



# This Week in New York

Covering New York State and City Government

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## *In the News – New York State*

### **Governor Cuomo Signs Legislation Expanding Unlimited Sick Leave Benefit for New Yorkers Who Participated in 9/11 Response Efforts**

On the 2017 anniversary of the 9/11 attacks, Governor Andrew Cuomo signed legislation to expand unlimited sick leave benefits for first responders. Under the bill, public sector officers and employees who developed a qualifying health condition as a result of their heroic response to rescue, recovery, and clean-up efforts at World Trade Center sites will be eligible for unlimited sick leave benefits.

"On September 11, 2001, the best of humanity and the worst of humanity were displayed - the worst of us flew airplanes into the Twin Towers, while the best of us rushed inside to help their brothers and sisters without a second thought," Governor Cuomo said. "It is critical that we honor these courageous efforts and by signing this bill into law today, we make it clear that New York stands behind the first responders in their time of need just as they stood with New York on that tragic day 16 years ago. Our message is simple: we will always have your back."

Under the bill (A7901A/S6398), sponsored by Senator Marty Golden and Assemblyman Peter Abbate, individuals would be eligible for unlimited paid leave at 100 percent of their regular salary dating back to the time of their diagnosis. In addition, the legislation provides that an employee who switched employers after participating in the World Trade Center rescue, recovery or cleanup activities will still be eligible for the line of duty sick leave.

Individuals would qualify for the benefit if they:

- Currently work for a municipality, public authority or state employer outside of New York City;
- Have filed a notice of participation in the World Trade Center clean-up and recovery efforts; and,
- Have a qualifying World Trade Center health condition as defined by statute.



**Governor Signs First Responder Bill**

"This legislation will help the thousands of brave men and women who put their lives on the line to save others during the tragic events that unfolded on September 11, 2001," Senator Golden explained. "The first responders who led recovery efforts on that day, and the weeks and months that followed, deserve the very best health care and assistance New York has to offer..."

Similar paid leave benefits are currently available for New York Police Department, New York Fire Department, New York City Corrections and New York City Sanitation for injuries and illnesses obtained in the line of duty. Outside of New York City, municipalities provide similar line of duty coverage for their paid police officers and fire fighters.

"Sixteen years ago today, the very core of who we are as New Yorkers was tested. Assemblyman Abbate said. "During our darkest hour, the strongest and bravest among us rose through the destruction and pain to assist in response efforts at the World Trade Center site. These heroic men and women put all that they had on the line to help those in need and now, 16 years later, we must return that favor. As survivors of that day, many first responders have contracted critical illnesses..."

## **Governor Cuomo Signs Executive Order Prohibiting State Agencies from Inquiring About Immigration Status**

Governor Andrew Cuomo today issued Executive Order 170 that prohibits state agencies and officers from inquiring about or disclosing an individual's immigration status unless required by law or necessary to determine eligibility for a benefit or service.

Under the Order, Law enforcement officers will also be prohibited from inquiring about immigration status unless investigating illegal criminal activity. This prohibition against inquiring into status includes, but is not limited to, when an individual approaches a law enforcement officer seeking assistance, is the victim of a crime, or is witness to a crime.

"As Washington squabbles over rolling back sensible immigration policy, we are taking action to help protect all New Yorkers from unwarranted targeting by government," Governor Cuomo said. "New York became the Empire State due to the contributions of immigrants from every corner of the globe and we will not let the politics of fear and intimidation divide us."

A copy of the Executive Order is attached.



## Bills Signed by the Governor

**Chapter 273 – sponsored by M of A Abbate/Senator Golden** -- Relates to granting sick leave for officers and employees with a qualifying World Trade Center condition.

**Chapter 274 – sponsored by M of A Cahill/Senator Seward** -- Relates to continuing education for agents, brokers, and adjusters.

**Chapter 278 – sponsored by M of A Weinstein/Senator Bonacic** -- Provides that adjustments made by a trustee, under the prudent investor act, shall be deemed to be re-characterizations for the purposes of the payment of commissions.

**Chapter 285 – sponsored by M of A Jenne/Senator Hannon** -- Authorizes the delivery of telehealth services at any elementary or secondary school, or child care program or center within the state.

**Chapter 286 – sponsored by M of A Barrett/Senator Larkin** -- Relates to alternative exemptions for veterans; remind assessors that certain conflicts are included for purposes of exemptions.

**Chapter 299 – sponsored by M of A Dinowitz/Senator Ranzenhofer** -- Relates to financing of certain stand-alone clinical facilities by the dormitory authority.

**Chapter 300 – sponsored by M of A Crespo/Senator Seward** -- Relates to accelerated life insurance payments for certain chronic conditions.

**Chapter 306 – sponsored by Senator Peralta/M of A Hyndman** -- Directs the department of transportation of the city of New York to study and report on its efforts to educate pedestrians and drivers on the dangers of pedestrians being distracted by use of a mobile device.

**Chapter 307 – sponsored by Senator Avella/M of A Seawright** -- Requires the state board of elections and local boards of elections to publish the campaign website addresses of certain candidates for public office.

**Chapter 311 – sponsored by Senator Marcellino/M of A Nolan** -- Relates to continuing education requirements for certain certified individuals employed by nonpublic schools.

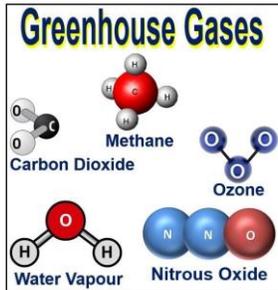
**Chapter 313 – sponsored by Senator Klein/M of A Nolan** -- Directs the department of education of the city of New York to provide information to the public relating to inspections of school kitchens and cafeterias.

**Chapter 316 – sponsored by Senator Klein/M of A Ortiz** -- Authorizes the commissioner of education to establish guidelines providing for donation of excess, unused, edible food from school meals to food assistance programs.

**Chapter 322 – sponsored by Senator Valesky/M of A Gottfried** -- Relates to prohibiting charges for certain health records needed for government benefits or programs.

*Chapter 328 – sponsored by Senator Serino/M of A Lupardo* -- Relates to developing guidelines for the identification and reporting of suspected self-neglect and abuse and maltreatment in healthcare settings.

## *In the News – New York City*



## **Mayor DeBlasio: NYC Will Mandate That Existing Buildings Cut Greenhouse Gas Emissions**

### ***Mandates on NYC's 14,500 least efficient buildings to accelerate efficiency upgrades***

Mayor Bill de Blasio this week announced new mandates that will require building owners to make “sharp” reductions in greenhouse gas emissions. The new rules will require owners to meet fossil fuel caps – requiring upgrades to boilers, water heaters, roofs and windows on an accelerated 2030 timeframe – with “sharp” penalties for failure to comply.

“Time is not on our side,” said Mayor de Blasio. “New York will continue to step up and make critical changes to help protect our city and prevent the worst effects of climate change. We must shed our buildings’ reliance on fossil fuels here and now. To do this, we are mandating upgrades to increase the energy efficiency of our buildings, helping us continue to honor the goals of the Paris Agreement.”

According to the Mayor, the mandates are the first step the City must take to help hold global temperature increases to 1.5 degrees Celsius and avoid the effects of climate change. The plan requires legislation, backed by the administration and sponsored by Council Member Costa Constantinides.

Mandated fossil fuel caps will apply to all buildings over 25,000 square feet, and will trigger replacement of fossil fuel equipment and efficiency upgrades in the worst-performing 14,500 buildings.

In order to meet these targets, the Mayor explained, building owners will make improvements to boilers, heat distribution, hot water heaters, roofs and windows, requiring deeper changes during their replacement or refinancing cycles over the next 12 to 17 years. The new targets will reduce total citywide greenhouse emissions 7 percent by 2035.

The legislation will set annual penalties that increase with building size and the amount the buildings exceed the fossil fuel use targets. For example, a 30,000 square foot residential building operating substantially above its energy target would pay \$60,000 for every year over the standard, starting in 2030. A one million square foot building operating well over its energy target would pay as much as \$2,000,000 for every year over target. Failure to comply will also affect a building’s ability to receive future permits for major renovations.

To help smaller owners achieve these objectives, the legislation will authorize a Property Assessed Clean Energy program to provide financing at low interest with long terms that allow property owners to pay for energy efficiency investments through their property tax bill.

The plan will deter landlords of rent regulated buildings from displacing tenants or raising rents based on the cost of improvements required by new mandates. Targets for these buildings will be established in 2020, in tandem with reform of rent regulation. They will also have an extended compliance date of 2035.



## Bills Signed by the Mayor

***Introduction 119-D, sponsored by Council Member Jumaane Williams***, requires the Inspector General, in collaboration with the NYPD and other agencies, to review information on lawsuits, complaints, claims and investigations related to alleged police misconduct.

***Introduction 1013-A, sponsored by Council Member Corey Johnson***, requires the DOC to offer a discharge plan –addressing employment and other needs – to all inmates sentenced to 30 days or more in DOC facilities.

***Introduction 1148-A, sponsored by Council Member Daniel Dromm***, requires the DOC and DOE to report on educational programming for incarcerated adolescents and young adults.

***Introduction 1237-A, sponsored by Council Member Fernando Cabrera***, requires ACS to review how it maintains the health records of youth in the juvenile justice system and to report on planned enhancements to record keeping.

***Introduction 1348-A, sponsored by Council Member Robert Cornegy***, requires the DOC to provide vocational or educational training to inmates incarcerated for more than 10 days, with limited exceptions.

***Introduction 1439-A, sponsored by Council Member Antonio Reynoso***, requires City agencies to inform food rescue groups before disposing of food eligible for donation that has been confiscated during enforcement actions.

***Introduction 1451-A, sponsored by Council Member Fernando Cabrera***, clarifies the types of visitors residents can receive in secure detention facilities, which house youth accused of serious offenses awaiting resolution of their cases in Family or Criminal court.

***Introduction 1452-A, sponsored by Council Member Fernando Cabrera***, permits youth in detention facilities to hold video conferences with family and guardians.

***Introduction 1500-B, sponsored by Speaker Melissa Mark-Viverito***, requires DOHMH, ACS and DSS to complete gender, race, income, and, where information is available, sexual orientation equity assessments of their services and procedures.

**Introduction 1512-A, sponsored by Council Member Daniel Dromm**, mandates all DOHMH, ACS and DSS employees receive training on implicit bias, discrimination, cultural competency and structural inequity.

**Introduction 1514-A, sponsored by Council Member Rafael Espinal**, will create a website to facilitate food donations from donors and recipients throughout the city.

**Introduction 1520-B, sponsored by Council Member Brad Lander**, requires Mayor's office of Operations to include information on gender, race, income and sexual orientation in our annual report on social indicators and equity.

**Introduction 1688, sponsored by Council Member Rafael Espinal**, establishes a permanent Nightlife Advisory Board and an Office of Nightlife, which will both be housed in the Mayor's Office of Media and Entertainment.

## **Briefs**



### **Governor Cuomo Participates in 9/11 Memorial Ride**

Governor Andrew Cuomo joined more than 400 motorcycle riders who participated in the 9/11 Memorial Ride to New York City. The annual ride pays tribute to the first responders who showed strength, courage, and heroism, and led recovery efforts during and following the terrorist attacks on September 11, 2001. Groups of riders traveled from Albany, Ulster and Nassau Counties.

### **State pays \$22 Million to Brain-Damaged Boxer**

New York State has agreed to pay a Russian heavyweight boxer \$22 million for brain damage he suffered in a 2013 bout. A State Inspector General investigation had found the State Athletic Commission mishandled the bout.

Magomed Abusalamov, from the Russian Republic of Dagestan, suffered a head injury during a fight at Madison Square Garden. Following the fight, according to the subsequent investigation, Mr. Abusalamov was told by an Athletic Commission inspector to call a taxi to get to the hospital. He remains paralyzed on his right side, cannot walk, and has limited speech.

The settlement, first reported by ESPN, was approved by Court of Claims Judge Jeanette Rodriguez-Morick.

## Department of Labor Hearings to Solicit Public Comment on Potential Regulations to Provide Predictable Schedules

The New York State Department of Labor (DOL) will hold public hearings on employee scheduling concerns. Specifically, the hearings will solicit public comment on how best to address what's known as "just-in-time," "call-in" or "on-call" scheduling, common practices that allow employers to schedule or cancel workers' shifts just hours before or even after it starts. .

Before regulations are formally advanced, DOL seeks to solicit input from workers and industry professionals on how best to ensure that workers can better predict their schedules and are compensated when subjected to just in-time/on-call scheduling practices.

The schedule for the public hearings is as follows:

- Thursday, September 28 in Albany
- Tuesday, October 17 in New York City
- Thursday, October 26 in Binghamton
- Tuesday, November 14 in Buffalo

The Department will issue a notice identifying the specific times and locations for the hearings.

## *Coming Up* *New York State*

*No meetings scheduled.*

## *New York City* *Monday September 18<sup>th</sup>*

*Committee on Transportation*, Council Chambers – City Hall, 10 a.m.

*Committee on Sanitation and Solid Waste Management*, Council Chambers – City Hall, 1 p.m.

*Committee on Courts and Legal Services*, Committee Room – City Hall, 1 p.m.

*Committee on Waterfronts*, Committee Room, 14<sup>th</sup> Floor – 250 Broadway, 1 p.m.

*Committee on Parks and Recreation*, Committee Room, 14<sup>th</sup> Floor – 250 Broadway, 1 p.m.

## ***Wednesday September 20<sup>th</sup>***

***Committee on Education***, Council Chambers – City Hall, 10 a.m.

***Committee on Aging***, Committee Room – City Hall, 10 a.m.

***Committee on Juvenile Justice***, Committee Room, 14<sup>th</sup> Floor – 250 Broadway, 10 a.m.

***Committee on Technology***, Committee Room, 14<sup>th</sup> Floor – 250 Broadway, 1 p.m.

***Committee on Cultural Affairs, Libraries and International Intergroup Relations***, Council Chambers – City Hall, 1 p.m.

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