

LEGISLATIVE & RULES COMMITTEE

AGENDA

APRIL 7, 2010

Approval of prior minutes - February 10, 2010 Legislative & Rules Committee meeting.

New Business:

- 1) Referral from the Criminal Justice Committee (Probation) - Requesting a resolution in support of Senate Bill S5334 which would authorize fees to probationers and allow Counties to pass a local law authorizing the implementation of such fees. *A copy of Senate Bill S5334 is attached.*
- 2) Referral from the Tourism Committee - Requesting a resolution opposing the State's proposed reduction in funding to ORDA (*Olympic Regional Development Authority*). *Articles printed in The Post Star and The Adirondack Daily Enterprise which outline the issue are attached.*
- 3) Referral from the Public Safety Committee (Sheriff) - Requesting a resolution in support of allowing 911 surcharge monies to be passed on to the Counties and not held by the State. *A copy of a similar resolution adopted by Livingston County is attached, as well as copies of Warren County Resolution Nos. 337 and 506 of 2009 which pertain to this matter. Please note that a resolution to this effect was approved subsequent to the March 25th Public Safety Committee meeting which will be presented at the April 16th Board meeting.*
- 4) Referral from the Real Property Tax Services Committee - Requesting research on the State Law pertaining to proceeds received for the sale of property obtained through foreclosure actions. The current Law allows the County to retain all funds received for these properties and the Real Property Tax Services Committee feels that any proceeds received over and above the delinquent tax amount should be returned to the property owner.
- 5) Referral from the Real Property Tax Services Committee - Requesting an amendment to the State Law which requires the newest property tax bill for any given parcel to be paid first, before older bills can be paid. Chairman Monroe has requested that this matter be referred to seek an amendment to this Law which would allow older taxes to be paid first, thereby avoiding some foreclosure actions.
- 6) Request from the Probation Department to consider the approval of a resolution urging the State of New York to delay the implementation of the ignition interlock provision of Leander's Law. *A copy of the resolution adopted by the Madison County is attached.*
- 7) Referral from the Human Services Committee (Employment & Training) - Requesting a resolution in support of Temporary Assistance For Needy Families (TANF) funding relative to Summer Youth Employment Programs.

S5334 Summary

Allows imposition of a fee upon persons sentenced to probation who are of sufficient means or able to earn such means; provides that such reimbursement shall be payable monthly and shall not exceed an amount actually expended for such probation services; provides for an adjustable scale of reimbursement.

S5334 Actions

Apr 27, 2009 REFERRED TO CRIME VICTIMS, CRIME AND CORRECTION

S5334 Memo

BILL NUMBER: S5334

TITLE OF BILL :

An act to amend the executive law and the penal law, in relation to payment of a fee by persons sentenced to probation

PURPOSE :

This bill provides that, subject to a court order, non-indigent criminals sentenced to probation shall reimburse a County or city the actual cost of their supervision during their probationary period.

SUMMARY OF PROVISIONS :

This bill amends the Executive Law by adding Section 246-a authorizing the sentencing court to make financial reimbursements by the probationer a condition of such probation. Those failing to make such reimbursement or payment of fees could have their probation revoked and face being returned to jail. Relevant facts as to the probationer's financial position or legal commitments, age and health would be considered by the court in assessing the monetary reimbursement fee.

JUSTIFICATION :

It is estimated that enactment of this bill would reduce the tax burden of innocent, law abiding citizens by millions of dollars. For example, it is estimated that Nassau county alone could reduce the burden to its citizens by \$3 to \$4 million annually. This bill would place the cost of probationary service where it belongs upon criminals who by their illegal acts are constantly piling extraordinary costs upon the shoulders of the innocent taxpayer. The Nassau County Probation Department supervised some 14,000 individuals last year. Typically, a probation sentence covers one to five years and includes meetings with probation officers and visits to home and/or places of work of the probationer. The department also provides many free services to criminals on probation, including drug and alcohol rehabilitation, vocational guidance and job placement. Those who violate the law should be made to shoulder the cost of their probationary service. In addition, the amount of money saved by taxpayers could be used to expand probationary services and develop a viable rehabilitation program in an attempt to prevent recidivism.

LEGISLATIVE HISTORY

2008-07: S.5066 Referred to Crime Victims, Crime and Correction
2005-06: S.4354 Referred to Crime Victims, Crime and Correction
2003-04: Referred to Crime Victims Crime and Corrections
2002: S.1110 Passed Senate

FISCAL IMPLICATIONS :

Any anticipated costs incurred by this program is expected to be offset by the revenue generated by reimbursement collections.

EFFECTIVE DATE :

This act shall take effect on the first of November next succeeding the date on which it shall have become law.

S5334 Text

S T A T E O F N E W Y O R K

5334

2009-2010 Regular Sessions

I N S E N A T E

April 27, 2009

Introduced by Sen. MORAHAN -- read twice and ordered printed, and when printed to be committed to the Committee on Crime Victims, Crime and Correction

AN ACT to amend the executive law and the penal law, in relation to payment of a fee by persons sentenced to probation

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. The executive law is amended by adding a new section 246-a
2 to read as follows:
3 S 246-A. REIMBURSEMENT FOR PROBATION SERVICES. 1. A COUNTY PROBATION
4 SERVICES OR THE PROBATION SERVICES OF NEW YORK CITY, AT LOCAL OPTION,
5 MAY MAKE A PERSON WHO RECEIVES A SENTENCE OF PROBATION PURSUANT TO ARTI-
6 CLE SIXTY-FIVE OF THE PENAL LAW CHARGEABLE WITH REIMBURSEMENT TO SUCH
7 COUNTY PROBATION SERVICES OR TO SUCH PROBATION SERVICES OF NEW YORK CITY
8 HAVING SUPERVISION OVER SUCH PERSON; PROVIDED HE OR SHE IS OF SUFFICIENT
9 MEANS OR ABLE TO EARN SUCH MEANS. REIMBURSEMENT PAYMENTS OF SUCH
10 REIMBURSEMENT PURSUANT TO THIS SECTION SHALL BE PAYABLE MONTHLY AND
11 SHALL NOT EXCEED THAT AMOUNT ACTUALLY EXPENDED FOR PROVISION OF SUCH
12 PROBATION SERVICES BY A COUNTY OR CITY DURING THE PERIOD THE PROBATIONER
13 IS ON PROBATION. THE SENTENCING COURT MAY MAKE REIMBURSEMENT PURSUANT
14 TO AN ADJUSTABLE SCALE A CONDITION OF PROBATION IN SUCH COUNTY OR CITY
15 AFTER CONSIDERATION OF ALL RELEVANT FACTORS, INCLUDING THE
16 PROBATIONER'S:
17 (A) FINANCIAL RESOURCES, ASSETS AND EXPENSES,
18 (B) HEALTH,
19 (C) AGE,
20 (D) CURRENT CHILD SUPPORT AND MAINTENANCE COURT ORDERS,
21 (E) OUTSTANDING COURT ORDERED FINES OR RESTITUTION OR CURRENT INCOME
22 EXECUTIONS OR INCOME DEDUCTION ORDERS, AND
23 (F) ANY OTHER FACTOR WHICH THE COURT SHALL EXPRESSLY FIND TO BE JUST
24 AND PROPER.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [] is old law to be omitted.

LBD11531-01-9

S. 5334

2

1 2. THE SENTENCING COURT SHALL ORDER PAYMENT OF REIMBURSEMENT BY THE
2 PROBATIONER, PURSUANT TO SUBDIVISION ONE OF THIS SECTION, TO THE LOCAL
3 PROBATION SERVICES HAVING SUPERVISION OVER SUCH PERSON.
4 S 2. Subdivision 3 of section 65.10 of the penal law is amended by
5 adding a new paragraph (d) to read as follows:
6 (D) PAY A FEE FOR PROBATION SERVICES PURSUANT TO SECTION TWO HUNDRED
7 FORTY-SIX-A OF THE EXECUTIVE LAW.
8 S 3. This act shall take effect on the first of November next succeed-
9 ing the date on which it shall have become a law.

The Post-Star

Murphy rips program cut

By Don Lehman dlehman@poststarsar.com | Posted: Wednesday, March 24, 2010 10:45 pm

U.S. Rep Scott Murphy on Wednesday joined the chorus of legislators criticizing a proposal to cut state funding to the Olympic Regional Development Authority.

ORDA operates Gore Mountain Ski Center in Johnsbury, Whiteface ski center and the Olympic training centers in the Lake Placid area.

State Senate Democrats, the house's majority, have proposed eliminating the \$6.6 million in state funding that was to be given to ORDA in the state's 2010-11 budget. That amounts to more than 20 percent of the agency's annual budget.

Jon Lundin, a spokesman for ORDA, said the agency's executives are hopeful the cut will not be made. He said the Assembly Democratic Conference's budget plan includes \$6.5 million in funding for ORDA, and the agency's leaders are optimistic that plan will pass instead of the Senate version.

"That seems to alleviate some of the pressure," he said.

A state funding cut as proposed would have an impact on Gore, but it was too early to say exactly what would happen, Lundin said.

Murphy, D-Glens Falls, questioned the proposal and said it would hurt the North Country economy.

"These short-sighted cuts proposed by the New York State Senate will devastate our long-term economic growth and development," Murphy said in a press release. "While we must make tough choices to get our budget back into line, devastating the upstate economy is the wrong way to go about it."

State Sen. Elizabeth Little, R-Queensbury, whose district includes Johnsbury and Lake Placid, on Wednesday formally asked the Senate Democratic leadership to reconsider the cut, saying "the ripple effect would extend far and wide" and "crush" the tourism industry in the Adirondacks.

"I sincerely hope that no senator would think it is a good idea to cut \$6.6 million in state funding that would result in the loss of thousands of jobs and hundreds of thousands of dollars of revenue," Little wrote.

Chester Supervisor Fred Monroe, executive director of the Adirondack Local Government Review Board, also had harsh words for the proposal, saying the proposed cut does not make sense in light of the money ORDA's facilities bring in.

Monroe pointed out that a 2008 SUNY

Plattsburgh study found ORDA's operations generated \$347 million annually.

"Cutting \$6.6 million from something that generates \$347 million doesn't make much sense," he said.

Johnsbury Supervisor Sterling Goodspeed said many don't realize that ORDA, with its ski areas and training centers, "is really the economic engine for the North Country" in the winter.

Revenue from lift tickets bought at the ski centers goes to the state, as does sales tax from the spending at businesses around the mountains, Goodspeed said. Thousands of jobs in the North Country depend on them, he said.

"It's frustrating and certainly a bit scary," he said of the proposed cut.



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Senate would cut state funding for ORDA

Would leave Olympic authority 20% short; would restore John Brown Farm, Ogdensburg prison, Environmental Protection Fund; would keep STAR rebates, nix taxes on soda, cigarettes

By NATHAN BROWN, Enterprise Staff Writer

POSTED: March 22, 2010

The state Senate's budget resolution proposes eliminating the entire \$6.6 million that the Olympic Regional Development Authority gets from the state - which covers about one-fifth of its total budget.

In the proposal, Ogdensburg Correctional Facility, which Gov. David Paterson had proposed closing, would be kept open, but Moriah Shock Incarceration Facility, Lyon Mountain Correctional Facility and the minimum-security portion of Butler Correctional Facility would close.

Paterson's proposed cuts in school aid would remain mostly intact, cuts that are leading to job cuts at the Tupper Lake and Saranac Lake central school districts, among others.

The Senate plan rejects the proposed closure of state parks, meaning the John Brown Farm State Historic Site near Lake Placid would keep its state funding.

It also keeps the state Environmental Protection Fund, which Paterson has proposed cutting to \$143 million, stable at \$222 million.

Senators got a draft of the resolution Sunday afternoon and a final version around 2 p.m. Monday, less than two hours before the debate started. The resolution passed 32-29, along party lines, with Republican Tom Morahan absent due to illness.

"This is just a resolution," Senate Democratic Conference Leader John Sampson said in a press conference Monday morning. "This is a road map to where we want to go."

The Assembly is expected to come up with its own proposal soon, and the two houses will then form conference committees to hold more detailed discussions. The state budget is supposed to be passed by April 1, the start of the new fiscal year.

The Senate's plan retains many of Paterson's proposed spending cuts but rejects his proposed tax hikes, including new taxes on soda and cigarettes.

It rejects his proposal to allow wine sales in grocery stores, legalizes the sale of marijuana for medical purposes and counts on collecting \$250 million in now-uncollected tobacco sales on Indian reservations.

Overall, the Senate's proposal has the state budget increasing from \$133.1 billion to \$136.2 billion, about \$100 million more than Paterson's proposal. It rejects Lt. Gov. Richard Ravitch's proposal to borrow \$6 billion, but it does include \$700 million in one-shot revenue by refinancing bonds the state took out in a 1998 settlement with the tobacco industry. Democratic senators say it would close the projected \$9 billion budget deficit.

"It's way too early to comment on it," ORDA spokesman Jon Lundin said Monday afternoon. "Certainly we're going to watch it and be aware of what the Senate would do. Outside of that, it's just a proposal."

ORDA had already been planning for a \$1 million cut in its state aid. ORDA anticipated \$26,475,000 in revenue in its 2010-11 budget and \$32,394,971 in operating expenses. Its largest single source of revenue is Whiteface Mountain Ski Center in Wilmington, which was expected to bring in \$10 million for the 2010-11 budget, followed by Gore Mountain Ski Center in North Creek at \$9.3 million.

In a prepared statement, Sen. Betty Little, R-Queensbury, said the cuts to ORDA were the biggest surprise in the Senate majority's plan.

"It was just weeks ago that not only New York state, but the entire nation, was celebrating the victories of so many winter Olympic athletes who trained in Lake Placid," Little said. "ORDA and Lake Placid attract hundreds of thousands of tourists, so I am perplexed by the logic of this proposed cut which no doubt

Article Photos



Warner Nickerson races in the Alpine National Championships Saturday at Whiteface Mountain Ski Center in Wilmington. The state Senate's budget resolution Monday would eliminate all \$6.6 million in state funding for the Olympic Regional Development Authority, which runs Whiteface. (Enterprise photo — Mike Lynch)

would cost the state and the region a lot of revenue."

Essex County officials have been lobbying hard to keep the Moriah Shock prison open, preparing a long report on the potential economic impact of the closure and visiting Albany, New York City and Washington, D.C. to lobby state and federal officials. Officials had indicated before that they were hearing that, if any of the four prisons will stay open, it is Moriah. Shock incarceration facilities employ work and exercise in a boot-camp-like method to rehabilitate selected inmates, who can get out earlier if they complete the program.

"I'm very disappointed - understanding, though, that this is part of the budget negotiation process," said Moriah Supervisor Tom Scozzafava. "This by no means will be the final adopted version of the budget. We're going to continue to work with the governor's office, the Assembly and the Senate to try to take the proposed closure of Moriah Shock out of the budget."

"This budget is painful to everyone, and certainly to the public protection committees," said Sen. Ruth Hassell-Thompson, D-Mount Vernon, the head of the Crime Victims, Crime and Corrections Committee. "But know that this is in the best interests of this state."

Lyon Mountain and Moriah are in Little's Senate district. Butler is in that of Sen. Michael F. Nozzolillo, R-Fayette, and Ogdensburg is in that of Sen. Darrel Aubertine, D-Cape Vincent.

"It's probably just a coincidence, maybe I'm reading something in there, that the three jails that were closed were all in minority-conference districts," said Sen. John DeFrancisco, R-Syracuse.

The plan would continue the STAR property tax rebate program for senior citizens but contains nothing else on property tax relief, such as a "circuit breaker" which would cap property taxes based on people's income. At a press conference Monday morning, Sampson said there may be some property tax relief if additional revenues can be found somewhere in conference committees.

Contact Nathan Brown at (518) 891-2600 ext. 26 or nbrown@adirondackdailyenterprise.com.

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Lake Placid officials protest 'catastrophic' ORDA cut

By CHRIS KNIGHT, Enterprise Senior Staff Writer

POSTED: March 23, 2010

Article Links

[» Senate would cut state funding for ORDA](#)

LAKE PLACID - Local officials say this area's economy would be devastated if the state Senate's proposal to cut funding to the Olympic Regional Development Authority is approved.

Advertisement

"If they were to proceed with that line of action, it likely would bring ORDA to its knees, and it would totally destroy the economy of Lake Placid," village Mayor Craig Randall said Tuesday. "Obviously I'm shocked that they would propose such a thing without any investigation or consideration of the impacts it would have."

The state Senate's budget proposal, announced Monday, would eliminate \$6.6 million in funding the state provides to ORDA, which runs Whiteface Mountain Ski Center in Wilmington, Gore Mountain Ski Center in North Creek and the Olympic venues in Lake Placid. That amount covers about 20 percent of ORDA's annual budget.

ORDA President and CEO Ted Blazer said a lobbying effort is already under way to try and get the funding put back in the Senate's budget proposal.

"Our chairman has fashioned a response that we're sending around to the different leaders in Albany that states our position," Blazer said. "It's something we have to follow and we'll be monitoring closely."

The impact

Local officials were upset that ORDA has been put on the chopping block.

"It bothers me that we have an entire region being thrown under the bus to satisfy some political agenda," said Roby Politi, supervisor of the town of North Elba, which owns the Olympic venues in Lake Placid that are managed by ORDA. "It's disappointing, as a community leader, to have to react to this kind of nonsense. It's just so ridiculous."

Politi said the state Legislature doesn't understand the economic importance ORDA has on the region. He also said the move shows some state lawmakers don't appreciate Lake Placid's Olympic legacy.

"My guess is they probably have a better idea where Grant's statue is in Brooklyn than they do the Olympic ski jump towers here," Politi said.

An economic impact report prepared by the Technical Assistance Center at SUNY Plattsburgh last year found ORDA's operations had a \$271 million economic impact in Clinton, Essex, Franklin and Warren counties and a \$347 million statewide economic impact in the 2007-08 fiscal year. The report says ORDA employed 888 people (full and part time, permanent and seasonal) and that its operations were responsible for another 1,200 jobs in the four-county study area.

The state has also invested millions of dollars over the last 10 years in upgrades to ORDA venues, noted James McKenna, president and CEO of the Regional Office of Sustainable Tourism, which is based in Lake Placid.

"To have the state walk away from that, I don't think it can happen," McKenna said. "It would have serious ramifications for the economy."

Sergei Lussi, vice chairman of ORDA's Board of Directors, said it's not just the venues that have boosted the area's economy; it's also the events that ORDA has hosted: hockey tournaments, skating shows, bobsled championships.

"We've become an event-driven community, and all these events are through ORDA," he said. "If you pull those out, we're in serious trouble."

Blazer said ORDA has an impact that extends beyond the North Country and the Adirondacks. He said the Olympic venues in the Lake Placid area serve as a model for "post-Olympic utilization of a site" and have allowed athletes from all over the world to pursue their Olympic dreams.

"It's not just what it means for Lake Placid," he said. "It means so much for New York state and the United States of America on an international level. In today's world, when we're struggling to keep a good

posture internationally, this is one bright light that we have. These facilities that we maintain, run and improve are critical to that."

Whose idea was it, and why?

The proposal came as a surprise to officials in Lake Placid and even to their representative in the state Senate, Betty Little, a Republican from Queensbury.

"It came out of the blue," Dan Mac Entee, Little's spokesman said Tuesday. "There doesn't seem to be any sort of rationale that's been offered."

Travis Proulx, a spokesman for the Senate's Democratic majority, wouldn't say specifically why ORDA was targeted, although he emphasized that numerous state agencies and programs are facing cuts and reductions to help the state close its budget gap.

"When you're working with a very finite pot of money, you ultimately have to make decisions that while difficult spread the pain around as little as possible to everybody," Proulx said. "By no means does anybody actually want to end the state's role in ORDA. But before we can explore maintaining the state's role, we have to come up with the money. We understand there's going to be broader implications to the Lake Placid area that we're certainly taking into account. We'd love to save everything. It's a question of how you can come up with the money."

What would happen?

If ORDA loses its state support, the authority's operations would be significantly impacted. Blazer wouldn't say more specifically what would happen.

"It would be a severe blow, and we'd have to analyze it at that time," he said.

But Lussi told the Enterprise that all of ORDA's venues would have to shut down.

"Without the state appropriation, we couldn't afford to operate any of the facilities," Lussi said. "You couldn't operate Whiteface, you couldn't operate the speed skating oval, you couldn't operate the arena - without that \$6 million, we can't operate. It's impossible to make these things pay for themselves."

Lobbying

The Regional Office of Sustainable Tourism is asking local people to write or e-mail state lawmakers to share their concerns about the proposal to eliminate ORDA's state funding. Contact information for several Democratic leaders in the Senate has been posted at www.lakeplacid.com/orda, along with a sample letter.

"If this were to happen, I think it would put some real strain on keeping some of these venues operable over the next few years," McKenna said. "We just have to let it be known that we're not going to stand for this up here. We've got to let our opposition to this be known."

Lussi said he's optimistic the effort will be successful.

"I'm assuming they're not going to make such a catastrophic decision," he said.

Contact Chris Knight at (518) 891-2600 ext. 24 or cknight@adironackdailyenterprise.com.

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Livingston County Board of Supervisors
Geneseo, New York



Resolution No. 2010-089

REQUESTING THAT THE STATE OF NEW YORK APPROPRIATELY DISBURSE THE STATEWIDE WIRELESS 911 CELLULAR SURCHARGE

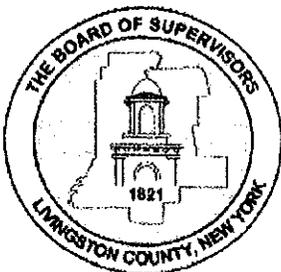
WHEREAS, while New York State will collect approximately \$200 million dollars in fiscal year 2010 from the statewide wireless 911 cellular surcharge, the funding is distributed unfairly and inappropriately throughout the Public Safety Answering Points within the State; and

WHEREAS, while ^{Warren}Livingston County is among the Public Safety Answering Points across New York State that provide emergency call taking and dispatch services to all emergency service providers, including many New York State agencies, ^{Warren}Livingston County gets an inappropriate amount of reimbursement from this surcharge revenue; now, therefore be it ^{Warren}

RESOLVED, the ^{Warren}Livingston County Board of Supervisors requests that the State of New York appropriately disburse the \$200 million dollars collected to the 911 Public Safety Answering Points across New York State for operational costs and continuing upgrades.

Dated at Geneseo, New York
March 10, 2010

Public Services Committee



This is to Certify that I, the undersigned, Clerk of the Board of Supervisors of the County of Livingston, have compared the foregoing copy of resolution with the original resolution now on file in this office and which was duly adopted by the Board of Supervisors of said County on the 10th day of March, 2010 and that the same is a true and correct transcript of said resolution and of the whole thereof.

In Witness Whereof I have hereunto set my hand and the official seal of the Board of Supervisors of the County of Livingston, this 10th day of March, 2010.

Virginia O. Amico, Clerk of the Board

Warren County Board of Supervisors

RESOLUTION NO. 337 OF 2009

Resolution introduced by Supervisors Bentley, Thomas, Stec, Girard, Simmes, Sokol and Pitkin

URGING STATE LEGISLATORS TO REVISIT 911 SURCHARGE REVENUES THAT SHOULD BE DISTRIBUTED TO THE COUNTIES OF NEW YORK STATE

WHEREAS, in 2008, New York State had received approximately \$174,870,026 in revenues from the 911 surcharge for cell phone usage, and the State had disbursed only \$9,800,000 of that revenue back to the Counties across the State, now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors is asking our State Legislators to look into the distribution of the 911 surcharge revenues and urge them to disburse all 911 surcharge revenues back to each County in New York State, as was intended by the law, rather than a small portion of those revenues, and be it further

RESOLVED, that the Clerk of the Board of Supervisors be, and hereby is, authorized and directed to forward copies of this resolution to the New York State Association of Counties; Governor David A. Paterson; Senator Elizabeth O'C. Little; Assemblywoman Teresa Sayward; and Inter-County Legislative Committee of the Adirondacks.

Warren County Board of Supervisors

RESOLUTION NO. 506 OF 2009

Resolution introduced by Supervisors Bentley, Thomas, Stec, Girard, Simmes, Sokol and Pitkin

AUTHORIZING THE CHAIRMAN OF THE BOARD OF SUPERVISORS TO SEND A LETTER TO THE STATE OF NEW YORK REQUESTING THAT THEY FORWARD SUFFICIENT 911 SURCHARGE FUNDS TO COVER THE COSTS OF OPERATION FOR THE 911 CENTER

WHEREAS, Resolution No. 337 of 2009 urged State Legislators to revisit 911 surcharge revenues that should be distributed to the Counties of New York State, now, therefore, be it

RESOLVED, that the Chairman of the Board send a letter to the State of New York requesting that sufficient 911 Surcharge funds be sent to each County to cover the costs of the operation for their respective 911 Center, roughly estimated to be \$1.5 million annually, and be it further

RESOLVED, that the Clerk of the Board of Supervisors be, and hereby is, authorized and directed to forward copies of this resolution and the Chairman's letter to the New York State Association of Counties; Governor David A. Paterson; Senator Elizabeth O'C. Little; and Assemblywoman Teresa Sayward.

TO RECOMMEND AND REQUEST THAT THE STATE OF NEW YORK DELAY THE IMPLEMENTATION OF THE IGNITION INTERLOCK PROVISIONS OF LEANDER'S LAW

WHEREAS, in late 2009 New York State enacted and passed into Legislation "Leander's Law" which (a) added the category of "Child In Vehicle" to DWI Offenses, that has already been implemented; and, (b) which added a section to the V & T Law requiring the installation and use of an Ignition Interlock Device as part of all DWI sentences in New York State, to be implemented effective August 15, 2010; and,

WHEREAS, the Legislation provided no direction or resources whereby the Ignition Interlock section of this legislation could be implemented; and,

WHEREAS, in accord with the request of the Law, the NYS DPCA has prepared a Proposed Rule to direct the implementation of this law; and,

WHEREAS, the proposed Rule does not demonstrate how the Counties are to organize and/or support the implementation of this Program, and requires each County to demonstrate how the County will implement and fund this Program; and,

WHEREAS, the Madison County Departments of Probation, STOP DWI, and others have discussed this Program with the Criminal Justice Committee and no adequate solutions have been put forth; and,

WHEREAS, Madison County, in this time of severe fiscal crises, does not have the resources to assume responsibility for an un-funded mandate of this magnitude;

NOW, THEREFORE BE IT RESOLVED, that the Madison County Board of Supervisors join with NYSAC and other appropriate statewide organizations to recommend and request that the State of New York delay the implementation of the Ignition Interlock Program for two or more years until appropriate resources can be identified and made available to the Counties for the implementation of this Program.

DATED: _____, 2010

Darrin Ball, Chairman
Criminal Justice, Public Safety &
Telecommunications Committee

John Becker, Chairman
Madison County Board of Supervisors

RESOLUTION REQUEST FORM NO. 20

MISCELLANEOUS

****Please List All Other Requests Not Covered by Previous Resolution Request Forms Here.
Please attach any backup information available and be as detailed as possible.***

DEPARTMENT NAME: Employment and Training

DATE: 4/1/10

- (a) Purpose of Request: Authorizing resolution in support of NY State to continue to provide TANF funding to local counties to support summer youth employment programs in a similar manner as over the past ten years.

- (b) Details: Over the past ten years, in various forms, the state has provided state level TANF funds to local counties for the specific purpose of operating a summer youth employment program for TANF eligible low income families. We encourage the state to use state level TANF block grant resources to continue the summer employment program that provides a valuable exposure to work to our low income youth who may not otherwise have an opportunity for employment. For many, this is their first work experience and for all, it is a valuable tool to provide the work readiness skills to train youth about the expectations of employment in their future, as well as the value of earning a paycheck that can be used for current family needs.

- (c) Previous Resolution Number: # 329 of 2007