on Upstate New York Economic Development**

After decades of decline, Governor Cuomo promised three years ago to focus on rebuilding the Upstate economy. Dramatic improvements are now underway—from the Buffalo Billion to START-UP NY, from agriculture to tourism, from the property tax cap to the Regional Economic Development Councils. We must continue to prioritize revitalizing Upstate.

### ***Provide Targeted Tax Relief for Upstate Manufacturers***

As part of the Governor's comprehensive tax relief package described earlier, the State will take steps to provide additional relief to Upstate manufacturers by reducing the corporate income tax rate to zero for manufacturers located outside of the MTA region.

This proposal will provide an additional \$25 million in tax relief for over 4,300 Upstate businesses and complement the Governor's plan to reduce property taxes on manufacturers. Most importantly, it will make New York the most competitive state in the Northeast for supporting and attracting manufacturers.

## ***Launch REDC Round 4—“Global NY”— to Create Jobs and Attract International Investment***

Upstate NY was once a national leader in international trade and investment, and it can be again.

Governor Cuomo will launch Global NY to accomplish two complementary economic growth objectives: attracting international investment and jobs to Upstate New York and providing New York businesses with the tools and assistance they need to export their products to the international marketplace.

Global NY links the Governor’s START-UP NY and Regional Economic Development Council initiatives. Through START-UP NY, the State has the opportunity to offer the powerful incentive of operating tax-free to attract global companies seeking to expand in the United States. The Regional Economic Development Councils hold the key to developing a 21st century export strategy based on each region’s resources, assets and goals.

New Yorkers depend on world markets. The state’s export shipments in 2012 totaled \$81.4 billion, putting New York in the top three exporting states.<sup>12</sup> Foreign investment and export-supported jobs linked to manufacturing account for close to 10 percent of New

York's total private-sector employment, and more than 40,000 companies export from New York ports of entry.<sup>13</sup> Of those, nearly 95 percent are small and medium-sized enterprises with fewer than 500 employees; most are exporting high-tech products and other manufactured goods to growing and well-established markets such as Canada (the state's top export partner), Hong Kong, the United Kingdom, Switzerland, Israel, Germany, and Mexico.<sup>14</sup>

New York's strength in merchandise export performance relies on strong regional economies.<sup>15</sup> While New York's #3 ranking among exporting states is impressive, the *New NY* can do even better.

### *REDCs Go Global: Regional Export Strategies*

In 2014, the REDCs will be asked to develop and implement Global Marketing and Export Strategies, building foreign trade and investment approaches into their strategic regional planning efforts and thinking about how to improve efforts to "go global."

The State will recognize and reward plans in REDC Round 4 that incorporate Global Marketing and Export Strategies. These strategies should be supported

by detailed assessments of international commerce activity and identify new export opportunities while placing emphasis on regional economic supply chain strengths, such as advanced manufacturing and high-tech services.

Export markets are regional, and the Regional Economic Development Councils are ideally suited to



***In 2014, the REDCs will be asked to develop and implement Global Marketing and Export Strategies.***

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reflect this reality. Widening the geographic lens in trade strategy development will allow REDCs to position their markets to better compete globally by assembling

and aligning all related regional assets, such as key employers, top industries, workforce, higher education institutions and transportation infrastructure.

Some regions are already leading the way. For example, Central New York—anchored by the Syracuse metropolitan area—has benefited from a partnership with the Brookings Institution that resulted in a coordinated regional Export Plan.

## *Leverage START-UP NY to Attract Foreign Direct Investment*

Foreign investment in New York—everything from foreign-owned manufacturing operations to international tourism—creates and supports jobs and keeps the Empire State’s economic engine humming. New York is a leader among states in amount of foreign direct investment (FDI)—ranking third behind California and Texas based on jobs created by internationally owned companies.<sup>16</sup> About 6 percent of New York’s private-sector workforce is employed by companies owned in countries such as the United Kingdom, France, Canada and Germany.<sup>17</sup>

But while New York is in third place when measured by FDI employment, the state actually drops to 15th place for attracting jobs through foreign investment.<sup>18</sup> Based on this important measure, states such as South Carolina, Texas, North Carolina, Indiana, Ohio, and Georgia outrank the Empire State.

START-UP NY has the potential to provide a significant competitive advantage to New York’s business attraction efforts. The State should ensure that foreign businesses understand the benefits of START-



UP NY so when they are looking to expand in the United States, they know they can bring their investment and jobs to Upstate New York and pay zero taxes. To spread the word, Governor Cuomo will launch a new international marketing campaign about START-UP NY.

Governor Cuomo will create the START-UP NY Global Initiative, a new strategy designed to renew the state's success in growing its exports and FDI by making the most of the START-UP NY program and focusing on growth industries like advanced manufacturing and businesses with high export potential. The initiative will include:

- Establishing the ***START-UP NY Global One-Stop Shop*** to provide export and foreign investment assistance to both existing and START-UP NY companies.
- Creating the ***START-UP NY Global Exchange Program***, bringing priority foreign trading partners and associations to New York and launching international trade missions that include START-UP NY partners.
- Launching the **START-UP NY Global Immigrant Business Support Program**, providing outreach, export assistance, and mentoring services to first-generation American small business owners.

*Host the Global NY Summit on World Trade and Investment*

In 2014, Governor Cuomo will host the Global NY Summit on World Trade and Investment at the Jacob K. Javits Convention Center in New York City, convening a diverse mix of business, political, and civic leaders; federal export officials; foreign partners already investing in the state; and interested companies large and small from around the globe to market New York State before an international investment audience.



***Governor Cuomo will host the Global NY Summit on World Trade and Investment at the Jacob K. Javits Convention Center.***

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The Summit will connect investors with communities and will bridge the information gap that exists about the importance of exports and FDI to the New York State economy. The Summit will feature high-level speakers and sessions designed to open New York's doors even wider to foreign investors and create a peer-based network to help local and regional leaders develop and implement global trade and investment.

### ***Continue to Attract Visitors Upstate and Outdoors***

Governor Cuomo has made it a priority to showcase the Empire State as the go-to destination for visitors from around the world. These efforts are paying off: in 2013, the industry grew in revenue, job creation, hotel occupancy and by the number of visitors—nearly 9 million more than in 2012.

In addition, the tourism industry is projected to generate \$7.7 billion in State and local taxes with direct spending expected to reach \$61.3 billion. Tourism spending is up \$4 billion—substantially above the national rate of growth—and the industry is estimated to have added 24,800 jobs by the end of 2013.

Governor Cuomo will continue to boost the Upstate economy by emphasizing New York's unique treasures and encouraging New Yorkers and visitors alike to explore and enjoy.

### ***Create the NYS Adventure License***

For New Yorkers who make lifetime commitments to hunting or fishing, the Governor will make life even simpler. Instead of someone having to

carry a driver's license, *and* a fishing license, *and* a hunting license *and* a Boater Safety Certificate, lifetime license holders will now have the option of having *one* New York State Adventure License—a driver's license that includes icons for all of an individual's lifetime license designations, the Boater Safety Certificate and the newly created lifetime State Parks' Empire Pass.

*Expand Opportunities for Hunting, Fishing and Other Activities*

Governor Cuomo recognizes that sportsmen and sportswomen are the original stewards of our lands and drive a significant tourist industry across the state, with 1.3 million sportsmen and sportswomen contributing more than \$9.2 billion to New York's economy.<sup>19</sup>

In 2013, the Governor launched the NY Open for Fishing and Hunting initiative by reducing the cost and complexity of fishing and hunting licenses, making it easier and more affordable for New Yorkers and tourists to participate in the state's rich sporting tradition.

The Governor pledged to continue to find ways to improve the sporting experience, and in 2014, is

proposing to invest in access, infrastructure and opportunity for the sporting community.

The Governor proposes a bold new outdoors initiative to create 50 new access projects to connect hunters, anglers, bird watchers and other outdoors enthusiasts to untapped State-owned lands across New York. These proposed projects include building new boat launches, installing new hunting blinds and constructing new trails and parking areas. Each project represents a small local investment that will have a lasting effect on the statewide sporting experience.

New York has some of the most beautiful landscapes, treasured wildlife and varied settings for everyone to enjoy. For those New Yorkers who do not participate in hunting and fishing, these proposals will expand access to the scenic and wildlife treasures of the state. Access enhancements will allow appropriate human interaction while maintaining critical habitat protection.

In addition, Governor Cuomo is committed to enacting two changes that will create a more appealing and competitive sporting state.

By authorizing the Department of Environmental Conservation to regulate crossbow hunting, the

Governor will resolve a lapsed temporary fix, make New York competitive with neighboring states and provinces, enhance New York’s hunting destination reputation and give clarity to the sporting businesses that have held crossbows on their shelves for one year.

The Governor also proposes clarifying the limits on the liability of landowners who allow recreational activities on their property. Landowners who have voluntarily opened their land for the public’s use should not be exposed to lawsuits that result from accidents on their property. Current law



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leaves too much open to interpretation, which leads to pre-emptive closures because landowners are unsure of their liability exposure. Clarifying landowners’ rights and liability protections could open up vast, untapped resources for hunting, fishing, and many other popular recreational pursuits.

These measures reflect the Governor’s continued commitment to make New York Open for Fishing and Hunting.

## *Continue to Revitalize Our State Park System*

New York State's park and historic site system is the oldest, the most developed and the second most heavily visited park system in the nation—with 60 million visitors in 2012. New York's treasured state parks are infused with the legacies of Frederick Law Olmsted, Robert Moses, and Teddy Roosevelt, who said: "The nation behaves well if it treats the natural resources as assets which it must turn over to the next generation increased, and not impaired, in value."

When Governor Cuomo entered office in 2011, that legacy was in jeopardy: 83 percent of the system was in disrepair.<sup>20</sup> The Office of Parks, Recreation, and Historic Preservation (OPRHP) had been forced to shutter historic buildings and board up recreational facilities, and was struggling to prevent bathrooms from becoming unusable and playgrounds from becoming rusted and unsafe. Once-celebrated destinations had become shabby and unwelcoming.

Over the past two years, Governor Cuomo has committed over \$200 million to address the backlog of needed repairs. The State is repairing, revitalizing and ultimately transforming New York's park system.

Beyond ensuring the lasting legacy of our treasured parks, state investment is also creating jobs, growing the tourism industry, promoting the health and well-being of all New Yorkers, and showing off everything this great state has to offer.

As part of the Governor’s e-Business strategy, the existing “all cash and paper” park access system will be modernized to give consumers fast and efficient online interactions. Improved online marketing and automated reservation systems,

permits, and vehicle entrances will give New Yorkers the customer service experience they expect. OPRHP continues to develop maps, guides,

and mobile apps to enhance the on-the-ground experience, expand language access, and open up public land to a new generation of devotees.

These improvements will continue to make New York’s park system a popular destination for visitors from across the state and beyond.



***The State is repairing,  
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## ***Bring World-Class Destination Resorts to Upstate NY***

In 2014, the State will take critical steps to act on the casino referendum that the voters overwhelmingly approved in November and bring world-class destination resorts to Upstate.

The Upstate New York Gaming Economic Development Act allows the creation of four destination resort casinos in three regions in Upstate New York. To accomplish this, the Gaming Facility Location Board will be appointed to select bidders through a merit-based and transparent process. The process will be designed to produce the best and highest quality bids and bidders in order to increase tourism and encourage Upstate economic growth.



***Casinos are projected to bring thousands of jobs to Upstate New York and produce hundreds of millions of dollars in aid to local governments and school districts.***

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Selected facilities will serve as attractions to bring visitors to the region through tie-ins with the local tourism industry, business community, and

entertainment venues. The facilities may have such amenities as high-end hotel accommodations, retail shops, restaurants, high-tech meeting and event spaces, entertainment options, golf courses and related amenities, and spas and salons.

Collectively, these casinos are projected to bring thousands of jobs to Upstate New York and produce hundreds of millions of dollars in aid to local governments and schools. The State will conduct the casino siting process based on the following timeline:

- January 2014: Gaming Facility Location Board appointed
- March 2014: Request for Casino Applications issued
- June 2014: Bids due
- June-August 2014: Gaming Facility Location Board reviews, evaluates submissions
- Early Fall 2014: Commission commences licensing review of applicants
- Early Fall 2014: Casino siting and operators formally announced, construction on facilities begins

Some areas of the state have been waiting for casinos for more than four decades, and in 2014, New York will prove that it is up to the challenge.

## ***Encourage Targeted Investment through Key Industry Summits***

In the last two years Governor Cuomo has hosted successful summits to support and grow emerging industries, including:

- Yogurt Summit—August 2012
- Path Through History Summit—August 2012
- Wine, Beer and Spirits Summit—October 2012
- Tourism Summit—May 2013

Encouraging growing industries is at the heart of New York support for the burgeoning Greek yogurt industry. Greek yogurt has become wildly popular across America, and New York State has quickly become the nation's yogurt capital, surpassing California: since 2000, the number of yogurt processing plants in New York has more than doubled, and over the past six years the amount of milk used to make yogurt in New York increased more than ten-fold from 158 million pounds to about 1.7 billion pounds. Governor Cuomo hosted New York's first Yogurt Summit to hear first-hand from industry leaders, farmers, and other stakeholders about ways to remove barriers and support further growth of the industry, and to announce new actions to help dairy farmers increase milk production, better manage the

large amount of waste produced by cows, and save money on energy costs by turning waste into a renewable source of energy. Following up on a promise made at the Yogurt Summit, the State removed several regulatory burdens on dairy farms to facilitate the production of milk that supports the yogurt industry.

The Yogurt Summit was so successful that the Governor replicated this approach to hold the first Wine, Beer and Spirits Summit. New York's 450 wineries, breweries, distilleries and cideries account for more than \$22 billion in economic impact each year and support tens of thousands of jobs statewide. Following this summit, the Governor enacted a package of critical incentives and tax relief for New York's craft and farm brewers, announced plans for a new marketing campaign to promote production, sales and tourism, and developed a series of regulatory reforms that will significantly reduce business costs for beverage producers.

Finally, at the May 2013 Tourism Summit, the Governor announced nearly \$60 million in funding to grow the industry, create jobs and attract more visitors to the Empire State.

These summits convened hundreds of industry stakeholders, economic development officials and elected officials to discuss ways to grow each sector and create jobs for New Yorkers, with a particular focus on Upstate.

To continue our support of these growing industries, Governor Cuomo will host a second round of industry summits to identify additional growth opportunities.

The Governor will also host a new Upstate-Downstate Food-to-Table Agriculture Summit focused on linking our Upstate agriculture industry and downstate consumers and markets in order to create a self-sustaining agricultural-commercial ecosystem in New York.

The Summit will help identify strategies to:

- Maximize procurement of local food and beverage products by public schools and government agencies;
- Increase access to produce in underserved communities and address hunger; and
- Upgrade and streamline the distribution of fresh and processed food products and beverages around the state.

New York's 36,000 farms contribute more than \$5.3 billion in direct sales to the state economy<sup>21</sup> from products ranging from cabbage and apples to milk and eggs. Just last year, over 600,000 cows produced more than 13.1 billion pounds of milk,<sup>22</sup> and nearly 1,500 vineyards and 350 wineries produced 180 million bottles of wine.<sup>23</sup> The Upstate-Downstate Food-to-Table Agriculture Summit will build on this success by providing a platform for industry stakeholders to provide input on steps the State can take to remove barriers and encourage further growth.

### ***Create the NY Genomic Medicine Network***

Technology is transforming medicine. Recent discoveries of the linkage between an individual's genes and disease, combined with the increased analytic power of today's high-performance computers, is creating a new field: genomic medicine.

This emerging field will lead to job creation and significant advances in health care. To capture these economic and medical gains for New York State and to develop Upstate New York as a national center for genomic research and jobs, Governor Cuomo will

establish the NY Genomic Medicine Network as a partnership between the recently opened NY Genome Center in New York City<sup>24</sup> and the University at Buffalo (UB)—the next major investment of the “Buffalo Billion.”

This network links the medical community in New York City with the computational infrastructure at the University at Buffalo and the research community at



***This emerging field  
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Roswell Park Cancer Institute.<sup>25</sup> With its supercomputing resources and expert staff, the Buffalo institutions will provide the NY Genome

Center with rapid access to computational capabilities that will increase the speed of genomic research and analysis critical to diagnosis of diseases.

Five companies focused on genomic medicine have already committed to either move to Buffalo or expand in the area, many at the Buffalo Niagara Medical Campus.

Genomic medicine is intended to transform medical care from its current “hit or miss” approach to one in which drugs that specifically target each patient

and disease can be pinpointed.<sup>26</sup> For example, with the collaboration between the NY Genome Center and the Center for Computational Research at UB, a physician will be able compare the normal DNA of a cancer patient and the DNA of their tumor cells. This genetic analysis can then help direct the appropriate drug treatment. In contrast, current medical practice often must apply an assortment of treatments until one specific drug takes hold and combats the disease.

In addition, genomic medicine has the potential to reduce the cost of health care, as many drug compounds currently sitting on the shelves of pharmaceutical companies will find new uses. One estimate concludes that health care costs will decline by \$500 million over the next five years as genomic medicine emerges as a standard of treatment.

This initiative takes full advantage of the rich depth of institutions, research and human resources available in New York State. It will allow New York to forge a path to saving lives with new genomic discoveries while creating new jobs and new businesses.



## ***Launch a Study on Potential Improvements to Enhance North Country Access***

Residents and businesses in the North Country region have long expressed interest in better connecting I-81 in Watertown to I-87 in Champlain along a route running south of the Canadian border and just north of the perimeter of the Adirondack Park. Numerous projects have been proposed since the 1950s.

Route 11 follows nearly the same route, within a few miles of the proposed highway. It is a vital transportation and tourism link between the cities and village centers of the North Country, which are home to most of the region's population, employment centers and educational institutions. It passes by the main gate of Fort Drum, then into Canton and Potsdam, which are home to four colleges and universities.<sup>27</sup>

Over the past ten years, the NYS Department of Transportation has twice evaluated use of this corridor to improve East-West transportation south of the Canadian border: once in 2003, and again in 2008. The evaluations considered several options: constructing a 172-mile interstate at an estimated cost of \$6 billion; improvements to Route 11 at an estimated \$320

million; and construction of five bypasses at a cost of at least \$213 million. This past fall, an additional option was endorsed by the North Country Regional Economic Development Council: construction of a Canton-Potsdam bypass.

The highest traffic in this corridor is in the Canton-Potsdam areas, where improved connections could bolster quality of life and result in economic benefits derived from increased tourism and easier access. The NYS DOT will work to immediately add the environmental study for bypasses for Canton and Potsdam and a connector for the two to the State Transportation Improvement Program (STIP). The results of the study will guide consideration of next steps.

## **Modernize Our Airports: The Gateways to New York**

New York's airport system is one of the busiest in the world, and JFK is the busiest international airport in the country. JFK and LaGuardia are also major economic engines for the New York City region, supporting approximately 350,000 jobs, \$18 billion in wages, and nearly \$50 billion in economic activity. An estimated 20 million domestic and international visitors came to the region by air last year.

However, JFK and LaGuardia have consistently been rated among the worst airports in the country in terms of design and overall passenger experience. Both were initially built during a different era in aviation travel: prop planes were common, jet travel was only beginning, and flying anywhere was a formal, momentous occasion.

### ***Assume Management Responsibility for Airport Construction from the Port Authority for JFK and LaGuardia.***

It is time to upgrade these Gateways to New York. Just as Governor Cuomo's leadership ended years of delays to build the Tappan Zee Bridge, he will ensure

that these critical transportation hubs are modernized efficiently and rapidly by assuming management control for airport construction at JFK and LaGuardia from the Port Authority.

*Build a New Central Terminal at LaGuardia and Develop a State-of-the-Art Passenger Experience at LGA and JFK*

LaGuardia remains frozen in time. LaGuardia's Central Terminal Building is antiquated and ill-suited to meet today's demands. This year, it will serve 12.5 million passengers, over 50 percent more than its original designed capacity of 8 million passengers. By 2030, traffic is projected to grow to 17.5 million passengers. The Central Terminal Building's amenities have barely improved, and as a result, passengers must endure cramped, poorly lit, and overcrowded terminals.

Governor Cuomo is advancing the construction of a new LaGuardia Central Terminal Building as the centerpiece of a comprehensive plan to modernize the airport.

In addition, the State will identify opportunities to re-imagine and dramatically improve the passenger experience at both LaGuardia and JFK. This includes

bringing state-of-the-art amenities such as high-quality affordable retail shopping, satellites of high-end and popular NYC restaurants, on-airport hotels, showers, expanded, cleaner bathrooms, free Wi-Fi service, rapid charging stations, and other new technologies.

*Re-establish JFK as a Major Air Cargo Hub*

Historically, JFK has been one of the pre-eminent air cargo gateways in the country. However, over the past decade, JFK's air cargo volume has declined by almost a third.

The stagnation and decline in JFK's air cargo business has serious implications for jobs and economic development, as cargo has a significant economic impact and supports approximately 34,000 jobs, \$2.1 billion in wages and \$6.3 billion in economic activity.

At the Governor's direction, the State will develop and implement an ambitious plan to redevelop current aging cargo infrastructure to remake JFK into a premier air cargo gateway.

## **Reduce the Cost of Energy for New Yorkers**

Before Governor Cuomo took office, energy challenges had remained unresolved for years. Businesses suffered from skyrocketing energy costs, and a lack of innovation meant higher bills for consumers. Governor Cuomo broke through the Albany gridlock and has restored New York's national leadership position.

After nearly a decade of debate, the Governor brokered an agreement to pass a power plant siting law to streamline permitting, protect vulnerable populations, and set carbon dioxide emissions standards for new plants. After years of failed proposals to reform the "Power for Jobs" program administered by the New York Power Authority (NYPA), the Governor replaced the program with the first permanent, statewide low-cost power program— ReCharge NY—to provide low-cost power to businesses that commit to jobs and capital investment. And after years of customer dissatisfaction with LIPA and following the severe weaknesses in utility storm response exposed by Superstorm Sandy, Governor Cuomo reformed utility operations on Long Island to improve customer service

and stabilize rates, and strengthened State oversight to ensure all major gas and electric companies are more accountable.

The Governor also launched the Energy Highway initiative to stimulate new investment in our energy infrastructure and develop energy policy recommendations. The Energy Highway Initiative is now well underway and has made substantial progress such as:

- Development of a Reliability Contingency Plan to prepare for potential large power plant retirements;
- Acceleration of investments in electric generation, transmission and distribution to improve reliability, safety and storm resilience;<sup>28</sup>
- Evaluation of opportunities for repowering older inefficient plants Upstate, including the agreement to upgrade the coal-fired Dunkirk facility to cleaner-burning natural gas;
- Initial steps toward development of offshore wind resources;
- Initial funding for Smart Grid demonstration projects; and
- Initial development of an Advanced Energy Management System Control Center.

The State is now focused on modernizing energy infrastructure and maturing clean energy markets to further link energy to economic development. In 2013,

the Governor launched a \$1 billion Green Bank to work in partnership with the private sector to remove financing market barriers in the clean energy sector, expanded the NY-SUN solar energy program, and set a goal of 2,500 new electric vehicle charging stations by 2018.

New York State's energy policies are growing the economy and improving communities.

### ***Modernize and Enhance the Electric Power Grid***

Access to energy and a dynamic, resilient grid are the engines for our 21st century economy, providing the means for industry, commerce, technology and communities to thrive.

Despite the importance of our energy grid, we are operating under an outdated system

that is hampering our growth and increasing costs to consumers. To change this, New York State is taking concrete steps to modernize both the transmission and distribution components of the electric grid.



***New York State's  
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communities.***

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*Expedite Transmission Projects that Rely on Existing  
Transmission Corridors and State-Owned Rights-of-Way*

The state's transmission infrastructure is antiquated and is preventing excess power in Upstate NY from entering the downstate region where demand is greatest. Approximately 84 percent of the state's transmission lines were built before 1980 and the last major cross-state project was built in the 1980s. Transmission bottlenecks on the aging electric grid increase utility bills and result in adverse environmental and economic consequences when older, less efficient plants must run more frequently.

For too long, regional and siting obstacles have prevented necessary upgrades that would benefit all of New York's electric consumers. New York's electric transmission system is facing two major challenges: (1) aging infrastructure that requires significant reinvestment; and (2) system constraints that cause transmission congestion, creating an estimated \$600 million annually in higher electric customer costs.<sup>29</sup> Over 40 percent of the state's electric transmission system will require replacement within the next 30 years, at an estimated cost of \$25 billion.<sup>30</sup>

The state's electric transmission system is congested at critical points on the pathways linking Upstate and downstate New York. Together, New York City, Long Island, and Westchester County account for more than half of the demand for electricity in the state and this demand is increasing. However, in times of peak demand and high prices, cheaper and/or cleaner power available from Upstate, including wind and other renewable resources, cannot reach these densely populated areas because of transmission bottlenecks.

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***The State must encourage utilities and transmission developers to responsibly site projects in a way that is responsive to local communities.***

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While the need for an expanded and upgraded transmission system is clear, we must also consider the quality of life of neighboring communities. The State must encourage utilities and transmission developers to responsibly site projects in a way that is responsive to local communities.

To help achieve the balance between providing for the state's electric needs and preserving the local

community's quality of life, the State will expedite projects that would be built wholly within existing transmission corridors (i.e., projects that do not result in higher or wider transmission corridors) or buried along existing State-owned rights of way such as waterways and highways. Just as Governor Cuomo's model power plant siting law provides a streamlined permitting process for repowering projects that reduce emissions, the Public Service Commission (PSC) will cut the timeframe for deciding permit applications to ten months for transmission projects that are entirely within transmission rights of way or State-owned rights of way.

This process will provide a clear financial incentive for development of transmission projects that respect community interests and can be quickly implemented through the use of existing rights of way and State-owned assets.


This approach does *not* change the standard review and input process for any project that would require a wider right of way "envelope," taller towers or other expanded transmission corridors.

## *Launch the Community Grids NYPrize*

Like an integrated ecosystem, New York's power grid is an interdependent network vulnerable to failure—even isolated disruptions can have cascading effects on the entire system. New Yorkers saw this firsthand during Superstorm Sandy, when nearly two million New York households and businesses were without power for days after certain breakdowns in the electrical distribution lines. In response, Governor Cuomo formed a Moreland Commission to investigate storm preparedness and response, strengthened the Public Service Commission to make it a more effective utility watchdog, and privatized LIPA operations.

However, the state's outdated infrastructure persists and comes at great expense. In order to take a step towards providing customers with more control and reliability, the State will launch the first of its kind NYPrize, a \$40 million competition to help build "community grids" for areas with approximately 40,000 residents each. These new energy systems will combine decentralized, local, clean power sources with microgrids—standalone energy systems that can operate as an "energy island" in the event of a power

outage—that will enable communities to maintain electricity and heat even during the worst storms and emergencies, be more responsive to customer needs and provide tools for customers to manage their energy use.

 <b>NYPrize Objectives</b>	
<b>1.</b>	Modernize New York’s power grid with advanced distributed technologies
<b>2.</b>	Protect vulnerable residents and communities from power outages due to future storms and disasters
<b>3.</b>	Improve electricity reliability during central grid power outages to maintain business continuity
<b>4.</b>	Demonstrate how community scale energy networks play an important role in New York’s transition to a cleaner and more resilient energy system

In addition, the PSC and the State will work with utilities and private developers to reform regulatory and financial hurdles that have prevented investment in microgrids. Our goal is to develop at least 10 community grids and microgrids statewide in 2014.

Through the competition, the New York State Energy Research & Development Authority (NYSERDA) and NYPA will work together to award funding to multiple communities in the state to help build more integrated and resilient energy networks, establishing the technological, operational, and business models for a cleaner and safer energy system.

With this innovative approach to spurring large scale demonstrations, New York has the opportunity to develop an electric grid and energy system prepared for the 21st century.

### ***Launch Renewable Heat NY: The Low-Emission Biomass Heating Initiative***

Forests cover 63 percent of New York, and most are privately owned.<sup>31</sup> Despite the abundance of this resource, rural New York has one of the highest rates of oil-heating usage in the nation—more than four times the national average.<sup>32</sup> Renewable Heat NY will help catalyze a sustainable, private sector-driven market for biomass heating—a renewable and highly efficient heating source derived from low-grade wood harvested from our own forests.

Biomass fuel combines economic and environmental benefits.<sup>33</sup> It is considerably cheaper than heating oil—pellets are half the price of oil<sup>34</sup>—and



***Many New Yorkers will see significant savings in their heating bills using these efficient, low-emission technologies.***

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locally sourced fuel keeps New York’s energy dollars circulating in the local economy. Many New Yorkers will see significant savings in their heating bills using these efficient, low-emission technologies. By encouraging best practices in sustainable forest management, the State can maintain and improve the health of its forests while providing sufficient feedstock for a scaled-up high-efficiency biomass heating industry and enhancing the long-term storage of carbon in our forests.

Taking advantage of the economic opportunity presented by biomass heating is one of the top priorities in several of the Regional Economic Development Councils’ Sustainability Plans.<sup>35</sup> There is broad community support for the environmentally responsible expansion of the biomass heating market, and other states such as New Hampshire and Massachusetts are already working towards this goal.

The Renewable Heat NY program is a long-term commitment to help the high-efficiency and low-emission biomass heating industry reach scale.

In the first year, Renewable Heat NY will aim to raise consumer awareness and develop the larger-scale anchor customers that energy firms need to begin the transition of their heating

oil delivery fleet to bulk biomass. In order to ensure that the supply can meet demand, the program will also lay the foundation for upstream



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support, such as workforce training and manufacturer support for field testing, equipment certification and early stage product development. The State will lead with the issuance of a policy roadmap for accelerating the use of biomass for heating using the most efficient, low-emission technologies, and will identify pilot projects that are ideally suited for biomass conversion. For example, the various State agencies located at the Ray Brook facility in the Adirondacks are working together to design a biomass boiler system for heating the campus.



Renewable Heat NY will also challenge communities to develop clustered approaches for sustainable biomass heating markets, through a competitive grant program. This approach will bring local leaders, foresters, suppliers, installers, and customers together to think through local market needs, challenges, and innovative solutions.

In addition, through Governor Cuomo's \$800 million BuildSmart NY initiative, NYPA can finance all up-front costs for advanced biomass heating systems in State and municipal buildings and will coordinate with NYSERDA to ensure that biomass heating projects can take advantage of all available financing and technical assistance from the State.

Renewable Heat NY will also work to develop long-term, reasonably-priced private sector financing to cover the up-front cost of qualified biomass heating systems for buildings outside of the municipal sector.<sup>36</sup>

Finally, the State will provide support so that sustainable forestry practices are available for small and large landowners and are utilized to maintain and enhance the long-term health and productivity of New York's forests.<sup>37</sup>

## ***Expand NY-SUN: Help Communities Save with Solar Power***

Encouraging New York State to become a national leader in solar energy has been a priority for Governor Cuomo since taking office. During NY-SUN's first year, the Governor made a commitment to double the state's solar capacity. With strong State policies to support solar deployment, that trend is continuing today, as NYSERDA estimates that developed capacity in 2013 will be four times greater than 2011.

Under NY-SUN, the State is working to expand the solar market by providing long-term program certainty, and to reduce "soft costs" of solar development by helping local governments adopt model zoning and permitting procedures and providing innovative financing options. In recognition of these efforts, the State was awarded a federal grant from the U.S. Department of Energy's SunShot Initiative Rooftop Solar Challenge. The next phase of this work is to lower the costs of project initiation by encouraging the aggregation of customers, helping more people to deploy solar through consumer awareness and lowering the total cost of solar photovoltaic systems.

Despite massive growth in this industry, there are still opportunities to expand solar energy into new markets. While virtually every New Yorker pays for renewable energy programs through surcharges on their utility bills, private solar installers have offered their services to only a fraction of the state's population. Of the nearly 5,000 public schools in the state, many are prime candidates for solar energy but have not been able to navigate the bureaucratic channels to finance it through potential energy savings.

As the next phase of NY-SUN, Governor Cuomo will establish Community Solar NY: a comprehensive community solar package to address these issues and make solar energy available to all New Yorkers that want it. This initiative will include "K-Solar," a program to provide incentives, financing, and technical assistance to school administrators interested in reducing energy costs and creating healthier environments for students through on-site solar installations.

In addition, NYSERDA and NYPA will work to use schools and other institutions as demonstration hubs for developing community-based aggregation models to "solarize" entire neighborhoods with increased

purchasing power and lower installation costs. For example, NYPA could facilitate a solar project at a school, with NYSERDA providing a financial reward to the school for every surrounding home that installs solar as well, thus incentivizing the school to rally the community around the benefits of clean energy.

**Building on  
Success**



## **3. Education**

Governor Cuomo is committed to ensuring that all of New York’s students receive a quality education—from the first day of pre-kindergarten through the last day of college. The State must meet the educational needs of its citizens, not only to give students a path to prosperity and the tools to become productive members of society, but also to continue to build the state’s economy for the long-term. The path to these goals is through an educational system that puts students first.

New York has some of the nation’s highest achieving schools; many committed teachers, principals and other school personnel; and a renowned public

higher education system. Yet too many students continue to slip through the cracks, the result of an education system that for too long has been driven by bureaucracy instead of innovation. Consider these facts:

- New York lags behind 31 other states in student performance in math on “the nation’s report card”;<sup>38</sup>
- Barely three in four students graduate from high school on time;<sup>39</sup> and
- Only 35 percent of students who do graduate are measured as college- and career-ready.<sup>40</sup>

We must improve, and under Governor Cuomo’s leadership, the state is making important progress. New York is leading the nation in teacher evaluations, with a meaningful teacher performance system now in place in every school district. The State is making critical investments in early childhood education and other proven academic programs.

Thanks to the Governor, New York is tying careers and future economic growth directly to academic excellence—from the creation of 16 “P-TECH” high schools across the state that link K-12, community colleges and regional employers, to the Job Linkage program that connects degrees to careers and rewards

community colleges with funding based on the future success of their students. Through these kinds of innovative programs, Governor Cuomo is developing an education system that will produce homegrown talent and drive economic growth.

In April 2012, the Governor established the New NY Education Reform Commission to provide him with guidance and advice on education policy, performance



***We must improve, and under Governor Cuomo's leadership, the state is making important progress.***

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and innovation. The Commission took as its charge the development of an actionable course of reform based on proven models of success.

The Commission brought together 25 nationally-recognized education, community, and business leaders from across the state. In 2012, they held public hearings in each of the state's ten regions, received and reviewed thousands of pages of testimony and heard from over 300 students, parents, educators, and community leaders. From this input, the Commission produced recommendations which led the Governor and Legislature to create the first State-funded full-day pre-kindergarten program,

the Community Schools and Extended Learning Time initiatives, and the New York State Master Teacher program, and to establish new, nationally-recognized P-TECH schools in every region of the State.

The Commission's Final Action Plan follows additional public symposia held throughout 2013 and builds on the Preliminary Action Plan by calling for a seamless education system that can guide children from cradle through college and career. The Commission recommended that Governor Cuomo:

- **Expand the use of technology in classrooms**, particularly at our highest-needs schools, through incentives and other measures, as a way to complement teaching and academic programs to improve student achievement.
- **Commit to expanding high quality early education** by building on the success of New York State's first-ever State-funded full-day pre-kindergarten program and bringing to scale access to high-quality full-day pre-kindergarten, starting with New York's highest-needs students.
- **Reward the best and brightest teachers** by establishing a teacher excellence fund that rewards highly effective teachers and attracts and keeps talented educators in the classroom, particularly in our lowest-performing schools.



- **Implement programs that connect high school to college** in order to create greater college opportunities, especially for under-represented students, both by replicating successful programs such as college scholarships for high-performing students and by expanding innovative programs like P-TECH so at-risk students have a chance to attain both a high school diploma and an affordable college degree.
- **Strategically invest in higher education** to increase college enrollment and improve outcomes for all students, including by offering paid internships, expanding academic programming, and facilitating access to college degree programs through innovative methods.
- **Focus on efficiencies** and reinvest administrative savings into the classroom by expanding opportunities for shared services and reducing obstacles to the school district merger process.

## **Launch the “Smart Schools” Bond Referendum**

The technology revolution has changed the way we gather and analyze information, learn new facts and explore the world. It has the potential to democratize education and society.


But all of the benefits of technology cannot help children unless they have access to it. Even in our digital era, only 63 percent of low-income children have access to a computer and the Internet at home, compared to 97 percent of wealthier students.<sup>41</sup>

These inequities carry over to the classroom. One out of every four rural schools lacks access to high-speed broadband.<sup>42</sup> And while some students use laptops, tablets and interactive whiteboards to help them learn, too many others are being taught in classrooms that look fundamentally unchanged from the 1950s.

In our high-speed, high-tech world, we are leaving children behind.

Governor Cuomo is proposing the \$2 billion “Smart Schools” bond referendum to help New York State re-envision our schools from the ground up. The initiative will make it possible to educate students in

state-of-the-art classrooms, leverage the power of technology to transform education, and enable long-term investments in proven programs like full-day pre-kindergarten.

 <b>What Technology Means for Students</b>	
<b>1.</b>	Every child learns at his or her own pace.
<b>2.</b>	Students get the skills they need to succeed in the 21st century economy.
<b>3.</b>	Access to advanced courses and interactive curriculum is enhanced.
<b>4.</b>	Parents and teachers can communicate easily and often.

If approved by the voters, the “Smart Schools” bond referendum will enable schools to go wireless; educate students using interactive tablets instead of outdated textbooks and worksheets; make it possible for teachers to connect with one another to share strategies and lesson plans; offer high-level courses such as Advanced Placement through blended online/classroom learning; replace chalkboards with

new interactive whiteboards; and provide access to other technology to improve student achievement.

School districts will be able to invest in:

- Tablets
- Desktop and laptop computers
- Wireless schools
- Computer servers
- Interactive whiteboards
- High-speed broadband connectivity for schools and communities
- New pre-k classrooms and related capital upgrades

“Smart Schools” funds will be allocated to each school district. The State will establish guidelines on eligible uses and every district will create a Smart Schools Investment Plan.

### **Make Full-Day Pre-Kindergarten Universal in NYS**

Quality early childhood education provides a critical foundation for students’ entire educational career. This is particularly important in high-need communities, as repeated research has demonstrated over the last several decades:

- The National Bureau of Economic Research found that pre-kindergarten for economically disadvantaged children: 1) improves economic

social mobility between generations, 2) improves college attainment and completion rates for children of non-college educated parents, and 3) leads to a net gain in long-term per capita earnings.<sup>43</sup>

- Every dollar invested in high-quality early childhood education programs has been found to result in a return to the public of up to \$12.90 in the form of higher tax revenues, lower criminal justice system expenditures and lower welfare payments.<sup>44</sup>
- Recent brain research has verified the importance of cognitive and social development in the early years.<sup>45</sup>

New York State has a long-standing commitment to early childhood education. As early as 1966, the State's "Experimental Pre-Kindergarten" program allocated resources for low-income children to enroll in pre-k classes. In 1997, the modern "Universal Pre-Kindergarten" program was launched; 449 school districts now offer pre-k to nearly 100,000 children through the program.

Last year, Governor Cuomo launched the State's first program dedicated to providing full-day pre-kindergarten to children in our highest-needs communities. More than 5,500 children will enroll in full-day pre-k for the first time over the next few

months as a result of this dedicated funding for a proven educational program.

It is time to fulfill the State's goal of truly "Universal Pre-Kindergarten" access for all children.

### **Reward the Most Effective Teachers**

Highly effective educators are critical to the success of our students. As described above, New York has become a national leader in promoting teacher effectiveness. This year, the State will build on the universal implementation of the teacher evaluation system by recognizing and rewarding our most effective teachers.

State law specifies that teacher evaluations "shall be a significant factor for employment decisions including but not limited to, promotion, retention, tenure determination, termination, and supplemental compensation..."<sup>46</sup> In fact, some school districts, including New York City, Rochester and Syracuse, are already piloting teacher incentives.

In 2014, Governor Cuomo is proposing the creation of a Teacher Excellence Fund to help more school districts give meaning to these provisions and

encourage excellent teachers to continue in the classrooms where they are needed the most.

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***Highly effective teachers will be eligible for up to \$20,000 in annual supplemental compensation through the Teacher Excellence Fund.***

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Highly effective teachers will be eligible for up to \$20,000 in annual supplemental compensation through the Teacher Excellence Fund. Eligibility for the Fund will require agreement of both the school district and teachers' union. Districts will be chosen to participate based on factors that include whether the incentives are designed to encourage highly effective teachers to work in struggling schools.

### **Build on the Successful NYS P-TECH Public-Private Partnership**

Education in the 21st century requires making sure that our students are prepared for life after graduation by linking the skills we teach in the classroom with the needs of our employers. New York State has been a pioneer in linking our education and

economic development strategies, and the P-TECH partnership is a shining example of this approach in practice.

P-TECH—short for Pathways in Technology Early College High School—began in a single school in Brooklyn and has grown into a national movement to link education and economic opportunity.

P-TECH involves public-private partnerships between K-12 schools, colleges and universities, and regional employers. Governor Cuomo brought together IBM, SUNY, CUNY, the Business Council of New York State and the State Education Department to take P-TECH statewide—making New York the first state to do so.

In 2013, 16 schools across the state were selected in the first round of NYS P-TECH.<sup>47</sup> The model delivers five core benefits to students:

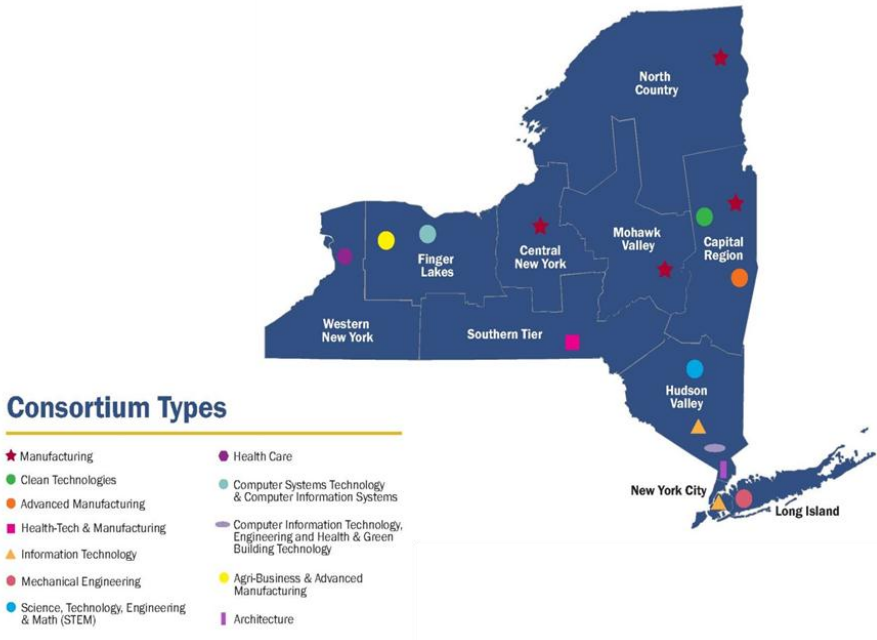
1. An Associate of Applied Science degree in a high-tech field at no cost to the student;
2. A commitment that students will be first in line for a job with the participating business partners following completion of the program;
3. A rigorous, relevant and cost-free “grades 9 to 14” education focused on the knowledge and



skills students need for Science, Technology, Engineering and Math (STEM) careers;

4. Workplace learning that includes ongoing mentoring by professionals in a student’s chosen career sector, worksite visits, speakers and internships; and
5. Intensive, individualized academic support by K-12 and college faculty within an extended academic year or school day that enables students to progress through the program at their own pace.

**Figure 3.1**  
**NYS P-TECH Features 16 Public-Private Partnerships**



This year, Governor Cuomo proposes making P-TECH available to more students through a second round of funding, with the goal of selecting at least one additional school in each of the state's ten Regional Economic Development Council areas.

### **Encourage the Best and Brightest STEM Students to Stay in New York**

One of the fastest-growing sectors of the economy has been Science, Technology, Engineering and Math—the so-called “STEM” fields. In New York today, there are 1.7 STEM jobs for every person looking for work, and the state is projected to have nearly a half-million STEM jobs by 2018, the third highest in the country.<sup>48</sup>

To fill these openings, the State should encourage the best and brightest students from all of our schools to pursue STEM college degrees and build their careers here in New York.

To help this happen, Governor Cuomo is proposing to provide full tuition scholarships to any SUNY or CUNY college or university to the top ten

percent of high school graduates if they pursue a STEM career and then work in New York for five years.

It is a good deal for promising high school students—and a great deal for the state’s economic future.

### **Expand and Launch another Round of NYSUNY 2020 and NYCUNY 2020**

In 2011, Governor Cuomo launched the NYSUNY 2020 program, making our state universities into incubators of academic excellence and economic growth. The joint effort between the Governor and SUNY leverages State capital funding to incentivize bottom-up, individualized, long-term economic development plans on campuses and the surrounding communities.

Successful plans demonstrate the cooperation of the local community and stakeholders to spur local economic development and contribute to regional revitalization. They feature local strategic partnerships to increase academic and economic benefits, receive endorsements from local governments, harness

multiple funding sources, and include expansion of capital facilities as well as faculty hires.

NYSUNY 2020 continued with a second round of incentive funding in 2012. In 2013, the Governor and Legislature launched a third round of NYSUNY 2020 as well as a first round of NYCUNY 2020—each with funding of \$55 million.



***Higher education plays a critical role in the economic vitality of the state and has an enormous impact on individuals' career earnings.***

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This year, we will build on the program's success by expanding New York's strategic investment in higher education performance. Higher education plays a critical role in the economic vitality of the state and has an enormous impact on individuals' career earnings. Graduates with an associate's degree boost their lifetime earnings by an average of \$420,000, earning nearly one-third more than those with just a high school diploma. Students graduating with a bachelor's degree increase their lifetime earnings by an average of over

\$960,000, or 74 percent, over those with just a high school diploma.<sup>49</sup>

Governor Cuomo proposes to expand this initiative to offer awards to plans that:

- Use technology to improve academic success and job opportunities for students, such as providing online courses that expand access to degree programs and also serve as a way to accelerate degree completion so students may more quickly enter the workforce;
- Leverage economic and academic opportunities for public-private partnerships through the START-UP NY program; and
- Provide experiential learning opportunities, such as co-op paid internships, to better connect students to the workforce.

Funding will continue to be awarded through a bottom-up competitive process through which campuses develop plans for improving academic outcomes, finding efficiencies, and promoting innovation and economic development. Because our State public higher education system has a diverse array of institutions ranging from technical colleges to university centers, the competitive process will account for mission differentiation. Other factors that will be

taken into account include a plan's capacity to be successfully scaled up and exported to other campuses; the ability of campuses to leverage state funding for private and philanthropic matches; and promoting access for underserved populations.

### **Focus on Efficiencies and Shared Services to Reinvest Savings into the Classroom**

In order to ensure that every dollar spent on education improves the educational performance of our students, we must first ensure that the education system is operating as efficiently as possible.

The best way to achieve this efficiency is to eliminate needless duplication of services. This can be accomplished through shared services and school district mergers.

A recent report from the New York State School Boards Association cites several important advantages to voluntary mergers. They allow districts to:

- Save money through economies of scale;
- Improve the quality, availability, and number of educational choices;
- Receive additional State aid;
- Maintain or expand extracurricular/sporting programs;

- Gain specialized teachers and staff;
- Acquire better instructional materials and equipment;
- Achieve greater cultural diversity;
- Reduce teacher turnover; and
- Reduce taxes for some residents.<sup>50</sup>

Yet despite these benefits, and the significant financial incentives for mergers that exist in current law, very few actually occur. In fact, since 2000, only 13 school districts—out of nearly 700—have merged.

There are several steps the State can take to help school districts become more efficient in order to invest in the classroom, either through voluntary mergers or simply by making greater use of shared services and economies of scale. One important change is to eliminate barriers to successful merger votes. Some attempts to merge have failed because of inflexibility in the current law on sensitive issues like phasing in new tax rates. The law should be amended to allow flexibility so that new tax rates can be phased in at an appropriate pace determined by the merging school districts.

With this and other strategies, our schools can focus their resources where they belong: on our students.








## **4. Reimagining New York for a New Reality**

Superstorm Sandy was the worst natural disaster to hit New York in decades, bringing widespread devastation, including the deaths of 60 people. It caused catastrophic flooding of communities, leaving more than two million New Yorkers without power, damaging major transportation systems and destroying or damaging more than 300,000 homes.

In the year since the storm, Governor Cuomo has worked to secure our safety from future natural disasters. The Governor has helped families and businesses recover from Sandy while making

investments in critical infrastructure a priority so that communities across the state can build back better.

Even while responding to the immediate needs created by Sandy, the Governor has prioritized the State’s ongoing commitment to the communities affected by Hurricane Irene and Tropical Storm Lee. These three storms—coming in quick succession within just 18 months—demonstrate the “new normal” of more frequent and more severe extreme weather events.

 <b>Nine Federally Declared Disasters Across NYS in the Past Three Years</b>	
<b>April 2011</b>	Capital Region, Central NY, Mohawk Valley: Storm and Tornadoes
<b>August 2011</b>	Hurricane Irene (2 declarations)
<b>August 2011</b>	Tropical Storm Lee (2 declarations)
<b>October 2012</b>	Superstorm Sandy (2 declarations)
<b>Feb. 2013</b>	Long Island Blizzard
<b>June 2013</b>	Southern Tier, Western NY: Mohawk Valley Flooding

In preparing New York for this new reality, the Governor has focused his efforts in three primary areas:

- Assisting the recovery and rebuilding for individuals, businesses and communities impacted by storms;
- Improving New York State's emergency preparedness and response capabilities to protect against future storms; and
- Upgrading the State's infrastructure to better withstand major weather incidents.

In 2014, Governor Cuomo will build on these strong efforts to continue to help New Yorkers who are still in need while making the state the best-prepared in the nation for a more resilient future.

Reimagining New York for a New Reality means we must focus on:

1. Weather detection;
2. Transportation;
3. Energy;
4. Waste water system protection;
5. Coastal protection;
6. Home construction;
7. Community resilience; and
8. Emergency management and response.

The Governor’s Reimagining New York for a New Reality storm plan includes \$17 billion in proposed projects to strengthen New York’s communities against extreme weather.

Many of the proposed projects in this initiative fulfill the recommendations set forth by the Governor’s 2100 Commission, which was convened after Superstorm Sandy to identify critical infrastructure improvements that should be made to protect the state’s residents and communities.

Taken together, these projects will build innovative solutions to the growing threat of flooding while creating jobs, promoting long-term economic growth, protecting vulnerable persons and improving community resources.

### **Establish a State-of-the-Art Weather Detection System**

Three “100 year storms” hit New York within three years, and the damage wrought by Lee, Irene and Sandy underscores the state’s vulnerability to changing weather patterns brought on by climate change. Better information, quickly accessible by emergency

management staff and first responders, is vital to ensure that future storms are less devastating to our homes, business and lives.

Governor Cuomo proposes to develop a comprehensive statewide extreme weather prediction system to provide that information. New York is uniquely vulnerable to a range of extreme weather events, and New York will be the first state in the Northeast to build a network of this kind.

The State's existing weather network has only 27 weather stations, and some are 100 miles apart. This network does not collect key environmental data that can aid hazard forecasting, and it does not provide real-time or localized information. A state-of-the-art weather detection system would establish New York as only the sixth state in the country to put this powerful reporting network to use for greater detection, prediction, risk assessment and analysis. Over 100 land-based stations will be placed across all counties, and they will report vital real-time weather and environmental data to the National Weather Service and State agencies, allowing emergency management staff to better predict severity, deploy resources and provide up-to-date information during extreme weather events.

The information this network provides will also enable New York's world-renowned higher education institutions to analyze long-term trends and develop better models for predicting future outcomes. This will be a true public-private partnership among State agencies and technological leaders to provide the best real-time and trend data to those who can help keep New Yorkers safe.

New York will never be able to control weather events, but better data, richer analysis and more complete and local predictive modeling will protect New Yorkers when future storms hit. This system will give the state the early warning it needs to prevent unnecessary loss of life and property.

### **Protect Our Transportation Infrastructure**

Superstorm Sandy dealt a devastating blow to the MTA system. Ten train and auto tunnels were flooded with 140 million gallons of water. The rail transit right of way across Jamaica Bay carrying the A train to the Rockaways was virtually destroyed. Rail yards and subway stations flooded. Thanks to the Governor's foresight to order all train service

suspended the day before the storm, the MTA was able to move rolling stock to protected areas and avert a far greater transit catastrophe.

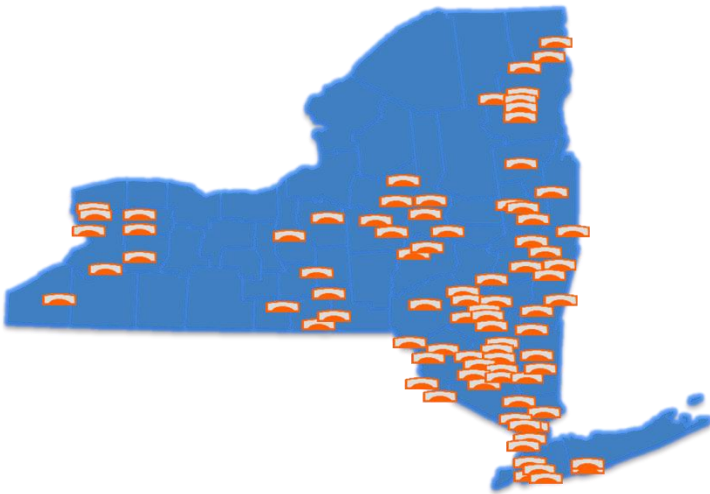
The MTA has taken significant action to build back. Train and transit personnel have logged over 2 million hours repairing 46,000 feet of track and 100 miles of new electrical cable. Over 12,000 tiles have been replaced on the Hugh L. Carey Tunnel. Almost every facet of the system is being rebuilt. The MTA's efforts to first aggressively restore service and then make immediate repairs has shifted to the future, in a way that hardens the system against such weather occurrences. At the Governor's direction, the MTA is embarking on the most massive reconstruction of the subway system since its inception 110 years ago.

The Governor's plan includes \$7.1 billion for transportation projects, including the following proposed initiatives include:

- **Mitigate Vulnerable Bridges:** The State has identified approximately 100 bridges in communities damaged by Superstorm Sandy, Hurricane Irene, or Tropical Storm Lee that are vulnerable to future threats—a status referred to as “scour critical” because flooding at the foundations of these bridges has caused and may continue to cause “scour” or erosion around

those foundations. The State will seek to use federal funds to replace or retrofit these bridges to ensure that they are fully protected against future threats. The list of proposed bridge projects is available on the Governor’s website.

**Figure 4.1**  
**The State Proposes Replacing or Repairing 100 Bridges**



- **Seal Subways & Protect Bus Depots:** The Metropolitan Transportation Authority (MTA) is conducting a comprehensive mitigation program to flood-proof its rail and bus facilities. The State seeks to use federal funding to seal subway tunnels and openings to avoid the kind of severe flooding experienced during Superstorm Sandy, install flood walls and other protections at bus depots and train yards to protect critical equipment, and harden the electrical systems that were so badly intruded by Sandy. These measures will reflect the best and most



innovative strategies used around the world to protect systems like those run by the MTA.

- **Flood-Proof Automobile and Truck Tunnels:** During Superstorm Sandy, the major automobile tunnels connecting Manhattan with the outer boroughs (e.g., the Hugh L. Carey and Queens-Midtown Tunnels) suffered massive flooding. The State will use federal funds to flood-proof those tunnels and prevent the incursion of water not only through the major entrances to such tunnels, but also through the ventilation and other systems that proved vulnerable during Sandy. In many cases, these measures will be a combination of permanent structural changes and temporary barriers that can be put in place prior to an incoming storm.
- **Minimize Flood Damage & Disruptions at Vulnerable Airports:** During Superstorm Sandy, both LaGuardia and JFK airports were substantially flooded. Flooding caused the airports to close due to disabled runways and a loss of electrical power, as well as difficulties in fuel supply. The State will use federal funds to address these vulnerabilities through innovative and massive improvements. New tidal gates and check valves will reduce runway flooding and allow faster draining of areas that are flooded. Electrical substations and related systems will be girded with dikes and other protections to avoid the loss of power. New fuel supply facilities will ensure that both emergency vehicles and planes have full access to the necessary fuel at all times.

These and other projects will protect New York's transportation networks during the type of severe natural disasters experienced in recent years.

### ***Launch the Penn Station Access Project***

In addition to these important upgrades, the State seeks to implement an important network resiliency project—the Penn Station Access Project—which provides critical system resilience to protect Metro-North service in the event of natural or other disasters.

The entire Metro-North rail system currently depends on the Harlem River Lift Bridge and the Mott Haven Junction remaining fully operational to provide access into and out of Manhattan. In fact, the Harlem River Lift Bridge was almost lost in a fire two years ago, which would have effectively shut down the railroad. The need for additional railroad network resiliency was made clear by Superstorm Sandy, when for the first time in their 100-year history, the Hudson River tunnels and two of the East River tunnels into Penn Station were flooded. These closures, along with those of subway and auto tunnels, cut Manhattan off from the

region, impacting the regional and national economy. Without the Penn Access connection, Metro-North's only Manhattan terminal, Grand Central Terminal, would effectively be cut off in the event of a Harlem River Lift Bridge failure, affecting more than 275,000 daily commuters.

Using existing tracks, the project would establish new links for the New Haven Line that by-pass both the Mott Haven Junction and the Harlem River Lift Bridge. In the event of a disaster that disabled these points of access, commuters and others would still be able to use Metro-North to enter or leave Manhattan. In addition, the project provides Metro-North with access to a second Manhattan terminal in the event of an emergency affecting Grand Central or its tunnel and viaduct approaches.

The Penn Station Access Project envisions the construction of four new stations in the Eastern Bronx and the purchase of new rail cars to support the new service. The project will for the first time connect these communities via commuter rail both to Manhattan's West Side and to the I-95 corridor, providing historic benefits.

Residents of the Eastern Bronx currently have no commuter rail options either to Manhattan or to Westchester and Connecticut. These new stations are proposed for Co-op City, Morris Park, Parkchester and Hunts Point, which are not currently served by commuter rail. Eastern

Bronx residents will have one-seat access to the West Side of Manhattan in less than 30 minutes. They will also have an alternative in the event of an emergency affecting existing subway or bus

service. Suburban residents of Westchester and Connecticut will also have direct commuter service into Penn Station and Manhattan's West Side. For the first time ever, this will allow connections with Amtrak services in the Empire and Northeast Corridors. The project will further support the economic growth of the Hunts Point Market and the large medical centers in the Bronx and Westchester and provide opportunities for the innovative financing of station construction and surrounding real estate development.



***The Penn Station  
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The Penn Station Access Project was recommended as a major improvement to the regional public transportation system after Superstorm Sandy by the Governor's 2100 Commission. This project promises improved resiliency against natural and man-made disasters, as well as greater regional mobility to advance economic growth. The MTA's 2010-2014 Capital Plan currently includes \$40.6 million for planning and design of this project. Environmental work is underway, and the MTA is working to advance further planning and design. The State and MTA will seek to secure federal funds for this critical resiliency project that protects and builds smarter for regional Metro-North services, as well as creating a resiliency safety net for Amtrak services in this corridor.

### **Harden and Improve Electrical Power Systems**

Superstorm Sandy and the subsequent nor'easter caused unprecedented damage to the electric system on Long Island. LIPA lost electric service to 95 percent of its 1.1 million customers. Unprecedented levels of materials and personnel were needed to restore electrical service following Superstorm Sandy,

including: 4,900 utility poles, 2,900 transformers, 7,600 cross arms, 2.25 million feet of wire, and 13,500 personnel from outside of Long Island.

Much has been done already to mitigate against future damage. Measures completed include raising equipment and installing

flood barrier protection at the 12 substations that experienced flooding during Sandy, investing \$16.5 million to trim 2,000



***The Governor's plan includes \$1.4 billion for energy projects.***

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miles of trees along the electric system, removing approximately 1,000 hazardous damaged and diseased trees outside the normal trim zone capable of causing outages during major storms, and upgrading the size and strength of poles that house key equipment to better withstand the effects of hurricane strength winds.

Immediately after the storm, Governor Cuomo appointed a commission to assess LIPA's performance and recommend changes to improve the electric system on Long Island. In accordance with those recommendations, Governor Cuomo succeeded in replacing the failed LIPA operation with PSEG-Long

Island as of 2014. That change will form the foundation for dramatic changes to the electric system that will make it far more resilient against future storms.

The Governor's plan includes \$1.4 billion for energy projects. Among other projects, the State will use federal funds to support the following:

- **Strategically Underground and Harden the Most Vulnerable Transmission and Distribution Circuits:** The projects will include undergrounding portions of those circuits that experienced the greatest amount of damage in Sandy and are the most vulnerable circuits to outages during storm events. The selection of the areas to underground with federal funding will be based on field conditions and the damage areas experienced in Sandy. It is anticipated that more than 350 distribution circuits will be incrementally hardened. These circuits provide service to approximately 800,000 of LIPA's customers.
- **Elevate Substations:** The State will use federal funds to raise as many as 36 flood prone coastal power transmission and distribution substations above ground. Many of Long Island's substations are located in the flood plain, putting these vital hubs at risk of flooding during major storms. Prior to Superstorm Sandy, many of these substations were not classified as being in flood-prone areas. However, based on updated flood maps, these substations are now properly

classified as being at risk of flooding during a major coastal storm.

- **Expanded Tree Trimming and Elevating Lines Over Elevated Homes:** An expanded tree trimming program will be commenced and will be included in the State's federal funding application. In addition, funding will be dedicated to cover the cost of raising or relocating power lines to accommodate New Yorkers whose houses are still under construction and must be elevated to comply with codes. By covering this cost, ratepayers and homeowners will be protected.
- **A New Outage Response System:** Federal funds will be used to install a new Outage Management System to improve PSEG-Long Island's outage restoration capabilities. The new state-of-the art system will more precisely identify damage locations to provide faster and more detailed assessment of damage along transmission lines to help coordinate a timely and effective response. In addition, the new system will include 800 portable data devices that will be able to provide restoration crews with detailed information regarding outages.

These and other projects will ensure that the extreme vulnerabilities of the power system in Long Island will be in the past.



## **Upgrade Protections for Waste Water Treatment Plants and Systems**

During Superstorm Sandy, numerous waste water treatment plants and pumping stations in the downstate region were flooded and severely damaged. For example, the Bay Park wastewater treatment plant in Nassau County—the largest plant in Nassau serving over 500,000 residents—was submerged under a 9-foot storm surge and disabled. Sewage began to back up and overflow into low-lying homes and even burst through the street in a neighborhood. The plant shut down for well over 50 hours, and more than 200 million gallons of raw sewage flowed into channels and waterways. The flooding compromised the plant’s electrical distribution system and many other critical systems. Plants in Yonkers, New York City and elsewhere suffered inundation damage.

Added to this damage from Superstorm Sandy are the existing challenges faced by municipalities in maintaining and upgrading water treatment infrastructure. There are 610 municipal wastewater treatment plants in New York, 1,060 sewage collection systems and 22,000 miles of sewers—more than 30

percent of which are over 60 years old and beyond their expected useful life.

Further, some 62 communities in New York have 920 outfalls where raw sewage may be discharged during rainstorms (“combined sewer overflows” or CSOs). The largest concentrations of CSOs are in Syracuse, Buffalo, Utica, Binghamton, the Albany/Troy area and New York City, which has 413 CSO outfalls alone. Without adequate disinfection systems in place for a storm, many plants are unable to disinfect the discharged effluent.

Governor Cuomo already announced that the State would provide nearly \$700 million in financing to counties and municipalities on Long Island so that they could begin repairing and mitigating damaged plants. The State made available \$455 million in zero-interest loan financing for comprehensive rehabilitation and mitigation of the Bay Park plant. The project, which will be managed by Nassau County, includes:

- Building a system of dikes, levees, and movable flood walls around the entire plant to provide protection from a 500-year storm and account for anticipated sea level rise;
- Elevating and hardening the Electrical Plant Distribution System and repairing existing

generators to take the plant off of temporary power;

- Elevating and/or hardening 57 pump stations throughout Nassau County that serve one million residents to protect from floods; and
- Hardening and replacing sludge dewatering equipment and building damaged during Sandy.

The State has also made available \$242 million in zero-interest loans for the Bergen Point Wastewater Treatment Facility in Suffolk County through EFC financing. This funding would replace the plant's ocean outfall pipe that runs beneath the Great South Bay, widening this pipe from 72 inches to 120 inches with improved material and addressing concerns that the pipe could fail if pressure increased due to heavy flow from storms. Bergen Point was able to avoid closure due to advanced preparation before Sandy. It serves 120,000 households and another storm of a similar magnitude could be catastrophic without these improvements.

In addition, the State will use federal funding to address the need for new investments in protecting these critical facilities in areas affected by recent storms. The State will provide grants and loans to

support mitigation of waste water treatment plants around the State. The Governor's plan includes a total of \$1.6 billion to protect and improve waste water systems.

### **Launch Coastal Protection Projects**

Approximately 90 percent of New Yorkers live within a few miles of coastlines and waterways. Governor Cuomo proposes reimagining coastal protection to protect New Yorkers in their homes and communities, and his plan includes \$1.9 billion for this purpose.

### ***Protections against Sea and Riverine Flooding***

The State will help to restore and expand human-made protections against flooding using the latest innovative designs and strategies for long-term success in preventing and minimizing damage from flooding.

Examples of proposed projects include:

- **Red Hook, Brooklyn:** The State will partner with New York City to construct an integrated flood management system to protect South

Brooklyn and, most directly, the vulnerable neighborhood of Red Hook.

- **Brookhaven, Suffolk County:** The Town of Brookhaven owns and operates a 70-acre active waterfront park known as Cedar Beach that borders Long Island Sound to the north and Mount Sinai Harbor to the south. The State seeks to use federal funds to build a 40-foot extension of the existing bulkhead and a new natural infrastructure barrier to protect against future flooding.
- **Amsterdam, Montgomery County:** Dove Creek flows along the east side of St Mary's Hospital in the city of Amsterdam. The walls that contain the creek during flood conditions are currently failing. The State will seek to use federal funds to rebuild the walls, and will do so in a manner that will best protect this critical facility and the community it serves.
- **City of Troy, Rensselaer County:** The City of Troy relies upon a lengthy seawall to protect against flooding from the Hudson River. In several areas, however, that wall is at risk of imminent failure during a storm. The State seeks to use federal funding to rebuild that wall and shore up eroded portions of the riverbank to provide long-term protection against flooding and, where possible, an improved interface with the river for the community's residents.
- **Clarkstown, Rockland County:** The critical levee that protects this community has been

overtopped by high flows in the Hackensack River on at least four occasions over the past six to ten years, resulting in severe flooding in the adjacent neighborhood and the hamlet of West Nyack. The State seeks to use federal funding to increase the height and length of this levee and implement other innovative enhancements.

- **Cobleskill, Schoharie County:** In Cobleskill, the State will seek to use federal funding to complete a series of projects to protect the water supply and reduce flooding. Improvements, including back-up electrical power, to Cobleskill's water treatment plant will ensure that it is not disrupted by a storm. Dredging, repairs to Cobleskill's dam spillway, and improvements to Dow Reservoir will help mitigate the severe flooding experienced by the community in the past.

Projects like these will be identified and completed across the state to protect our communities for the future.

### ***Natural Infrastructure Protections***

As set forth by the Governor's 2100 Commission, natural infrastructure such as wetlands, oyster beds, dunes and tidal forests can be an effective tool to protect communities against the negative impacts of storm surges, wave action and rising sea levels. In

addition, natural infrastructure provides numerous benefits such as valuable recreational and tourism opportunities, restored wildlife habitats and improved access to water for a community's residents.

The Governor's resiliency initiative will include many natural infrastructure projects both in urban areas and along the coasts.

Examples of proposed projects include:

- **Spring Creek, Jamaica Bay:** The State Department of Environmental Conservation (DEC) and its partners developed a plan to implement a natural infrastructure resilience project along 150 acres of Spring Creek and Jamaica Bay to limit storm surge inundation in Howard Beach. The project will involve excavation, re-contouring, and re-vegetation to establish a self-sustaining system of wave-dampening natural barriers to reduce storm damage.
- **Oakwood Beach, Staten Island:** The State, using federal funds, is in the process of buying out 300 homeowners in Oakwood. The families who lived there have received a chance to move to higher ground. Through a proposed partnership between the State, New York City, the Nature Conservancy and the United States Army Corps of Engineers, Oakwood Beach would become 160 acres of natural marsh, dunes, wetlands and maritime forest that would serve

to protect Staten Island from storm surges and routine flooding problems.

- **Roberto Clemente State Park, New York City:** Roberto Clemente State Park is a 25-acre park with 3,700 linear feet of waterfront along the Harlem River. The project area includes the 2,195 foot bulkhead at the center of the Park along the Harlem River.
- **Staten Island & Brooklyn:** The State will seek to use federal funds to complete, where feasible and appropriate, new “living shorelines” and other natural infrastructure along the shores of Staten Island and Brooklyn to provide protection against wave action and storm surge to these communities, and to produce new recreational and tourism opportunities and valuable habitats for seaborne and bird species.

Where appropriate, natural infrastructure will be a key component of flood protection projects supported by the State.

### **Invest in Housing Reconstruction**

Using federal disaster relief funding, New York State launched a slate of housing recovery programs to assist owners of damaged property. Housing programs provide vital assistance to reimburse owners for repair



work, to provide funds for remaining repair and reconstruction needs of storm-damaged homes and rental properties, and—in designated buy-out areas—to purchase homes at high risk of future damage.

To make housing more resilient in the face of future storms, the State is offering housing programs that provide funding to elevate homes and to implement



***The State is offering housing programs that provide funding to elevate homes and to implement mitigation measures.***

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mitigation measures—making homes more able to stand up to increasingly frequent flooding and storm surges. New York’s housing recovery programs also offer funding to legal services providers helping residents rebuild and to local governments to enhance recovery-related code enforcement capacity and expedite rebuilding activities. The Governor’s plan includes a total of \$1.5 billion for housing reconstruction programs.

## **Begin Phase II of the NY Rising Community Reconstruction Program**

Governor Cuomo established the New York Rising Community Reconstruction program to provide additional rebuilding and revitalization assistance to communities damaged by Superstorm Sandy, Hurricane Irene and Tropical Storm Lee. This community-based planning program empowers impacted communities to create and implement recovery plans that identify innovative reconstruction projects and other actions to rebuild and better prepare for extreme weather. This program will allow the hardest-hit communities to not only recover, but also to thrive in an era when natural risks will become increasingly common.

The State is allocating \$650 million in federal recovery funds to support community-developed resiliency projects in NY Rising Communities throughout the state. In Phase I of the program, which is currently underway, there are 102 communities organized into 45 planning committees. In Phase II, 22 additional communities will be added to the program, some joining existing committees and others forming up to 16 new committees. Planning committees are

comprised of local leaders of all backgrounds, who can best represent their community's unique needs.

A breakdown of funding for the new communities in Phase II is below:

Bay Shore	\$3,000,000
Blenheim	\$3,000,000
Blooming Grove Town	\$3,000,000
Canarsie	\$11,944,036
Chenango Town	\$3,000,000
Clarkstown Town	\$3,000,000
Endicott Village	\$3,000,000
Fulton Town	\$3,000,000
Georgetown, Marine Park, Bergen Beach, Mill Basin	\$4,383,732
Gravesend	\$3,000,000
Middleburgh Town	\$3,000,000
Middletown City	\$3,000,000
Rosedale	\$3,000,000
Rye City	\$3,000,000
Schoharie Town	\$3,000,000
Schuylerville, Throgs Neck, Edgewater Park	\$3,000,000
Springfield Gardens South, Brookville	\$3,000,000
Suffern Village	\$3,000,000
Tioga Town	\$3,000,000
Wallkill Town	\$3,000,000
Windham Town	\$3,000,000
Yonkers City	\$3,000,000

To date, NY Rising Communities have hosted over 500 meetings in 45 communities, ensuring that this remains a grassroots, community-driven process. In addition, 12 communities were invited by Governor Cuomo to present their progress at a conference held in October 2013, marking the one-year anniversary of Superstorm Sandy.

Phase I NY Rising Communities are in the process of developing recovery strategies and projects around six key recovery functions that align with the National Disaster Recovery Framework: community planning and capacity building, economic development, health and social services, housing, infrastructure, and natural and cultural resources. By the end of March 2014, each Phase I committee will produce a Final Plan that outlines priority projects and other actions.

Upon completion of the planning process, each community will be eligible for funding to implement their resiliency plans. Communities are eligible for awards ranging from \$3 million to \$25 million, based on federally-assessed damage levels. Through the Governor's NY Rising to the Top funding competition, additional awards will be given to communities demonstrating the most innovative practices in

categories including public engagement, green infrastructure and protecting vulnerable populations. The Governor will announce Phase I of these awards in the Spring.

### **Continue to Lead in Emergency Preparedness**

In addition to improving the resilience of structures and systems throughout the state, Governor Cuomo has used the lessons from Sandy, Irene and Lee to strengthen New York's emergency preparedness and response capabilities.

In October, Governor Cuomo created the first-ever statewide program designed to establish uniform emergency preparedness training for county chief executives, county emergency managers and local emergency first responders (e.g., fire chiefs, police chiefs, EMS directors and other county officials). The NYS Emergency Management Certification and Training Program (NYS-EMC) will certify participants for disaster response capabilities.

To ensure statewide preparedness for future emergencies, the Governor established emergency stockpiles of essential supplies and equipment. Today

the State has nine regional stockpiles with critical equipment and life-saving supplies for rapid deployment.

Governor Cuomo also launched the New York State Resiliency Institute for Storms & Emergencies (NYS RISE), a new applied think tank led by NYU Poly and Stony Brook University that will serve as a hub of research and education on emergency preparedness, as well as a clearinghouse of information regarding extreme weather and natural disasters. The Resiliency Institute will bring together academic thought leaders as well as government officials, national experts and emergency response leaders to inform critical decisions before, during and after extreme weather events.

### ***Create an Upstate Resilient Fuel Infrastructure***

Superstorm Sandy exposed vulnerabilities in our fuel supply and distribution system. Power outages and physical damage to petroleum pipelines and terminals and disruption to barge deliveries of fuel caused a near-complete halt to supply flows into the New York City metropolitan region for approximately 24 hours after Sandy, and caused disruption to normal petroleum fuel

distribution for several additional days. In addition, AAA estimated that after Sandy, only 35 percent of gas stations on Long Island were operational due largely to loss of power. These factors contributed to a fuel distribution disruption and the first gas rationing in New York and New Jersey since the 1970s.

In his 2013 State of the State address, the Governor announced the Fuel NY initiative as a direct response to the gas disruptions during Sandy. Under Fuel NY, the State now has in place the strongest back-up power requirements for gas stations in the nation. Under the State's new law, more than half of all gas stations in New York City, Long Island and Westchester and Rockland counties are now required to have back-up power in the event of an emergency, including:

- Stations within a half-mile of a highway exit or hurricane evacuation route in these downstate areas will need to be wired with a transfer switch—which makes it possible to hook up to a generator—by April 1, 2014. They must deploy and install a generator within 24 hours of losing power in an emergency.
- In addition, 30 percent of all retail outlets that are part of a chain further than half-mile from highway exits and evacuation routes in these downstate areas will be required to install a transfer switch by August 1, 2015. They must

deploy and install a generator within 48 hours of losing power.

- All newly constructed gas stations for which a building permit is issued on or after April 1, 2014 will be required to have wiring to deploy a generator or have a back-up generator installed.

The State is currently investing up to \$17 million in federal funding to help gas stations install transfer switches and/or purchase generators. Since the launch of the program, the New York State Energy Research and Development Authority (NYSERDA) has issued hundreds of grant contracts.

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***The State will establish approximately eight additional Strategic Fuel Reserves capable of serving emergency responders in the entire Upstate NY region.***

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Under Fuel NY, the Governor also created the nation's first state-based Strategic Fuel Reserve. The first reserve is a pilot program based in Long Island to hold 3 million gallons of fuel for motorists and first responders, roughly equivalent to the one-day demand for Long Island. In the event of an energy emergency,



gasoline from the reserve will be released to meet fuel needs while the industry recovers from any disruption in routine operations.

In 2014, the Fuel NY Initiative will be expanded to create an Upstate Resilient Fuel Infrastructure.

The State will establish approximately eight additional Strategic Fuel Reserves capable of serving emergency responders in the entire Upstate NY region. The Upstate Reserves will include both gasoline and diesel fuels, and to ensure the fuel can be delivered to emergency responders, counties' fuel suppliers will be solicited to pre-qualify and pre-contract to tap the Strategic Fuel Reserve in their region in the event that their own supplies have been disrupted. The State's Division of Homeland Security and Emergency Services will prioritize requests during emergencies.

As noted above, one of the lessons from Superstorm Sandy is that even if retail stations have gas on hand, they can only distribute it if the station has power. Building on passage of the downstate gas station back-up power law, the State will extend the program statewide to cover all gas stations within a half-mile of critical highways Upstate.

**Figure 4.2**  
**Gas Station Back-Up Power Capacity on Critical Routes and Planned Strategic Fuel Reserve Sites**



### ***Ensure Emergency Responders Can Access Critical Sites***

One of the most important factors in effectively responding to an emergency and preserving public safety is being able to simultaneously ensure that emergency responders and other critical personnel can access roads and other sites, while keeping the public away from dangerous areas.

In general, in a storm or other disaster, the State has the authority to close roads under its jurisdiction

and local governments have the authority to close roads under their jurisdiction. In a State-declared emergency, the State can also suspend conflicting laws and, if necessary, assume full control of emergency access.

As part of a program to support the State in managing access to disaster areas, the Department of Motor Vehicles will create a new Emergency



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***The Department of  
Motor Vehicles will  
create a new  
Emergency  
Management License  
Plate.***

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Management License Plate. These so-called “red plates” will help make it possible for vehicles carrying essential emergency management staff, public health

personnel and other critical responders to access roads and restricted sites in an emergency.

By making it clear who needs access to restricted areas in order to facilitate emergency response and recovery, these changes will reduce confusion and enhance public safety.

***Create the SUNY College of Emergency Preparedness, Homeland Security and Cybersecurity***

To maintain our position as a leader when it comes to our state's and nation's security, Governor Cuomo will establish a new SUNY College of Emergency Preparedness, Homeland Security and Cybersecurity—the first of its kind in the country.

Responding to the complexities of modern threats—both natural and human-made—requires an understanding of the complicated intersections of law enforcement, emergency management, military challenges, intelligence, industry approaches, and the legal foundation for our actions. The SUNY College of Emergency Preparedness, Homeland Security and Cybersecurity will be the first civilian degree-granting college to integrate emergency preparedness, security and cybersecurity studies through interdisciplinary programs that involve law, public and international affairs, information technology, cyber engineering, critical infrastructure protection and science. The College will create the world's most comprehensive academic programs, research, and training

opportunities for aspiring professionals, policy leaders, emergency managers and first responders.

The College will appoint a strong faculty across multiple disciplines with both academic and professional backgrounds. Bachelor's degrees and certificate programs will be offered in fields such as emergency preparedness, homeland security, intelligence, cybersecurity, and forensics and the College will develop brand new, cutting edge masters and advanced degrees in emerging fields. Finally, through its affiliation with SUNY, the College can serve as an economic driver for the State through the development of new companies and industries through our START-UP NY program.

### ***Launch the Citizen First Responder Corps***

With severe weather events becoming more frequent and more extreme, it is more important than ever that New Yorkers are prepared for disasters and know what to do in an emergency. Governor Cuomo will launch the Citizen First Responder Corps so residents have the tools and resources to prepare for any type of

disaster, respond accordingly and recover as quickly as possible to pre-disaster conditions.

Citizen First Responder Corps training will begin in mid-January and will be held at armories and other locations, such as the State Fair. Trainings will be led by the New York National Guard, working with experts from the Division of Homeland Security and Emergency Services' Office of Emergency Management and Office of Fire Prevention and Control. All training sessions will be coordinated with local county emergency management personnel.

The training course will provide an introduction to responding to a natural or man-made disaster. Participants will be advised on how to properly prepare for any disaster, including developing a family emergency plan and stocking up on emergency supplies.

A key component of this training is distribution of free NYS Disaster Preparedness Kits to all participants containing key items to assist individuals in the immediate aftermath of a disaster. The state training and kits will help New Yorkers be the most-trained and best-prepared citizens in the country.



## **5. Public Safety**

New York is the safest large state in the country; only the rural and less populous states of Idaho and North Dakota ranked as safer.<sup>51</sup> Under Governor Cuomo's leadership, crime has remained at historically low levels, with homicides dropping more than 20 percent between 2010 and 2012 with additional reductions expected when data is finalized for 2013.<sup>52</sup>

New Yorkers are tough, smart, and fair, and the state's public safety achievements reflect the fundamental character of its people and its leadership. Being tough means insisting on accountability, both from those who threaten public safety and from those charged with preserving it. Being smart means seeking

the most effective and efficient solutions to our public safety challenges using the best expertise, evidence, and data available. Being fair means maintaining the integrity and humanity of New York’s justice system.

With these values in mind, New York has tackled enduring and emerging threats to public safety, reduced recidivism and victimization, and—above all—pursued justice.

Last year, Governor Cuomo led the passage of the New York SAFE Act,

one of the most comprehensive gun control measures in the nation. The SAFE Act keeps guns out of the hands of the dangerously mentally ill, requires universal background checks on gun purchases, creates a statewide pistol permit database, increases penalties for people who use illegal guns, mandates life in prison without parole for anyone who murders a first responder, and imposes one of the toughest bans on assault weapons in the country. Because of the SAFE Act, military-style assault weapons like the one used in the Sandy Hook school shootings can no longer be



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legally brought into, purchased or sold in New York State.

Governor Cuomo has also continued his fight to curb dangerous driving, keeping the roadways of New York State safe for motorists and pedestrians alike. In 2011, the Governor initiated a major crackdown on distracted driving. To strengthen distracted driving laws, Governor Cuomo signed legislation that made using a handheld device for activities such as texting while driving a primary offense, giving law enforcement the power to stop motorists engaged in this activity. In addition, the Governor approved provisions that increased penalties for people who talk on cell phones or text while driving.

In 2012, Governor Cuomo built on these reforms with new regulations to keep dangerous drivers off the road, giving New Yorkers some of the toughest protections in the nation against drivers with histories of repeat alcohol or drug-related driving convictions.

Governor Cuomo further improved the safety of our roads in 2013, with a new law that makes mandatory a 60-day license suspension for junior license holders and probationary drivers who are convicted of cell phone or texting violations. For

subsequent violations, probationary drivers face a 6-month revocation and junior license holders face a 60-day revocation.

In conjunction with these reforms, the Governor established “Text Stops” on many of New York’s interstate highways, creating opportunities for the safe use of cell phones. This effort also included a new promotional campaign that directs drivers to wait until service or rest areas to text and highlights the legal penalties that may arise should they fail to follow the law.

Governor Cuomo has also strengthened “Leandra’s Law,” which makes it a felony to drive under the influence with a child in the car. The new law closed loopholes that convicted drunk drivers used to avoid a requirement to install ignition interlock devices on their cars. It also increased the penalties for drivers with conditional licenses—which allow people with DWI convictions limited driving privileges—who are later convicted of driving drunk.

As headlines continue to highlight the growing threat of cybercrime, Governor Cuomo, assisted by expert advice from the state’s newly-established Cyber Security Advisory Board, took important steps to ensure

that all New Yorkers are safe in cyberspace. By co-locating the New York State Intelligence Center of the New York State Police with the Center for Internet Security in East Greenbush, New York has created a first-of-its-kind collaboration among the federal government, state government and the private sector to defend and respond to cyber threats. Through this and other steps, New York leads in the nation in protecting the public, businesses and major institutions against cyber threats.

In 2012, Governor Cuomo successfully led the effort to expand New York’s DNA Databank. New York became the first state in the nation to require DNA samples from anyone convicted of any felony or Penal Law misdemeanor. As a result of this expansion, there have been 359 “cold” hits linking evidence from the scenes of unsolved crimes to offenders—including 22 offenders linked to homicides, 84 to sexual assault cases and 178 to burglary or robbery cases. If not for the expansion in 2012, these links would not have been made.

Under Governor Cuomo’s leadership, New York State’s juvenile justice system has undergone positive reforms, with undeniable results. The number of young

people in the State’s juvenile justice system declined dramatically for the third consecutive year due in part to fewer juveniles being arrested for crimes; the number of juveniles placed in detention has declined 23 percent in the past two years; and the number of juveniles sent to family court after being arrested declined by 21 percent.<sup>53</sup>

Under the Governor’s Close to Home initiative, New York City youth requiring a non-secure placement are being served in local settings administered by the City. These youth are no longer sent to state youth facilities that are often long distances from their home communities. This change has contributed to a major reduction in the number of juveniles



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in OCFS facilities—down 44 percent between December 2010 and June 2013. In addition, the Governor has established eight Regional Youth Justice Teams to pinpoint specific challenges and pursue reforms at a community level. These teams will also be used as sounding boards for the State as juvenile justice policy

initiatives are developed to continue toward the overarching goal of promoting youth success and ensuring public safety.

Being tough, smart, and fair is working. Our communities and roadways are safer. Our technology infrastructure is increasingly protected against attack. Expanded DNA has enhanced our ability to convict the guilty and exonerate the innocent. Our juvenile justice system is being improved. But there is more to do.

### **Continue to Crack Down on Youth Texting and Driving**

Texting while driving is now the leading cause of death for teen drivers,<sup>54</sup> yet a shocking 77 percent of teenagers believe that they can text and drive safely.<sup>55</sup>

While we have made major progress in the last two years thanks to public awareness campaigns, increased penalties, new “text stops,” and aggressive ticketing, some teenagers are still not getting the message. For any person under the age of 21 who is convicted of texting while driving, Governor Cuomo proposes a new law that will increase the duration of

their driver's license revocation from six months to one year.

For the safety of our children and that of other drivers on the road, the State must continue to take action to stop this dangerous and growing practice.

### **Stop Repeat Drunk Drivers: Three Strikes and You're Out**

In 2012, Governor Cuomo directed the Department of Motor Vehicles to review the licenses of drivers who have multiple convictions for DWI and to permanently revoke the licenses of drivers with three or more alcohol- or drug-related convictions and a serious driving violation.



***Forty-seven thousand drivers with three or more drunk-driving convictions still have their license.***

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More than 2,100 dangerous drivers have had their license revoked as a result, but drunk and drugged driving remains a persistent challenge. In fact, 47,000

drivers with three or more drunk-driving convictions still have their licenses.

There were 8,633 alcohol-related crashes in New York State reported by police in 2012, resulting in 358 people killed and 6,303 injured. According to the National Highway Traffic Safety Administration, alcohol-impaired-driving fatalities increased nationwide by 4.6 percent in 2012, accounting for 31 percent of all fatalities.

Governor Cuomo will continue to lead the fight against drunk and dangerous driving in 2014 by proposing a tough new law that will:

- Revoke licenses for five years for drivers with two convictions in a 3-year period for driving while intoxicated or driving while their ability is impaired by drugs or alcohol; and
- Provide for full revocation of licenses for those drivers who have three such drunk-driving convictions in their lifetime.

## **Create the Commission on Youth, Public Safety & Justice to Help New York State “Raise the Age”**

Under Governor Cuomo’s leadership, New York State has significantly reduced both juvenile crime and the incarceration of young people by focusing on interventions that address both the risks and needs of youth.

Despite these successes, New York remains one of only two states in the nation whose age of criminal responsibility—the age at which youths are treated as adults—is just 16. As other states have modernized their juvenile justice systems, New York State—for all its other demonstrable progress with juveniles—has lagged behind in this critical regard.

As a result, in 2012, nearly 40,000 16- and 17-year-olds in New York State had their cases handled in adult or criminal court, where they are less likely to receive the services they need to succeed. More than



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2,700 of these offenders were sentenced to adult jail or prison, where they may be at increased risk of violent or sexual assault, solitary confinement, mental health issues, and suicide.

Young offenders, who have not yet fully matured into adults—including but not limited to 16- and 17-year-olds—pose a unique challenge to the current justice system. Building on the achievements that New York has made over the last three years, Governor Cuomo will establish the Commission on Youth, Public Safety & Justice to provide concrete, actionable recommendations pertaining to youth in New York’s criminal and juvenile justice systems and ensure the State’s place as a national leader in youth justice.

The Commission will be given until December 31, 2014, to:

- Develop a plan to raise the age of criminal responsibility, including proposing concrete recommendations to protect public safety with regard to the small number of young violent offenders. As with the entire plan, these recommendations will be informed by the science of what works and other relevant factors to reduce recidivism and maintain public safety;
- Make other specific recommendations as to how New York’s juvenile and criminal justice systems

can better serve youth, improve outcomes, and protect communities; and

- Ensure that for the small percentage of youth who engage repeatedly in violent or other harmful behavior, protecting communities and preventing victimization remain the top priority.

The ultimate goal of the Commission will be to create a roadmap to promote youth success and ensure public safety so that all of our young people have the opportunity to become productive, successful adults.

### **Launch the Gun-Involved Violence Elimination (GIVE) Initiative**

Between 2010 and 2012, New York State experienced a 21 percent reduction in gun-related homicides, but most of that drop was attributable to a decline in violence in New York City. Operation IMPACT has been the State's primary funding vehicle for supporting local law enforcement outside New York City in their fight against serious crime. Established in 2004, the program has strengthened partnerships between federal, State and local law enforcement, promoted the use of data-driven decision-making, and focused law enforcement resources where they are

needed most. Almost ten years after it began, it is time to support our local law enforcement partners by strengthening and modernizing the program and focusing specifically on ending gun violence by building on recent State efforts.

Under Governor Cuomo, New York has piloted evidence-based strategies that use outreach workers and “call-ins” to prevent shootings and killings that occur when criminals and gangs get access to deadly firepower. Both strategies have succeeded in jurisdictions around the country, and early results in New York appear promising. New York State was also recognized by both the Center for Digital Government and Digital Communities and the International Association of Crime Analysts for the innovative work being done at Crime Analysis Centers supported by the Division of Criminal Justice Services, which combine human intelligence with technology to help local law enforcement better target and solve serious crime.

Building upon these and other successful approaches, Operation IMPACT will be refocused to address gun violence through a new initiative called GIVE—Gun-Involved Violence Elimination. GIVE will help local law enforcement implement strategies that

have been demonstrated to reduce gun violence—focusing on the small numbers of people and places that are responsible for the majority of such violence and engaging communities to ensure their buy-in and support. GIVE will incentivize all former IMPACT jurisdictions to adopt proven people-based and place-based strategies that are effective in reducing gun violence. GIVE will also use New York’s award-winning Centers to generate accurate and timely data linking funding to data-driven strategies.

### **Build a Common Platform for Law Enforcement: The Advanced Solutions Center for Public Safety**

Accurate and timely information is at the core of today’s effective policing. New York State has invested in local law enforcement in recent years by providing funding and technology that create efficiencies to help improve performance and save local governments money.

Regardless of their size or budget, law enforcement agencies need many of the same information system capabilities to fulfill critical functions of police response and investigation. Despite

these similarities, agencies currently maintain a wide variety of separate IT systems for basic operations including records management systems, computer aided dispatch, automated vehicle location, and computer-based mapping. And while some regional collaborative arrangements have emerged to better



***Secure “cloud” services provided by the State can enhance public safety and provide fiscal relief to municipalities and counties.***

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meet these needs, a large number of local agency systems are not integrated across jurisdictions and law enforcement services. This environment of separate, diverse systems presents barriers to

effective information sharing, coordinated responses, and achieving the benefits of economies of scale.

Secure “cloud” services provided by the State can enhance public safety and provide fiscal relief to municipalities and counties by offering lower cost, better integrated, higher capability technology to local law enforcement. New York State’s new Advanced Solutions Center for Public Safety will do just that.

Through the Solutions Center, New York State will offer a suite of centralized technologies to local law

enforcement agencies. In addition to ensuring these agencies have access to new, much-needed tools to improve the delivery of services, the Solutions Center will reduce local operating costs in a time of fiscal stress. It will also serve as a data platform for ongoing research and development, introducing local jurisdictions to new analytical tools and producing new knowledge.

The initial services available in 2014 will be crime mapping and facial recognition—two key crime-fighting tools. A new, state-of-the-art records management system, the most basic, yet critical, system for law enforcement agencies, will be available in 2015. Typically, a records management system supports management of data for law enforcement functions including calls for service, incident reporting, crime analysis, and evidence tracking, among other functions. Also in 2015, a plan, developed in collaboration among the State, local law enforcement, and first responders, will be presented to consolidate dispatch and automated vehicle location technologies—lowering cost and enabling further information-sharing.

Together these functions will add significant crime-fighting capacity to local law enforcement

agencies while generating significant cost savings. Additionally, the Solutions Center will enhance real-time information, allowing more crimes to be solved—and solved faster. Shared information and data will also provide a platform for crime analysis and predictive analytics, allowing law enforcement to anticipate crime patterns and deploy resources more effectively. The combination of efficient and effective investigations along with data-driven policing will reduce crime and make our streets safer for everyone.







## **6 ■ Restoring Public Trust**

From the start of his administration, Governor Cuomo has made restoring New Yorkers' trust in State Government a top priority. That means not only demonstrating that State Government can and must operate efficiently and effectively, but also that it has rules in place to police the ethics of State officials in Albany.

In 2011, the Legislature passed Governor Cuomo's Public Integrity Reform Act (PIRA) which

radically reformed ethics enforcement in Albany. PIRA created the Joint Commission on Public Ethics, or JCOPE, which for the first time provides a single investigative body with jurisdiction over both the Governor and the Legislature. The legislation, for the first time in New York, also established procedures for public officials to forfeit their pensions if convicted of abusing the public trust.

PIRA imposed the most aggressive disclosure requirements in the nation on entities that engage in or fund lobbying of state government. Before PIRA, such entities did not have to disclose the sources of their funding that is used for lobbying; now members of the public have access to such



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information to help them better appreciate the context of debate over key policy questions.

PIRA further expanded the disclosure required of State government employees and members of the Legislature regarding outside income. In the case of elected officials, PIRA requires such disclosures to be

posted on the JCOPE website. Members of the Legislature must disclose clients of their outside firms that have any business before the State for whom the member personally worked or took any action to bring into the firm as a client.

In 2012, Governor Cuomo secured passage by the Legislature of a Constitutional amendment to reform the way in which the State Legislature's and Congressional District lines are drawn every decade. That amendment, if passed by the voters in 2014, will expressly prohibit partisan gerrymandering and create a new commission to draw the district lines that must secure the approval of both the majority party leaders' appointees but also those of the minority parties. The amendment empowers the courts to review districting plans for evidence of partisan gerrymandering and, if such evidence is revealed, to strike down such plans. This reform will, for the first time, ensure that the Legislature draws district lines that fairly represent all New Yorkers.

In addition, Governor Cuomo has fought hard to reform the campaign finance laws in New York State. As a start, PIRA increased penalties for certain campaign

finance violations. Governor Cuomo will continue to fight for comprehensive campaign finance reform.

In 2013, in the wake of several proven and alleged incidents of corruption and misconduct by public officials and the Legislature's failure to enact comprehensive reforms, the Governor created a

Moreland Commission to investigate corruption in government and propose reforms to address weaknesses in the law. The Moreland Commission, consisting of prosecutors, academics, and legal experts deputized by the



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Attorney General to assist in the Commission's investigations, has undertaken a number of investigations to determine the role that money plays in the political system and identify any weaknesses in the structure of the State Board of Elections. The Commission has also examined weaknesses in existing laws, regulations and procedures relating to public corruption, conflicts of interest, and ethics in State Government.

The Moreland Commission recently released its interim report detailing the results of its investigation. Governor Cuomo will continue to fight for reforms to ensure that New Yorkers have confidence that their elected officials are serving them faithfully.

### **Adopt Campaign Finance Reform and Public Finance**

Governor Cuomo believes that New York needs a public financing system for political campaigns. Such a system would allow the voices of those who can only afford to make small contributions to be amplified by a small donor matching system. Giving a voice to small donors would also help enable a diverse pool of candidates with substantial grassroots support, but little access to large donors, to run competitive campaigns.

In addition, the proliferation of entities that make independent expenditures during political campaigns requires an effective disclosure regime so that New Yorkers are aware of the forces attempting to influence the electoral process. Creating such a regime requires three actions: (1) broadening the definition of electioneering activity that triggers the duty to disclose;

(2) mandating the disclosure of the names and addresses of significant donors to organizations that engage in independent spending; and (3) providing effective public access to campaign finance reports.

Finally, New York State's contribution limits for candidates must be lowered generally, with even lower limits for those candidates who receive the benefits of public matching financing. Large contributions to and transfers from political party committee accounts are currently unlimited and should be limited. The current annual limit on aggregate contributions from a contributor to a party or constituted committee should be



***Governor Cuomo believes that New York needs a public financing system for political campaigns.***

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reduced. In addition, the loopholes in current law that allow LLCs to be treated as individuals (with their sky-high contribution limits) must be closed. Similarly, political party housekeeping and other accounts should be limited to avoid end runs around the individual limits on contributions to specific candidates.

## **Ensure Real Election Enforcement**

As the Moreland Commission's investigation has shown, the Board of Elections has failed to enforce the Election Law. The State needs an independent entity free of partisan influence to vigorously enforce our election laws.

## **Provide More Disclosure of Outside Clients with Business before the State**

Governor Cuomo's Public Integrity Reform Act substantially improved New Yorkers' ability to assess legislators' potential conflicts of interest. But greater disclosure of potential conflicts is needed. Legislators should disclose the names of all of their firm's clients who have business before the State.

Reporting individuals should also be required to disclose what services they actually provide, so that the public can more clearly understand their outside employment activity. Finally, legislators should disclose all direct referrals of business to their firms by lobbyists or clients of lobbyists to avoid even the appearance of a conflict of interest.

## Pass Anti-Bribery and Corruption Laws with Teeth

Governor Cuomo supports a reform package that addresses, among other things:

- **Bribery of a Public Servant:** Under current state law, a prosecutor has to prove that there was a corrupt agreement or understanding between the person paying the bribe and the person receiving the bribe. This is not required under federal law and is an unduly heavy burden. The Governor proposes that a prosecutor need only prove that the person paying the bribe “intended” to influence the public official or that the person receiving it intended to be so influenced, bringing state law in line with the federal standard.
- **Corrupting the Government:** The Governor proposes holding accountable anyone—whether or not they are a public official—who is found to have engaged in defrauding the government. Penalties would also be enhanced for all offenders convicted of defrauding the government through the crime of Corrupting the Government. Under the new law, anybody, whether acting in concert with a public servant or not, who engages in a course of conduct to defraud a state or local government would be guilty of a crime.
- **Failure to Report Public Corruption:** The Governor proposes that for the first time it be a misdemeanor for any public official or employee to fail to report bribery.



- **New Penalties for Public Corruption:** The Governor also proposes creating new penalties for offenses such as any fraud, theft, or money laundering involving state or local government property. This means an offender would face a higher penalty if the illegal act was committed against the government. The sentence would be one level higher than for the underlying offense.
- **Increased Penalties for Official Misconduct:** Under current law, Official Misconduct is a misdemeanor. The Governor proposes creating three new degrees of Official Misconduct: a Class E felony (maximum penalty 4 years), a Class D felony (maximum penalty 7 years) and a Class C felony (maximum penalty 15 years).
- **Lifetime Ban from Government:** The new class of felony public corruption crimes should impose additional penalties, apart from jail sentences and criminal fines, including permanently barring all those convicted of public corruption felonies from holding any elected or civil office, serving as a registered lobbyist, or doing business with the State, including through any organization they run.
- **Additional Tools for Prosecutors:** The Governor also proposes that for the first time, a witness who testifies before a grand jury investigating fraud on the government or official misconduct will receive only “use” immunity, not “transactional” immunity for statements that witness may give under oath. This means that the witness, who may or may not also be part of the criminal transaction under investigation,

may still be prosecuted for his or her role if the prosecutor develops evidence other than, and independent of, the evidence given by the witness. This important tool in fighting crime conforms New York practice to federal practice in this area.

Governor Cuomo will continue to fight for these reforms, which will make government more accountable to New Yorkers.

**Building on  
Success**



## **7 ■ Building Community**

New York has always been a wellspring for progressive initiatives. The women’s rights movement began here in the 19th century, and since that time the State has continued to lead the way in protections for workers, quality affordable housing, social equality, environmental protections and safe energy sources—to name just a few. Making our state more fair and just and restoring New York to its traditional role as the progressive capital of the nation are central goals of Governor Cuomo’s administration, and he has made great strides in areas including marriage equality, respect for people with disabilities, juvenile justice, hunger, economic opportunity, health care and housing.

In June 2011, New York passed the Marriage Equality Act, becoming the largest and most influential state in the nation to extend full marriage equality to same-sex couples. For Governor Cuomo, the fight for marriage equality was never just a struggle for rights and benefits under the law. It was a fight for the fundamental notion of equality and respect for everyone.

Because justice for every citizen is of paramount importance to Governor Cuomo, under his leadership New York created the Justice Center for the Protection of People with Special Needs. The Center is transforming how our State protects the over one million New Yorkers living under the care of six state agencies. The law also established the role of Special Prosecutor and Inspector General to investigate reports of abuse and neglect of people with special needs and prosecute allegations of criminal offenses.

Governor Cuomo also remains committed to the greater use of preventive services and community-based alternatives to incarceration to help juvenile offenders turn the corner to become productive adults. The State has downsized its juvenile justice system by more than 40 percent, with resources instead invested

in enhanced services for juveniles who remain in custody. The Governor secured approval to close or downsize 11 youth facilities, including the Tryon Boys



***Building our communities as part of a society rooted in opportunity, fairness and justice has been a crucial goal of the past three years.***

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Residential Center in January 2011. Fewer juveniles were placed in detention last year—a continuation of the significant decline in juvenile arrests that began in 2011—and a

greater number of youths were diverted from family courts by local probation departments.

Under the Governor’s Close to Home initiative, New York City youth requiring a non-secure placement are being served in local settings administered by New York City. These youth are no longer sent to State facilities that are often located long distances from their home communities. In addition, youth in limited-secure placements will soon also start receiving services in their communities. The administration launched these efforts to keep young people out of detention centers to prevent a revolving-door pattern of crime and ensure a better future for New York’s youth.

Building our communities as part of a society rooted in opportunity, fairness and justice has been a crucial goal of the past three years, and the State will continue to build on these achievements. New York ended the finger imaging requirement for federal SNAP (food stamp) benefits and established an Anti-Hunger Task Force in order to better-combat hunger, particularly among children. And under Governor Cuomo's leadership, New York created and then expanded the FreshConnect program to help ensure that all New Yorkers have access to fresh, healthy, local and affordable food.

Economic opportunity for all New Yorkers has long been a priority for Governor Cuomo. In 2013, the Governor and Legislature increased the state's minimum wage law to better align it with the cost of living. The law will raise the minimum wage from \$7.25 to \$9.00 over three years. The first increase to \$8.00 per hour took effect on December 31, 2013.

"Jobs Express," a State website for New Yorkers seeking employment, has helped more than 100,000 individuals find work since its launch. Jobs Express currently has about 90,000 job openings listed, and has averaged 97,000 hits a month. In January 2012,

Governor Cuomo launched a statewide NY Youth Works Program to find employment for at-risk youth, offering \$25 million in hiring incentives and \$62 million in training and placement money.

In order to make our health care system the best in the nation, the Governor established a statewide Health Exchange, which will significantly increase access to high-quality, lower-cost health insurance coverage for individuals, small businesses, and local governments. Health plans offered through NY State of



***The ability to live in affordable and quality housing is essential to families throughout the state.***

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Health are on average 53 percent less expensive than coverage New Yorkers purchased directly last year. Over 480,000 New Yorkers had

completed applications and more than 241,000 had enrolled into coverage as of the end of 2013.

Like universal access to health care, the ability to live in affordable and quality housing is essential to families throughout the state. In 2011, New York passed the greatest strengthening of its rent laws in 40 years. To ensure compliance from landlords with this legislation, Governor Cuomo created a Tenant

Protection Unit. Additionally, the State worked to protect the continued affordability of housing units created under Mitchell-Lama and to provide counseling and mediation services to homeowners at risk of losing their homes to foreclosure. Governor Cuomo has directed \$1 billion in resources over five years to the new House NY program, which will preserve and create 14,300 affordable housing units across the state, including 8,600 Mitchell-Lama units. House New York represents the largest investment in affordable housing in at least 15 years.

No state knows better than New York the invigorating power and gateway to opportunity that immigration holds for our economy and social growth. To assist legal residents and enable them to prosper, Governor Cuomo created an Office for New Americans. The State also opened more than 25 neighborhood-based Opportunity Centers to provide advice and assistance.

In 2014, Governor Cuomo will continue to expand and renew the State's commitment to build community, respect all New Yorkers, and create more opportunities for success.



## **Building Community: Opportunity**

### ***Continue to Expand Opportunities for MWBE Businesses***

Under Governor Cuomo's leadership, New York State has made great strides in increasing equal opportunity in contracting for minority and women-owned business enterprises (MWBE). Statewide MWBE participation met and exceeded 20 percent for the first time in the program's history as agencies and authorities increased the utilization of MWBE firms in both commodities and services.

This progress is due to an aggressive multi-prong strategy to remove barriers to growth and increase the utilization of minority- and women-owned businesses in State contracting.

Governor Cuomo established an MWBE team composed of elected officials, academics and members of the Governor's administration to develop initiatives to provide greater and easier access to contract opportunities, end the cumbersome certification process, and increase access to financial support. By streamlining certification procedures, the State

increased the pool of certified MWBEs, adding 2,123 firms since January 2011.

During the past fiscal year, the State further increased MWBE economic growth by providing a consistent and comprehensive network of opportunities to exchange information, ideas and resources for business support. Finally, small business and MWBE contractors leveraged \$40 million in surety bonding capacity as a result of training, credit facilitation, and surety bond collateral support.



***MWBE statewide participation met and exceeded 20 percent for the first time in the program's history.***

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The State will continue its commitment to increase MWBE participation and to create efficiencies in the program. The Governor seeks to increase the number of certified firms by an additional 2,000. Governor Cuomo recognizes that the State is a key player in the economic growth and prosperity of MWBE firms seeking to compete and advance in the marketplace.

*Create the Small Business Mentoring Network to Assist MWBEs and Other Firms*

Small businesses are the heart of the American economy, comprising 98 percent of all businesses in New York and employing more than half of New York's private sector workforce.<sup>56</sup> Innovation, creativity, determination and perseverance are just a few of the essential qualities small business owners demonstrate every day. Access to hands-on business coaching from experienced practitioners and successful entrepreneurs enables small businesses and MWBEs to secure expert guidance critical for growth and success.

Currently, there is no cohesive and coordinated framework to facilitate this communication in New York State. Rather, mentorship/business coaching programs are *ad hoc*, limited, or have cumbersome administrative requirements. As is the case nationwide, training and technical assistance are mostly provided by professional business counselors employed at the Small Business Development Centers or Entrepreneurial Assistance Centers.

Governor Cuomo proposes the creation of the New York State Small Business Mentoring Network,

which will function as one of the largest integrated mentorship networks in the country. This is an opportunity for New York State to implement a model program and play a national leadership role in the utilization of business practitioners to help small businesses. The mentorship program will utilize technology to facilitate interactions, and the current network of technical assistance business centers funded by New York State will monitor those engagements. The program will link volunteer business coaches/mentors in specific industry sectors or functional areas (such as marketing, accounting or law) with entrepreneurs in their industry through an online matching service free to all users.

***Promote and Grow Businesses Owned by Disabled Veterans***

Governor Cuomo is committed to ensuring that New York is a national leader in providing the care and benefits that veterans and military families have earned. New York State is home to more than 900,000 veterans, 72 percent of whom served in combat. Approximately 88,000 New Yorkers served in Afghanistan or Iraq.

Additionally, New York State is home to approximately 30,000 active duty military personnel as well as 30,000 National Guard and Reserve personnel.

Even though New York has the fourth-highest number of veteran-owned small businesses—behind only California, Texas and Florida—returning veterans have lagged in their reintegration into the economy. Nationwide, post-9/11 veterans have an unemployment rate of 10 percent, and it is even higher for those under the age of 25.



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Recognizing this problem, Governor Cuomo has made job assistance for post-9/11 veterans a hallmark of his administration. His “Experience Counts” initiative translates veterans’ military skills and experiences into opportunities for employment, and his \$74 million tax credit encourages employers to hire New York’s post-9/11 veterans who are currently unemployed. Under this program, businesses may earn up to \$5,000 for

hiring a qualified veteran, and up to \$15,000 for hiring a veteran with disabilities.

In 2014, Governor Cuomo will remain focused on expanding economic opportunity for veterans by ensuring that New York State is providing every opportunity for them to participate fully and equitably in State contracting. Governor Cuomo will take steps towards establishing up to a 5 percent goal in the awarding of State contracts to service-disabled veteran-owned small businesses. As a first step in this process, the State will conduct a disparity study to examine the equity in contracting for service-disabled veteran small business owners.

The Governor has also announced plans to convene a Veterans and Military Families Summit in 2014. The Veterans and Military Families Summit will bring together advocates, academics, private industry and government officials from across New York and the nation to identify key policy areas of need and the ways in which New York State can better serve those who have served our nation so well.

## ***Expand the Successful NY Youth Works Program***

In his first year in office, Governor Cuomo responded to unemployment rates of over 40 percent among youth in our inner cities by establishing NY Youth Works. The program is designed to revitalize underserved communities across the state and address the chronic needs of those living in poverty.

Under NY Youth Works, thousands of young people can receive work readiness, occupational



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training and digital literacy training. The program also directly connects young people to businesses looking to hire.

Participating businesses receive a \$3,000 wage subsidy in the form of tax credits to immediately put inner-city youth to work for six months. An additional tax credit of up to \$1,000 is available to employers who retain the participating youths for an additional six months.

The program is a success. So far, 13,000 of our inner-city youth have been hired by 1,270 businesses under the program.

To continue to combat youth unemployment, Governor Cuomo will launch Phase II of the NY Youth Works Program. Under Phase II:

- The NY Youth Works tax credit will be expanded from \$6 million to \$10 million annually.
- An additional \$1,000 tax benefit will be provided for businesses that keep the young person employed for an additional year—thus a total credit of \$5,000 if the business employs the youth for two years.
- To encourage more employers to participate, the occupational training component of NY Youth Works will be tied to the Job Linkage Program. Any business that wants to hire under the program, but needs training, could partner with a community college that will offer a specialized certification for the company, and the State will pay for the training under the Job Linkage program.

***Continue to Eliminate Bureaucracy to Assist the State's Nonprofit Partners***

New York State has the largest nonprofit workforce in the nation, employing nearly 20 percent of the nongovernment workforce and generating over \$160 billion in revenue each year.<sup>57</sup> Community-based nonprofit organizations deliver vital health, education,



and human services to millions of New Yorkers every day and provide valuable insights into some of the most pressing challenges facing our state and its citizens.

Governor Cuomo places great value on the nonprofit sector and its contributions to the economic,



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social, and physical well-being of our state and has been taking steps to improve the relationship between State government and nonprofits. In 2012, he appointed a State Interagency Coordinator

for Not-for-Profit Services, becoming only the second Governor in the nation to create a Cabinet-level position to focus exclusively on issues that impact the nonprofit sector.

In a recent nationwide survey, more than 70 percent of nonprofits reported that complicated funding applications and reporting processes were problematic.<sup>58</sup> Our nonprofit partners deserve better.

This year, New York began using Grants Gateway, an online contract management system that will make it easier for nonprofits to access information

about funding opportunities and share information with multiple State agencies. In 2014, Grants Gateway will present nonprofits with a master contract that is standardized across all State agencies and allows nonprofits to apply for and negotiate contracts online. Every minute that nonprofits spend managing contracts is a minute that they are not providing important services to our communities and the State is working hard to reduce this administrative burden.

This administration is also committed to ensuring that nonprofits receive funding from their State contracts on time. In 2014, the use of Grants Gateway will allow the State to be a better partner to nonprofit organizations and significantly reduce the number of late contracts.

### ***Launch the New York State Council on Community Re-Entry and Reintegration***

As described above, New York is the safest large state in the country, attracting national attention for its success in reducing both crime and confinement. In fact, since 2011, the State has eliminated more than 5,500 prison beds through July 2014. Together, lower rates of

crime and confinement mean safer streets, stronger families, and healthier communities, as well as savings to taxpayers through reduced costs of incarceration.

Comprehensive, evidence-based approaches to promoting successful re-entry from incarceration play a key role in achieving these outcomes. Every year,



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approximately 25,000 individuals leave New York State prisons and over 100,000 leave local jails to return to their families and communities across the state.<sup>59</sup>

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Nationwide, 95 percent of state prisoners will eventually be released.<sup>60</sup>

Upon release, these individuals face myriad challenges—including barriers to employment and education, lack of access to health care, substance abuse treatment and mental health services, and homelessness—any and all of which can prevent a successful transition back to self-sufficiency and full productive participation in society. Failed re-entry has far-reaching consequences: recidivism takes an immeasurable toll on crime victims and their families

and imposes high fiscal costs on taxpayers. Forty percent of individuals released from New York State prisons return to state custody within three years.<sup>61</sup>

Fortunately there are strategies that are proven to reduce recidivism. Using data-driven analysis and policymaking, New York State has emerged as a leader in implementing cost-effective, data-supported strategies to reduce reoffending and prevent crime. Last year, New York State was awarded a \$12 million federal Pay for Success grant—the largest made by the federal Department of Labor in this program—to implement an innovative public-private partnership to support employment training and job placement programs.



***Successful re-entry policy requires State officials and local service providers to ensure that we are working in a coordinated, multidisciplinary way.***

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The Governor's Work for Success initiative is increasing job readiness to improve employment outcomes for formerly incarcerated individuals. Additionally, through Results First, a cost-benefit data analysis initiative, the State is ensuring that the most effective programs are funded and targeted toward individuals who will

benefit most. Informed by Results First data, Governor Cuomo has directed \$15 million in funding to Alternative to Incarceration and re-entry programs and services to reduce recidivism, protect the public, and strengthen our communities.

Successful re-entry policy requires State officials and local service providers to ensure that we are working in a coordinated, multidisciplinary way to remove barriers to re-entry and invest strategically in policies and programs that reduce crime, promote employment and economic growth, and further strengthen New York's social fabric.

To maximize the effectiveness of these efforts, and ensure that State policies regarding a broad spectrum of issues—housing, health care, education, employment, and veterans' services, among others—are aligned with both federal and local efforts to promote successful re-entry, the Governor will establish the New York State Council on Community Re-Entry and Reintegration. This Council will bring leadership from a wide array of agencies together with key community stakeholders, including non-profits and re-entry service-providers statewide.

## ***Create and Preserve 3,000 Units of Affordable Housing***

According to the Center for Housing Policy, 30 percent of all working households in New York State spend at least half of their gross income on housing costs—a trend that has been worsening since 2008. To help severely housing-burdened families, Governor Cuomo announced in 2013 that the State will invest \$1 billion to create and preserve 14,300 affordable housing units. This initiative—called House NY—represents the largest housing investment by the State in at least 15 years and exemplifies the Governor's strong commitment to affordable housing and to the economic benefits it generates.

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***Governor Cuomo announced in 2013 that the State will invest \$1 billion to create and preserve 14,300 affordable housing units.***

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New York must continue to do even more to address the unmet demand for affordable housing.

Governor Cuomo proposes a \$100 million additional investment to create and preserve 3,000

affordable housing units in multi-family developments. Construction of these units will lead to an estimated 3,500 construction jobs throughout the state.

In addition, the Governor's investment of federal storm recovery funds for affordable housing will serve as a catalyst to attract private investment into the market—lowering mortgage costs and leading to more affordable rents.

## **Building Community: Justice**

### ***Protect Students against Discrimination and Harassment***

Last November, New Yorkers were horrified to learn about the terrible allegations of anti-Semitism in the Pine Bush Central School District, where, as the *New York Times* reported: “the swastikas... seemed to be everywhere: on walls, desks, lockers, textbooks, computer screens, a playground slide—even on a student’s face”<sup>62</sup> and where children were subject to “anti-Semitic bullying and slurs and other intimidation.”<sup>63</sup>

In response to these alleged incidents, which the *Times* report indicates occurred over a period of years, Governor Cuomo immediately ordered an investigation by the State Police and the State Division of Human Rights.

The Governor seeks to ensure that all students, particularly the most vulnerable—children enrolled from kindergarten through 12<sup>th</sup> grade—are protected from any discrimination and harassment. To ensure that these students are protected, schools should be required to provide timely reporting to the State to



ensure that appropriate State officials can take swift action to protect our children.

As the Dignity for All Students law proclaims: “Students’ ability to learn and to meet high academic standards, and a school’s ability to educate its students, are compromised by incidents of discrimination or harassment including bullying, taunting or intimidation.”<sup>64</sup> However, under current state law, schools are not required to immediately report incidents of discrimination or harassment.<sup>65</sup> Without adequate reporting, we cannot truly protect our children.



***All New Yorkers must be able to attend school without fear of discrimination or harassment.***

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Governor Cuomo proposes amending State law to require all public schools to notify the State Education Department (SED), the Division of Human Rights and the State Police if there is a pattern of discrimination or harassment. Schools will also be required to implement SED intervention protocols to remedy these injustices.

In addition, Governor Cuomo believes that all New Yorkers must be able to attend school without fear of discrimination or harassment, and to the extent that students are harassed or bullied in school, remedies should be available to them under the New York State Human Rights Law. In a 2012 case involving severe racial bullying of a young girl,<sup>66</sup> the Division of Human Rights was divested of jurisdiction to investigate complaints in public schools by finding that the definition of “education corporation or association” does not encompass public schools, including public higher education institutions. As a direct result, the Division of Human Rights was forced to dismiss over 70 complaints filed against public schools by victims of discrimination,<sup>67</sup> despite the fact that the Division has asserted jurisdiction over public schools for almost thirty years. Governor Cuomo proposes to amend the Human Rights Law to ensure that all students are afforded protection against discrimination.

## ***Continue the Fight for the Women's Equality Act***

New York State has a proud history and tradition of leading the nation in progressive ideals and reforms. This is especially true when it comes to women's rights.

In 1848, the women's suffrage movement was born at the first Women's Rights Convention in Seneca Falls. Since then, New York has been the home of great female leaders and visionaries, from Elizabeth Cady Stanton, who initiated the first organized women's



***In 1848, the women's suffrage movement was born at the first Women's Rights Convention in Seneca Falls.***

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rights and suffrage movements, to the 20th century's Audre Lorde, a leading African-American poet and essayist who gave voice to women's issues, and Gloria Steinem, a journalist, author and women's activist. These New Yorkers have served as role models not only for their generation but for every generation to come.

Over the years, New York has fallen behind in its role as a progressive leader on women's rights. Today, statistics show that women in New York State are not treated equally to men.<sup>68</sup>

In the spring of 2013, Governor Cuomo introduced ambitious and transformative legislation to address gender inequality, and almost one year later, the Governor remains deeply committed to advancing sweeping legislative reform to overcome discrimination against women. In years past, New York has served as a model for gender equality and fairness. The Governor's plan will return the state to its rightful place as a national leader on women's equality.



***The Governor's plan will return the state to its rightful place as a national leader on women's equality.***

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### *Shatter the Glass Ceiling: Achieve Pay Equity*

It is well established that women are paid less than men in the workplace. This wage disparity places women at an economic disadvantage, prevents them from reaching their full potential, and prevents the state workforce from maximizing its talent pool. The significant wage gap across all levels of education and occupations in New York State is proof that the current protections against pay discrimination are inadequate.

Proposed legislation will strengthen the current law by: (a) limiting the justifications for paying men and women differently; (b) prohibiting employers from terminating or retaliating against employees who share wage information; and (c) increasing liquidated damages to 300 percent of the underpayment liability. By amending State law, New York will provide greater protection against wage disparity than that offered by any of New York's neighbors.

#### *End Family Status Discrimination*

Women with children are less likely to be recommended for hire and promotion and, in most cases, are offered less in salary than similarly situated men. Currently, State law protects against family status discrimination in housing, but not employment. The Governor proposes to amend State law to prohibit employers from denying work or promotions to workers simply because they have children. By amending the law, New York will lead the nation by becoming the 5th state, and the 1st in the Tri-State area, to protect workers against discrimination in the workplace based on family status.

### *Stop Sexual Harassment in All Workplaces*

Sexual harassment disproportionately affects women in the workplace. However, those working for employers with fewer than four employees cannot file a complaint with the State, because small employers are currently exempt from the provisions of State law that prohibit harassment. The Governor proposes amending the law to protect workers from sexual harassment regardless of the size of the workplace. Under the amended law, an employee of any business, large or small, may file a complaint for sexual harassment.

### *Stop Pregnancy Discrimination Once and For All*

While pregnancy is not a disability, some pregnancies can result in impairment requiring accommodation. In order to adequately protect the rights of pregnant workers, it is necessary to create a specific protection in the Human Rights Law requiring employers to provide a reasonable accommodation for pregnancy-related conditions, unless doing so would create an undue hardship. While the Division of Human Rights has interpreted the sex and disability protections

of the Human Rights Law to encompass pregnancy-related conditions, recent Court decisions have contributed to the already considerable confusion as to the availability and extent of this protection. Once amended, New York State law will serve as a model for all other states in the nation seeking to protect pregnant women from discrimination in the workplace.

*Allow for the Recovery of Attorneys' Fees in Employment and Credit and Lending Cases*

Employment and credit and lending discrimination disproportionately impacts women. Under existing law, an individual cannot recover attorneys' fees for employment and credit and lending discrimination cases even after proving discrimination at trial. In order to ensure that victims of employment and credit and lending discrimination—most of whom are women—have an opportunity to vindicate their rights, we will amend the law to include a provision for reasonable attorneys' fees for successful litigants in sex discrimination cases.

*Better Position the State to Address Source of Income  
Discrimination*

The majority of households with housing choice vouchers, including Section 8 vouchers, are headed by women. Many of those households suffer discrimination by landlords who are unwilling to rent to voucher holders. The Governor proposes to create a task force to study the impact of source of income discrimination on women, so that the State is in a better position to ensure every family's ability to secure safe and decent housing.

*Stop Housing Discrimination for Victims of Domestic  
Violence*

Discrimination against victims of domestic violence is almost always discrimination against women. Under current State law, victims of domestic violence have no protection from discrimination in housing. The Governor proposes amending the Real Property Law to prohibit discrimination against domestic violence victim status in housing, as well as allow for the filing of civil actions in response to violations. Further, the Governor proposes creating a defense to an eviction proceeding that such proceeding



is unlawfully based on a person's domestic violence victim status.

*Protect Victims of Domestic Violence by Strengthening Order of Protection Laws*

To protect victims of domestic violence, and ensure that they are able to secure much needed Orders of Protection, the Governor proposes to amend the law to allow for the development and establishment of a pilot program in family courts for the remote petitioning and issuance of temporary orders of protection by audio-visual means. New York State will be one of the first states in the nation to use video-conference technology to ensure that trauma, fear, and intimidation will not prevent the abused from obtaining an Order of Protection.

*Strengthen Human Trafficking Laws*

Human trafficking is a crime that exploits vulnerable individuals. For both sex and labor trafficking, victims are made to act against their will and in many cases, are forced or coerced into committing crimes. For victims of sex trafficking, who are almost

always women, the crime is often prostitution. While New York has one of the most comprehensive anti-human trafficking laws in the country, we will strengthen the existing law by (a) raising penalties for sex trafficking and labor trafficking; (b) providing an affirmative defense to a charge of prostitution or

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***These amendments will deter human trafficking and solidify New York State's status as a national leader in protecting vulnerable individuals subject to exploitation.***

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loitering that the defendant's actions were a result of being a victim of sex trafficking or compelling prostitution; (c) improving the school zone prostitution law; (d) increasing penalties for compelling or profiting from prostitution of a minor; and (e) creating three new aggravated patronizing offenses where the person patronized is a minor. These amendments will deter human trafficking, make prosecution and enforcement more effective, and solidify New York State's status as a national leader in protecting vulnerable individuals subject to exploitation.

*Protect Freedom of Choice*

In *Roe v. Wade*, 410 U.S. 113 (1973), the United States Supreme Court ruled that the Constitution protects a woman's right to terminate her pregnancy when necessary to protect her health or life. While New York was one of the first states to grant women the



***The Governor proposes updating New York's law to protect a woman's right to choose by codifying in State law the *Roe v. Wade* decision.***

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right to choose prior to *Roe*, New York did not update its laws after *Roe* to include rights now protected under federal law. The Governor proposes updating New York's law to protect a

woman's right to choose by codifying in State law the *Roe v. Wade* decision. By amending New York's law in this regard, we will align our laws with existing federal law, and protect a woman's right to choose.

## ***Provide Specialized Justice Center Training for Law Enforcement***

The Justice Center for the Protection of People with Special Needs began operations on June 30, 2013. This independent State agency, enacted through the leadership of Governor Cuomo, was created to ensure that the more than one million vulnerable New Yorkers are protected from abuse, neglect, and mistreatment.

The Justice Center has established new standards and practices that reform and strengthen the State's system of incident reporting, investigations and disciplinary processes.



***Beginning in 2014, Governor Cuomo will direct the Justice Center to conduct statewide training programs to educate local law enforcement agencies.***

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Beginning in 2014, Governor Cuomo will direct the Justice Center to conduct statewide training programs to educate local law enforcement agencies at every level about the mandate of the Justice Center, its jurisdiction and the critical role it plays in criminal

investigations related to the abuse and neglect of vulnerable New Yorkers. By providing this important information and engaging police officers and other law enforcement personnel, the Justice Center intends to build partnerships with law enforcement that will further protect New Yorkers with special needs.

In addition, the Justice Center in partnership with State public safety agencies will provide guidance on best practices for law enforcement response to situations and confrontations involving individuals with special needs. This training will focus on the sensitivities and special needs of people with both mental and physical disabilities and will include topics such as progressive approaches to addressing emergency situations, challenging behaviors and responsiveness, victimization of people with disabilities, and improved interaction skills. The training will promote collaboration among the Justice Center, law enforcement, emergency service workers and service providers to ensure that vulnerable New Yorkers are protected to the maximum extent possible.

## **Building Community: Health**

### ***Launch a Medical Marijuana Program to Research the Feasibility of Medical Marijuana in NYS***

New York has the opportunity to alleviate the pain and suffering of residents with cancer and other severe illnesses. Medical research shows that the use of marijuana may alleviate the symptoms associated with serious debilitating or life threatening illnesses.<sup>69</sup> For example, people with cancer, glaucoma, HIV/AIDS, Crohn's disease, multiple sclerosis and other neurological conditions may obtain relief from a variety of symptoms, including severe chronic pain, nausea, spasticity, anorexia, and wasting syndrome.<sup>70</sup>

Twenty-one states and the District of Columbia have already acted:

- 18 states and Washington, D.C., have legalized marijuana for medicinal use: Alaska, Arizona, California, Connecticut, Delaware, Hawaii, Illinois, Maine, Massachusetts, Michigan, Montana, Nevada, New Hampshire, New Jersey, New Mexico, Oregon, Rhode Island, and Vermont;
- 2 states have legalized recreational and medicinal use of marijuana: Washington and Colorado; and

- 1 state has a research-based program: Maryland.<sup>71</sup>

It is time for New York to take action.

Through the New York State Department of Health's existing statutory authority, we will establish a program where qualified, eligible participants may seek relief for their symptoms in a safe and legal manner. The program will allow up to 20 hospitals to provide medical marijuana to patients: (i) with cancer, glaucoma, and other diseases approved by the Commissioner of Health; (ii) who are in a life-threatening or sense-threatening situation; and (iii) have been certified by a physician as meeting these criteria.



***New York has the chance to alleviate the pain and suffering of residents with cancer and other severe illnesses.***

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The medical marijuana program will allow scientific research and evaluation into whether medical marijuana can be dispensed in an effective and controlled way without being abused. The program will

be housed in the Department of Health, with DOH promulgating regulations for its administration. It will be subject to stringent research protocols and eligibility requirements, strict DOH oversight and monitoring and be expected to fully comply with all applicable State and federal laws.

### ***Establish Regional Health Improvement Collaboratives***

New York State has seen tremendous success in the achievements of its Medicaid Redesign Team. Medicaid costs are decreasing as enrollment is increasing, and the quality of the program under Medicaid redesign is also receiving high marks.

As New York continues to improve its health delivery system, solutions must be tailored to regional and local needs—following the Governor’s model of regional economic development. Dramatic changes in the delivery system, envisioned by Medicaid redesign and inspired by the goals of improved population health and the elimination of health disparities, must be driven by communities throughout the state reflecting regional needs, assets and capabilities. The greatest success in



health care transformation will likely come from strong partnerships between State government and Regional Health Improvement Collaboratives.

Regional Health Improvement Collaboratives (RHICs) function as neutral conveners, facilitators and



***Regional planning can help to promote a high-performing health care delivery system to achieve the triple aim of better care for individuals, better health for populations, and lower per capita costs.***

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catalysts for improvement by which all of the key health care stakeholders in a region—practitioners, hospitals, nursing homes, community health centers, health plans and patients—can plan, facilitate, and coordinate activities to transform the

health care system. The RHICs will allow stakeholders to collectively address issues of prevention, access, cost, quality and population health.

New York State has a model of a regional health care solution in the Finger Lakes Health System Agency. The region, which includes Rochester, is engaged in a broad range of activities to manage health care capacity, improve quality, reduce unnecessary utilization and improve population health. The Rochester hospital

referral region, where the Finger Lakes Health Systems Agency is headquartered, is the only referral region in New York to score in the top 10 percent nationwide on health system performance as measured by the Commonwealth Fund's local report card.<sup>72</sup> The Rochester area has the lowest overall Medicare spending rate in the nation,<sup>73</sup> and hospital utilization was lower for acute hospital care. Aggressive regional planning helps to avoid costly, unneeded hospital expansions and technology upgrades where insurers and consumers ultimately foot the bill.

Regional planning can help to promote a high-performing health care delivery system to achieve the triple aim of better care for individuals, better health for populations, and lower per capita costs. The State will develop uniform data that can be queried and adjusted at the regional level to assess population health, cost drivers, hot spots, and vulnerabilities among providers; measure performance and publish results; and educate and engage consumers. Following the model established by the Rochester region and the Finger Lakes Health Systems Agency, Regional Health Improvement Collaboratives will implement interventions to improve

health care quality, health outcomes, and population health, and reduce health disparities.

In the coming year, the State will invite each region to form a Regional Health Improvement Collaborative, for a total of 11 statewide.

### ***Promote Organ Donation***

Organ transplantation is a standard treatment for end-stage heart, liver, and kidney disease. Unfortunately, the demand for donated organs far exceeds the supply. Currently, there are more than

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***There are more than 10,000 individuals on organ transplant waiting lists in New York State.***

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10,000 individuals on organ transplant waiting lists in New York State.<sup>74</sup> In 2012, a total of 612 individuals died while waiting for a donated organ; on average, someone in New York dies every 15 hours because of the organ shortage.<sup>75</sup> New York has one of the lowest organ/tissue consent rates in the nation. Enrollment in the registry is well below the national goal of 50 percent of the state eligible population. New York lags the

country with an enrollment rate of 22 percent, compared to 45 percent reported by other states.<sup>76</sup>

To increase public awareness of the critical need for organ/tissue donation, the Department of Health will launch a public-private partnership with the organ donation community with the goal of increasing enrollment in the New York State Donate Life Organ and Tissue Donor Registry and improving consent rates for organ/tissue donation.



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<sup>1</sup> Growth rate of 2.5 percent for the first two years of the property tax cap is based on Office of the State Comptroller (OSC) data as reported by local governments; *see also* Reducing Property Taxes for New Yorkers: The New York State Property Tax Cap's Successful First Year (September 27, 2012), *available at* <http://www.governor.ny.gov/assets/documents/CappingPropertyTaxReport.pdf>.

<sup>2</sup> *See* Benjamin H. Harris & Brian David Moore, Tax Policy Center, *Residential Property Taxes in the United States*, at 13 (Nov. 2013), *available at* <http://www.taxpolicycenter.org/UploadedPDF/412959-Residential-Property-Taxes.pdf>. This 2012 average excluded data from any county with fewer than 65,000 residents.

<sup>3</sup> The Tax Foundation, ranking by total taxes paid, *available at* [http://taxfoundation.org/article\\_ns/median-effective-property-tax-rates-county-ranked-total-taxes-paid-1-year-average-2010](http://taxfoundation.org/article_ns/median-effective-property-tax-rates-county-ranked-total-taxes-paid-1-year-average-2010); The Tax Foundation, ranking by percent of home value, *available at* [http://taxfoundation.org/article\\_ns/median-effective-property-tax-rates-county-ranked-taxes-percentage-home-value-1-year-average-2010](http://taxfoundation.org/article_ns/median-effective-property-tax-rates-county-ranked-taxes-percentage-home-value-1-year-average-2010).

<sup>4</sup> *See* New York State Commission on Local Government Efficiency and Competitiveness, *21st Century Local Government* (April 2008), at 8, *available at*

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[http://nyslocalgov.org/pdf/LGEC\\_Final\\_Report.pdf?pagemode=bookmarks=pagemode=bookmarks.](http://nyslocalgov.org/pdf/LGEC_Final_Report.pdf?pagemode=bookmarks=pagemode=bookmarks)

<sup>5</sup> Calculations based on data from the American Community Housing Survey 2009-2011, [https://www.census.gov/newsroom/releases/archives/american\\_community\\_survey\\_acs/cb12-204.html](https://www.census.gov/newsroom/releases/archives/american_community_survey_acs/cb12-204.html).

<sup>6</sup> Ibid.

<sup>7</sup> See Nelson D. Schwartz, *More Manufacturing Coming Back to the U.S.* (Sept, 23, 2013), *The New York Times*, available at <http://economix.blogs.nytimes.com/2013/09/23/more-manufacturing-coming-back-to-the-u-s/>.

<sup>8</sup> Ibid.

<sup>9</sup> See Laura Saunders, *States You Shouldn't be Caught Dead In* (Oct. 26, 2013), *The Wall Street Journal*, available at <http://online.wsj.com/news/articles/SB10001424052702304682504579155510034634716>.

<sup>10</sup> The federal American Taxpayer and Relief Act of 2012 set the threshold at \$5 million with indexing; \$5.25 million was the level for 2013.

<sup>11</sup> Calculation based on data from U.S. Bureau of Labor Statistics, Current Employment Statistics program.

<sup>12</sup> See U.S. Department of Commerce, International Trade Administration, National Trade Data, TradeStats

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Express, *2012 NAICS Total All U.S. Merchandise Exports to World*, <http://tse.export.gov/TSE/MapDisplay.aspx>.

<sup>13</sup> See U.S. Department of Commerce, International Trade Administration, *New York: Exports, Jobs, and Foreign Investment* (Aug. 2013), available at <http://www.trade.gov/mas/ian/statereports/states/ny.pdf>.

According to the Department of Commerce, export supported jobs linked to manufacturing account for approximately 3 percent of New York's total private-sector employment, and foreign investment in New York is responsible for 5.5 percent of New York's total private-industry employment.

<sup>14</sup> See: U.S. Department of Commerce, International Trade Administration, National Trade Data, TradeStats Express, *2012 NAICS Total All Merchandise Exports from New York*, <http://tse.export.gov/TSE/MapDisplay.aspx>.

<sup>15</sup> See U.S. Department of Commerce, International Trade Administration, *New York: Exports, Jobs, and Foreign Investment* (Aug. 2013), available at <http://www.trade.gov/mas/ian/statereports/states/ny.pdf>. In 2012, metropolitan areas in multiple regions across New York recorded merchandise exports: New York City (\$102.3 billion); the Finger Lakes (\$5.3 billion); Western New York (\$4.3 billion); the Capital Region (\$3.6 billion); Central New York (\$1.9 billion); the Mid-Hudson Region (\$1.2 billion); the Mohawk Valley (\$769 million); and the Southern Tier (\$788 million). Critical to long-term economic prosperity statewide is helping more firms tap into expanding



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international markets to grow exports, and thus grow jobs at home.

<sup>16</sup> James K. Jackson, Congressional Research Service, United States Library of Congress, *Foreign Direct Investment in the United States: An Economic Analysis* (Dec. 11, 2013), available at <http://www.fas.org/sgp/crs/misc/RS21857.pdf>.

<sup>17</sup> See U.S. Department of Commerce, International Trade Administration, *New York: Exports, Jobs, and Foreign Investment* (Aug. 2013), available at <http://www.trade.gov/mas/ian/statereports/states/ny.pdf>.

<sup>18</sup> IBM Institute for Business Value, *Global Location Trends: 2012 Annual Report*, at 10, available at <http://public.dhe.ibm.com/common/ssi/ecm/en/gbe03537usen/GBE03537USEN.PDF>.

<sup>19</sup> See U.S. Department of the Interior, U.S. Fish and Wildlife Service, U.S. Department of Commerce, and U.S. Census Bureau, *2011 National Survey of Fishing, Hunting, and Wildlife-Associated Recreation* (2011), at 5, available at <http://www.census.gov/prod/2013pubs/fhw11-ny.pdf>.

<sup>20</sup> The figure is derived from the \$1.1 billion list of capital projects compiled by OPRHP in 2011.

<sup>21</sup> U.S. Department of Agriculture, Economic Research Services, Farm Income and Health Statistics (New York), available at <http://www.ers.usda.gov/data-products/farm-income-and-wealth-statistics/annual->

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[cash-receipts-by-commodity.aspx#P9264be4f844c43deae95aecc9bf52c8e224iTO0R0x32](http://cash-receipts-by-commodity.aspx#P9264be4f844c43deae95aecc9bf52c8e224iTO0R0x32).

<sup>22</sup> U.S. Department of Agriculture, Economic Research Services, *Milk cows and production by State and region (Annual)*, available at <http://www.ers.usda.gov/data-products/dairy-data.aspx>.

<sup>23</sup> See New York Wine and Grape Foundation, *Facts and Figures*, <http://www.newyorkwines.org/Pages/FactsAndFigures>.

<sup>24</sup> The NY Genome Center is a consortium of 12 medical institutions including hospitals, medical schools and research institutions. Members include Memorial Sloan Cancer Center, NYU School of Medicine, New York Presbyterian Hospital, Weill Cornell Medical College and Rockefeller University among others. Officially created in the fall of 2013, the Center has already begun proof of concept trials in glioblastoma, a fatal brain cancer.

<sup>25</sup> The Center for Computational Research, currently housed in the Center of Excellence in Bioinformatics and the Life Sciences, working in tandem with the Institute of Health Care Informatics, provides computational and other analytic services for research entities as well as for companies that need to analyze large data sets. Under this partnership, UB will create a new entity dedicated to the collaborative efforts of this partnership and focused on creating new technologies in genomic medicine and new jobs in Buffalo.

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<sup>26</sup> Genomic medicine examines a person's DNA to determine the exact causes of disease as a result of aberrations in the genetic code. This kind of examination involves the analysis of large amounts of data to understand how the disease is related to genetic aberrations. Genomic medicine will provide more effective treatments for diseases ranging from Alzheimer's to diabetes, from cancer to mental health, with the goal of saving more lives and increasing remission rates.

<sup>27</sup> SUNY Canton, SUNY Potsdam, St. Lawrence University, and Clarkson University.

<sup>28</sup> There were two transmission-related proceedings that were opened by the PSC in direct response to the Energy Highway Initiative. The first was a proceeding to identify projects that could come online by summer of 2016 that would mitigate reliability problems if Indian Point were to close. The second proceeding is the Alternating Current (AC) Transmission Case with a goal of expanding throughput on the electric grid from Upstate to Downstate by 1,000 MW.

<sup>29</sup> New York Independent System Operator, *2013 Congestion Assessment and Resource Integration Study*, at 47–49 (Nov. 2013), available at [http://www.nyiso.com/public/webdocs/markets\\_operations/services/planning/Planning\\_Studies/Economic\\_Planning\\_Studies\\_\(CARIS\)/CARIS\\_Final\\_Reports/2013\\_CARIS\\_Final\\_Report.pdf](http://www.nyiso.com/public/webdocs/markets_operations/services/planning/Planning_Studies/Economic_Planning_Studies_(CARIS)/CARIS_Final_Reports/2013_CARIS_Final_Report.pdf).

<sup>30</sup> See STARS Technical Working Group, *New York State Transmission Assessment and Reliability Study* (April

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2012), at 2–3, *available at*  
[http://www.nyiso.com/public/webdocs/markets\\_operations/services/planning/Documents\\_and\\_Resources/Special\\_Studies/STARS/Phase 2 Final Report 4 30 2012.pdf](http://www.nyiso.com/public/webdocs/markets_operations/services/planning/Documents_and_Resources/Special_Studies/STARS/Phase_2_Final_Report_4_30_2012.pdf).

<sup>31</sup> See Department of Environmental Conservation, *Forests*, <http://www.dec.ny.gov/lands/309.html>.

<sup>32</sup> See United States Energy Information Administration, *New York State Profile and Energy Estimates*, <http://www.eia.gov/state/data.cfm?sid=NY#ConsumptionExpenditures>.

<sup>33</sup> Biomass heating fuel is sourced primarily from the lowest grade wood—tops, branches, low-quality material or trees of non-commercial species that are not suitable for furniture, paper-manufacturing, construction lumber or other higher-value products.

<sup>34</sup> See United States Energy Information Administration, *Heating Fuel Comparison Calculator* (Sept. 2013), *available at*  
<http://www.eia.gov/tools/faqs/faq.cfm?id=8&t=5>.

<sup>35</sup> This was identified in the North Country, Southern Tier and Central New York REDC plans.

<sup>36</sup> Financing could be made available through NYSERDA, the Green Bank, and/or commercial Property Assessed Clean Energy (PACE) programs.

<sup>37</sup> The Governor has tasked the Department of Environmental Conservation, working with other

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stakeholders and economic development officials, to develop standards that encourage statewide sustainable forestry to ensure that small landowners, who cannot afford costly sustainability certifications, can participate in science-driven best management practices.

<sup>38</sup> In 2013, New York ranked 32nd in 4th and 8th grade math scores, as well as 8th grade reading. New York ranked 20th in 4th grade reading scores. Scores retrieved from the National Center for Education Statistics, <http://nces.ed.gov/nationsreportcard/>.

<sup>39</sup> The rate among districts varies widely, with the school districts serving the greatest number of at-risk students having some of the lowest graduation rates: New York City – 60.4 percent; Buffalo – 46.8 percent; Rochester – 43.4 percent; Syracuse – 48.0 percent; Yonkers – 66.0 percent. State Education Department report, *available at* <http://www.oms.nysed.gov/press/GradRates.2013.StatewideHSGradRateStaysAt74PercentDespiteHigherGradStandards.html>.

<sup>40</sup> New York State Education Department, *A New Baseline: Measuring Student Progress on the Common Core Learning Standards* (Aug. 2013), *available at* <http://www.p12.nysed.gov/irs/ela-math/2013/2013-08-06FINALELAandMathPRESENTATIONDECK v2.pdf>.

<sup>41</sup> Calculation based on data from the National Center for Education Statistics, *available at* [http://nces.ed.gov/programs/digest/d11/tables/dt11\\_017.asp](http://nces.ed.gov/programs/digest/d11/tables/dt11_017.asp).

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<sup>42</sup> Calculated based on data from the NYS Broadband Program Office, Empire State Development.

<sup>43</sup> See James J. Heckman & Lakshmi K. Raunt, *Intergenerational Long Term Effects of Preschool – Structural Estimates from a Discrete Dynamic Programming Model*, Working Paper No. 19077 (May 2013), at 35, available at <http://www.nber.org/papers/w19077.pdf>.

<sup>44</sup> Clive R. Belfield, Milagros Nores, Steve Barnett, Lawrence Schweinhart, *The High/Scope Perry Preschool Program Cost–Benefit Analysis Using Data from the Age-40 Followup*, *Journal of Human Resources* 41(1) (2006), at 162-190.

<sup>45</sup> Sharon Begley. *Wired for Thought*. *Newsweek* (Fall/Winter 2000), at 25-30.

<sup>46</sup> N.Y. Educ. Law § 3012-c (1).

<sup>47</sup> NYS P-TECH partnerships selected in 2013 are:

Capital Region

- **Manufacturing** – Business: GLOBALFOUNDRIES
  - Higher Education: SUNY Adirondack
  - K-12: Regional consortium led by Washington-Saratoga-Warren-Hamilton-Essex BOCES with fiscal lead Hudson Falls School District
- **Clean Technologies** – Businesses: GLOBALFOUNDRIES, Cisco and TRC
  - Higher Education: Hudson Valley Community College

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- K-12: Regional consortium led by Ballston Spa School District
  - **Advanced Manufacturing** – Businesses: Center for Economic Growth, GE Health Care and Regeneron
    - Higher Education: Hudson Valley Community College
    - K-12: Regional consortium led by Questar III BOCES with fiscal lead Troy City School District

### Central New York

- **Manufacturing** – Businesses: Manufacturers Association of Central New York
  - Higher Education: Onondaga Community College
  - K-12: Syracuse City School District

### Finger Lakes

- **Agri-Business & Advanced Manufacturing** – Businesses: Genesee County Economic Development Center
  - Higher Education: Genesee Community College
  - K-12: Regional consortium led by Genesee Valley Educational Partnership with fiscal lead Byron-Bergen Central School District
- **Computer Systems Technology & Computer Information Systems** – Businesses: Regional consortium led by Wegmans Food Markets
  - Higher Education: Monroe Community College
  - K-12: Rochester City School District

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## Hudson Valley

- **Information Technology** – Business: IBM
  - Higher Education: SUNY Orange
  - K-12: Newburgh Enlarged City School District
- **Computer Information Technology, Engineering and Health & Green Building Technology** – Businesses: Avon, Fairway Testing, All Bright Electric, Hightech Security Services and Wick Arborists
  - Higher Education: Rockland Community College, Westchester Community College and SUNY IT
  - K-12: Regional consortium led by Rockland BOCES with fiscal lead North Rockland Central School District
- **Science, Technology, Engineering & Math (STEM)** – Businesses: Hudson Valley Council of Industry
  - Higher Education: Ulster Community College, Dutchess Community College, Orange Community College, Sullivan Community College and SUNY New Paltz
  - K-12: Regional consortium led by Ulster BOCES with fiscal lead Kingston City School District
- **Architecture** – Businesses: Fuller D’Angelo and Yonkers Workforce Investment Board
  - Higher Education: Westchester Community College
  - K-12: Yonkers Public Schools



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### Long Island

- **Mechanical Engineering** – Business: Arkwin Industries
  - Higher Education: Farmingdale State College
  - K-12: Regional consortium led by Uniondale Union Free School District

### Mohawk Valley

- **Manufacturing** – Businesses: 16 regional companies
  - Higher Education: Fulton-Montgomery Community College
  - K-12: Regional consortium led by Hamilton-Fulton-Montgomery BOCES with fiscal lead Gloversville Enlarged City School District

### New York City

- **Information Technology** – Business: SAP
  - Higher Education: CUNY
  - K-12: New York City Department of Education

### North Country

- **Manufacturing** – Businesses: ETS, Fujitsu, Bombardier, Nova Bus, Spencer ARL, Swarovski and Camoplast.
  - Higher Education: Clinton Community College and Clarkson University
  - K-12: Regional consortium led by Peru Central School District

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### Southern Tier

- **Health-Tech & Manufacturing** – Businesses: Lockheed Martin MS2, Rockwell-Collins, Delta Engineers, Architect & Land Surveyors, P.C., Bothar Construction, Our Lady of Lourdes Memorial Hospital, Inc., and United Health Services Hospitals, Inc.
  - Higher Education: Broome Community College
  - K-12: Regional consortium led by Binghamton City School District

### Western New York

- **Health Care** – Business: Catholic Health System
  - Higher Education: Trocaire College
  - K-12: Regional consortium led by Lackawanna City School District

<sup>48</sup> Change the Equation, *STEM Vital Signs – New York*, available at <http://changetheequation.org/sites/default/files/vital-pdfs/NY-CTEq-vital-signs.pdf>.

<sup>49</sup> Anthony P. Carnevale, Stephen J. Rose & Ban Cheah, Georgetown University Center on Education and the Workforce, *The College Payoff: Education, Occupations, Lifetime Earnings* (Aug. 2011), at 3–4, available at <http://www9.georgetown.edu/grad/gppi/hpi/cew/pdfs/collegepayoff-complete.pdf>.

<sup>50</sup> See New York State School Boards Association, *To Merge or Not to Merge: Making Sense of School Mergers* (Sept. 2013), at 5, available at

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[http://www.nyssba.org/clientuploads/nyssba\\_pdf/Reports-Merger.pdf](http://www.nyssba.org/clientuploads/nyssba_pdf/Reports-Merger.pdf)

<sup>51</sup> See Federal Bureau of Investigation, United States Dep't of Justice, *Crime in the United States 2012*, Table 4, available at <http://www.fbi.gov/about-us/cjis/ucr/crime-in-the-u.s/2012/crime-in-the-u.s.-2012>.

<sup>52</sup> Division of Criminal Justice Services, Uniform Crime Reporting System.

<sup>53</sup> Division of Criminal Justice Services, Office of Child and Family Services, and Office of Court Administration statistics.

<sup>54</sup> Delthia Ricks, *Study: Texting While Driving Now Leading Cause of Death for Teen Drivers* (May 8, 2013), Long Island Newsday, available at <http://www.newsday.com/news/nation/study-texting-while-driving-now-leading-cause-of-death-for-teen-drivers-1.5226036>.

<sup>55</sup> See Ad Council, *Stop the Texts, Stop the Wrecks*, <http://www.stoptextsstopwrecks.org/#facts>.

<sup>56</sup> See United States Small Business Administration, Office of Advocacy, *Small Business Profile*, at New York: Page 1, available at <http://www.sba.gov/sites/default/files/allprofiles12.pdf>.

<sup>57</sup> Lester M. Salamon, et al., John Hopkins University Center for Civil Society Studies, *Holding the Fort*:

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*Nonprofit Employment During a Decade of Turmoil*, at 3 (Jan. 2012) available at [http://ccss.jhu.edu/wp-content/uploads/downloads/2012/01/NED\\_National\\_2012.pdf](http://ccss.jhu.edu/wp-content/uploads/downloads/2012/01/NED_National_2012.pdf).

<sup>58</sup> Sarah L. Pettijohn, et al., Urban Institute, *Nonprofit Government Contracts and Grants: Findings from the 2013 National Survey* (Dec. 2013), at 28, available at <http://www.urban.org/UploadedPDF/412962-Nonprofit-Government-Contracts-and-Grants.pdf>.

<sup>59</sup> DCJS Computerized Criminal History System.

<sup>60</sup> Timothy A. Hughes & Doris J. Wilson, Bureau of Justice Statistics, Department of Justice, *Reentry Trends in the United States*, <http://www.bjs.gov/content/reentry/reentry.cfm>.

<sup>61</sup> Department of Corrections and Community Supervision, *2009 Inmate Releases: Three Year Post Release Follow Up*, at 1 (April 2013), available at [http://www.doccs.ny.gov/Research/Reports/2013/2009\\_releases\\_3yr\\_out.pdf](http://www.doccs.ny.gov/Research/Reports/2013/2009_releases_3yr_out.pdf).

<sup>62</sup> Benjamin Wiser, *Swastikas, Slurs and Torment in Town's Schools* (Nov. 7, 2013), *The New York Times*, available at <http://www.nytimes.com/2013/11/14/nyregion/us-investigates-anti-semitism-claims-at-pine-bush-schools.html>.

<sup>63</sup> Benjamin Wiser, *U.S. Investigates Anti-Semitism Claims at Pine Bush Schools* (Nov. 13, 2013), *The New York Times*, available at

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<http://www.nytimes.com/2013/11/14/nyregion/us-investigates-anti-semitism-claims-at-pine-bush-schools.html>.

<sup>64</sup> N.Y. Educ. Law § 10.

<sup>65</sup> The federal Clery Act requires colleges and universities to report crime statistics annually and make immediate referrals to law enforcement if the safety of students and teachers are threatened. *See* 20 U.S.C. § 1092(f). State law requires all school districts to notify law enforcement of violations of crime; however, these reporting requirements do not apply to discrimination and harassment. *See* N.Y. Educ. Law § 2801(2)(h).

<sup>66</sup> *See North Syracuse Central Sch. Dist. v. N.Y. State Div. of Human Rights*, 19 N.Y.3d 481 (2012).

<sup>67</sup> Statistics compiled by the New York State Division of Human Rights.

<sup>68</sup> As an example, women in New York earn 84 percent of what men earn and jobs traditionally held by women pay significantly less than jobs predominately employing men. This wage disparity is even broader for African-American and Hispanic women. Further, women filed 75 percent of all sexual harassment complaints filed at the New York State Division of Human Rights and 83 percent of all sexual harassment complaints filed at the Equal Employment Opportunity Commission.

<sup>69</sup> *See e.g., Mohamed Ben Amar, Cannabinoids in Medicine: A Review of Their Therapeutic Potential*, 105

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Journal of Ethnopharmacology 1–25 (2006), available at <http://www.wv.ufcw770.org/sites/all/themes/danland/files/CannabinoidsMedMetaAnalysis06.pdf>;

<sup>70</sup> See, e.g., Mohamed Ben Amar, *Cannabinoids in Medicine: A Review of Their Therapeutic Potential*, 105 Journal of Ethnopharmacology 1–25 (2006), available at <http://www.wv.ufcw770.org/sites/all/themes/danland/files/CannabinoidsMedMetaAnalysis06.pdf>; Laura M. Borgelt, et al., *The Pharmacologic and Clinical Effects of Medical Cannabis*, 33(2) Pharmacotherapy 195-209 (2013), available at <http://www.ncbi.nlm.nih.gov/pubmed/23386598>; Igor Grant, et al., Center for Medicinal Cannabis Research, University of California, *Report to the Legislature and Governor of the State of California Presenting Findings Pursuant to SB847 Which Created the CMCR and Provided State Funding* (Feb. 2010), available at [http://www.cmcr.ucsd.edu/images/pdfs/CMCR REPORT\\_FEB17.pdf](http://www.cmcr.ucsd.edu/images/pdfs/CMCR_REPORT_FEB17.pdf); Birgit Kraft, *Is There Any Clinically Relevant Cannabinoid-Induced Analgesia?*, 89 Pharmacology 237-46 (2012), available at <http://www.karger.com/Article/Pdf/337376>; Timna Naftali, et al., *Cannabis Induces a Clinical Response in Patients With Crohn's Disease: A Prospective Placebo-Controlled Study*, 11 Clinical Gastroenterology and Hematology 1276–80 (2013), available at <http://www.ncbi.nlm.nih.gov/pubmed/23648372>; Emily Woolridge, et al., *Cannabis Use in HIV for Pain and Other Medical Symptoms*, 29 Journal of Pain and Symptoms Management 358-67 (2005), available at <http://download.journals.elsevierhealth.com/pdfs/journals/0885-3924/PIIS0885392405000631.pdf>.

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<sup>71</sup> See National Conference of State Legislators, *State Medical Marijuana Laws* (Sept. 2013), <http://www.ncsl.org/research/health/state-medical-marijuana-laws.aspx>.

<sup>72</sup> The Commonwealth Fund Commission on a High Performance Health System, *Rising to the Challenge: Results from a Scorecard on Local Health Performance* (March 2012), at 14, available at [http://www.commonwealthfund.org/~media/Files/Publications/Fund%20Report/2012/Mar/Local%20Scorecard/1578 Commission rising to challenge local scorecard 2012 FINALv2.pdf](http://www.commonwealthfund.org/~media/Files/Publications/Fund%20Report/2012/Mar/Local%20Scorecard/1578%20Commission%20rising%20to%20challenge%20local%20scorecard%202012%20FINALv2.pdf).

<sup>73</sup> See Joseph P. Newhouse, et. al., Institute of Medicine, *Variation in Health Care Spending: Target Decision Making, Not Geography* (2013), at 66, 152.

<sup>74</sup> Donate Life, New York Organ Donor Network, *All about Donation: Organ Donation Statistics* (April 12, 2013), <http://www.donatelifeny.org/about-donation/data/#DataNYS1>.

<sup>75</sup> See Organ Procurement and Transplant Network, Health Resources and Services Administration, United States Department of Health & Human Services, *Removal Reasons By Year* (Jan. 3, 2014), <http://optn.transplant.hrsa.gov/data/>.

<sup>76</sup> Donate Life, New York Organ Donor Network, *All about Donation: Organ Donation Facts*, <http://www.donatelifeny.org/about-donation/quick-facts-about-donation/>.