

# 2003

## DRAFT LEGISLATIVE PROGRAM

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Following is The Business Council's Draft 2003 Legislative Program. It identifies priority issues to be addressed by the Committees and Councils during 2003.

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Back to Business

## ***An Agenda for New York State 2003***

**A year ago, New York State was reeling from the double-punch impact of 9-11, and a national recession. It was a tough time. And the consequences will continue to haunt us this year, as New York's leaders work to recover and rebuild.**

**But our job in 2003 is to look ahead—not back. The recession is waning, New York is back on its feet, and it's time to get back to work on our long-term effort to build a better future for this state and its people.**

**One goal should override all others: more jobs. The experience of the last 20 years has demonstrated repeatedly that New York moves ahead when it works to improve its business climate—and that it falls back when it fails to do so. The payoff from the tax cuts and other changes the Governor and the Legislature have made in recent years has been enormous; New York had gained almost 800,000 jobs in the six years leading up to the start of the current recession in March of 2001. That's why it's important to get *back to business*.**

**Our agenda for the year focuses on six key priorities:**

- C Tame spending.**
- C Strengthen the foundations for growth.**
- C Get a grip on health care.**
- C Cut the cost of providing jobs.**
- C Revive our upstate cities.**
- C And relieve local taxpayers.**

**In addition our committees and councils have identified other important initiatives that will help New York gain more jobs in 2003 and beyond. Those initiatives follow.**

## **New York City Recovery Program**

*Staff Contact: Ken Pokalsky*

- **Adopt financial incentives to help retain in New York State those businesses directly affected by the 9/11 terrorist attacks, with enhanced incentives for retaining businesses in the lower Manhattan business district.**
- **Financial assistance to replace and improve public infrastructure damaged by the 9/11 terrorist attack, including public transportation infrastructure, with the goal of promoting both redevelopment and expanded economic activity in lower Manhattan.**
- **Assure full recovery of expenses incurred by PSC-regulated entities in response to the 9/11 terrorist attacks, including costs related to provision of emergency utility service site cleanup, personnel expenses and the replacement of buildings, facilities and equipment, as well as costs necessary to enhance the security of utility services.**
- **Additional state assistance targeting small businesses in lower Manhattan, including flexible capital financing, modified state procurement practices, and other measures.**
- **Support efforts of NYC2012 Committee to bring the Olympic games to NYC.**
- **Support legislation creating an additional Certified Capital Company Program (CAPCO) for insurance companies that make new investments in lower Manhattan.**

## **TAXATION**

*Staff Contact: Rich Schwarz*

### **Corporate Article 9-A Tax Support**

- **Elimination of the increase in Article 9-A taxation -- occurring when jobs are located in New York-- through adoption of a "single sales factor" method for apportionment of taxable income.**
- **Reduction of the Minimum Income Tax to 0%.**
- **If current apportionment method remains, then exclusion of Research and Development and Manufacturing wages from the payroll factor component.**

## **Articles 21, 32, and 33 Tax Support**

- **Reduction of the Highway Use Tax (ton mileage tax) by another 25% of its pre-1998 level and conversion of the remaining tax into a 50% increase in registration fees for trucks subject to the Highway Use Tax.**
- **Extension of the Investment Tax Credit to leased equipment and to insurance operations.**
- **Establishment of permanency in Article 32 and 33 ITC law.**

## **Telecommunications Tax Reductions Support**

- **Reduction of Section 186-e Telecommunications Utility Gross Receipts Tax to the lowest level possible.**
- **Removal of all telecommunications services from taxation under the Gross Earnings Tax (Section 184).**
- **Increased investment in New York by modernization of the Sales and Use Tax exemption on telecommunications equipment (Section 1115 Subdivision 12) to include ancillary equipment used in the provision of telecommunication services.**
- **Elimination of the §186-a Gross Receipts Tax on other income of telecommunication utilities.**

## **Administrative and Miscellaneous Tax Support**

- **Encouragement of the Administration and Legislature to seek a framework that would help alleviate the tax evasion problem with Native American tribes who sell gasoline, cigarettes, other goods, and services, tax-free to non-Native Americans.**
- **Reduction of the Alcoholic Beverage Tax twelve cents per liter on liquors with less than 24% alcohol and thirty cents per liter on liquors with greater than 24% alcohol.**
- **Reduction of the Alcoholic Beverage Tax on beer by twenty-four cents per gallon.**

## **Real Property Tax Support**

- **Adoption of a Tax Appeals Division as the trial court for Article 7 certiorari proceedings.**

- **Establishment of escrow payments of Article 7 disputed tax liability.**
- **Permission for the calling of the assessor for testimony in an Article 7 certiorari proceeding.**
- **Increase of the appeal period from 30 to 60 or 90 days.**
- **Limitation of the discrimination between “homestead” and non-“homestead” rates to a five-year “grandfather” phase-out for jurisdictions currently exceeding 25%.**

### **Sales and Use Tax Support**

- **Exemption of utilities needed to maintain controlled manufacturing and research & development environments.**
- **Exemption of materials transferred in the rendition of advertising services.**
- **Exemption of any portion of integrated hazardous waste removal, treatment, disposition, transportation, or similar services.**
- **Exemption of equipment or machinery used to reduce or control pollution from manufacturing and industrial facilities.**
- **Exemption of the “installation, maintenance, or repair” services on research and development equipment.**

## **ENVIRONMENTAL CONSERVATION**

*Staff Contact: Ken Pokalsky*

### **Superfund/Brownfields**

- **Support legislation that facilitates the cleanup of contaminated sites by responsible parties and/or volunteers. Provisions include:**
  - & **cleanup standards and procedures for soil and groundwater based on exposure risks and intended site and groundwater use;**
  - & **liability reforms including post-remediation releases for responsible parties and for “volunteers,” CERCLA defenses and exemptions, and liability exemptions for IDAs;**
  - & **targeted economic development incentives for the cleanup and reuse of**

**"brownfield" sites.**

- **Support legislation that refinances the state “superfund” program using General Fund resources.**
- **Oppose legislation that: fails to provide meaningful reform on cleanup standards or that imposes unreasonable cleanup standards; creates a statutory joint and several liability standard; imposes significant new taxes or fees on business; establishes private sector-funded citizen participation grants; authorizes the DEC to issue unilateral cleanup orders; increases penalties; establishes new causes of action for the recovery of costs damages related to contaminated sites; or extends the state's “superfund” program to include additional sites in the absence of significant program reforms.**

**Environmental Fees**

- **Oppose proposed increases in the state’s hazardous waste program fees.**
- **Oppose legislation that would increase the current \$45 per ton fee on Title V air permits.**
- **Support legislation that reduces state-imposed fees on services provided by certified environmental labs used to support administration of the state's oversight efforts.**

**Enforcement**

- **Support legislation to encourage the use of environmental management systems, including incentives related to enforcement and penalties, compliance flexibility, regulatory oversight, and reporting requirements.**
- **Support legislation that allows the waiver (or reduction) of civil penalties in instances where minor violations are quickly identified, reported and remediated.**
- **Oppose legislation to allow taxing units to recover “damages” in instances where real property tax assessments have been lowered due to environmental violations.**
- **Oppose adoption of state-level “citizen suit” legislation.**
- **Oppose legislation that would require public notice of, or allow for public or municipal consent orders, or impose any other mandates on the consent order process.**

**Small Business Assistance**

- **Support legislation that provides a FOIL exemption for material submitted to the Environmental Facility Corporation's multimedia compliance assistance program.**

- **Support legislation that makes small business environmental compliance efforts eligible for state financial assistance programs.**

### **Other Issues**

- **Oppose legislation that would impose *state-level* limits or mandates on emissions of greenhouse gases from utility and industrial sources or motor vehicles.**
- **Oppose new restrictions on the safe, lawful use of pesticides, such as mandatory phasing of pesticide use, and state-level bans on federally-approved specific pesticide products.**
- **Oppose legislation that would impose restrictions on the use of specific chemicals or compounds in the manufacturing process, or impose new product labeling and/or product “takeback” requirements based on production materials.**
- **Oppose legislative or administrative reinstatement of solid waste “flow control” requirements at the local level; oppose legislation authorizing municipalities to “take title” to solid wastes that are left for collection for the sole purposes of mandating use municipally owned or financed disposal facilities.**

## **ENERGY**

*Staff Contact: Johnny Evers*

### **Mission Statement**

**Actively promote changes to the state's legislative, regulatory and tax structures to reflect increased competition in New York's energy industry, promote increased economic development, and expedite the siting and construction of new generation (e.g. under Article 7 of the Public Service Law and in other areas) and other energy infrastructure facilities (e.g. under Article 7 of the Public Service Law) and in order to realize the siting of at least 9,200 megawatts of new generation over the next five (5) years for competition and reliability purposes.**

### **Tax Issues**

- **Oppose legislation that would repeal or delay currently enacted and scheduled energy tax reductions.**
- **Support legislation that would immediately eliminate Article 9 gross receipts taxes (§10 of the New York State Tax Law) and the Natural Gas Importation Privilege Tax (GIPT) for business customers (manufacturing and non-manufacturing).**
- **Support legislation that would accelerate the exemption from state sales taxes on natural gas and electric transportation service for all business customers.**

- **Support legislation that would insure property taxes levied on New York's energy corporations and generating facilities are comparable with other corporations within New York.**
- **Support legislation that would clarify existing law explicitly eliminating energy company service laterals from §102 of the Real Property Tax Law.**
- **Support legislation which eliminates the State's Petroleum Business Tax (PBT).**
- **Support the elimination of the PBT on petroleum products used for non-residential purposes -- electricity generation and heating.**
- **Support the elimination of the PBT on motor fuels (gasoline and diesel).**
- **Support the elimination of the PBT on kerojet fuel.**
- **Support the elimination of the annual indexing of the PBT.**

**Support legislation which unifies all petroleum related taxes on motor fuels into one single excise tax, collectable on a per gallon basis.**

- **Support the elimination of special assessments on energy companies for funding state agencies.**
- **Oppose legislation which imposes or increases local gross receipts taxes and other tax utilities and their customers.**
- **Support elimination of state and local sales tax on the gas and electric commodity.**
- **Support legislation that would enforce the collection of taxes on motor fuel sales by Native American nations to non-native Americans.**

## **Policy Issues**

### **Electricity and Natural Gas**

- **Support initiatives to facilitate the development of new electric generating capacity.**
- **Oppose regulations or legislation that would reduce SO<sub>2</sub>, NO<sub>X</sub>, CO<sub>2</sub>, and mercury emissions from electric generating plants to levels that would result in increased energy costs for consumers. Any proposed emissions standards must not impose any adverse effects (direct or otherwise) on the business community, on other users of electricity, or on the economic development of the state -- including the retention and expansion of jobs.**
- **Oppose legislation that would allow a municipal corporation to recover damages for the costs in responding to power outages and other emergencies.**

- **Support the Power Authority's efforts to utilize low-cost energy for job creation; job retention; and job and capital expansion purposes. These allocations should be utilize the maximum economic benefit allowable under current laws.**
- **Support legislation which continues allocation of low cost electricity available under the state's successful Power for Jobs program insuring provisions that providers and distributors are held harmless.**
- **Support legislation that would reimburse energy companies fully for the cost of relocation, supporting, and protecting facilities in conjunction with federal, state and/or local government infrastructure project such as state Department of Transportation project.**
- **Oppose legislation which restricts emissions trading policy.**
- **Oppose legislation, regulation and orders which impose system benefits charges (SBC) on electricity customers.**
- **Oppose legislation that would require the provision of market sensitive information to state agencies.**
- **Support legislation which would provide state agencies with the necessary flexibility to exempt certain sensitive information such as maps, architectural drawings, or other detailed information relating to electric, natural gas, steam or telecommunications systems or infrastructure from public disclosure while maintaining the existing appeal process for gaining access to such information.**
- **Oppose legislation that seeks to restrict the use of certain outdoor lighting installations thus resulting in less effective and less safe illumination of roadways and other public spaces.**
- **Oppose legislation that mandates specific technologies for electricity generating facilities.**
- **Oppose legislating programs which raise the cost of electricity and natural gas to customers, including proposals that unduly subsidize alternative supply strategies.**

## **Petroleum**

- **Oppose legislation which imposes geographical limitations on the location of retail gasoline service stations.**
- **Oppose legislation that would require the divorcement / divestiture of retail gasoline stations operated by producers, refiners or distributors of petroleum products.**
- **Oppose legislation which regulates franchise agreements and mandates open supply for**

- gasoline service stations.**
- **Support legislation which would increase penalties for gasoline tax evasion and expand same provisions to include diesel motor fuel.**
- **Oppose legislation that would prevent petroleum companies from utilizing geographic zone pricing of gasoline as a marketing technique.**
- **Oppose legislation and/or regulations which set state or local gasoline standards which vary from federal standards.**
- **Oppose legislation which would prohibit volume minimums in motor fuel franchise agreements.**
- **Oppose legislation that would permit lessee dealers of gasoline service stations to alter service station property.**

### **General**

- **Oppose legislation which would require the New York State Public Service Commission review the compensation and benefits paid to certain officers, directors, and high level employees of the companies it regulates.**
- **Oppose legislation which further erodes the statutory protection afforded to the business records of corporations which are affiliates of public utility corporations.**
- **Support legislation that authorizes municipalities, in the conduct of public works projects to use appropriate mechanisms for reducing public inconvenience, project delays and costs, including but not limited to treating the cost of utility facility relocations, support and protection work as part of the public project bid.**
- **Oppose efforts to undermine the Public Service Commission's efforts to restructure New York's electric and gas industries.**
- **Support efforts to ensure that the costs of additional security at energy related facilities are fully recoverable.**
- **Oppose legislation which would impose redundant "whistleblower" reporting requirements.**
- **Support the continued operation of all existing, economically viable, base load electric generating facilities, including nuclear plants, as a means of ensuring stable and competitive prices and supply diversity.**
- **Support a statewide policy that encourages a safe, secure, economic, reliable and diverse supply of energy.**

## EDUCATION AND JOB TRAINING

*Staff Contact: Margarita Mayo*

- **Maintain strong support for the higher standards and graduation requirements. Specifically support the requirement that students ultimately pass five Regents exam (English Language Arts, Math, Science and two social studies) in order to receive a high school diploma. *Note: These requirements are being phased-in and will be in full effect for students seeking to graduate in 2004.***
- **Require neighboring school districts to accept students from schools designated as in of improvement under the Federal No Child Left Behind law and regulations. Federal and local Funds would follow the student to the new school and district. No school would be required to offer more than 5 percent of its total enrollment for such transfers.**
- **Support the re-authorization of New York State's charter school law.**
- **Support tax credits for parents who send their children to non-public schools.**
- **Support legislation to establish public private partnerships for higher student achievement and workforce development.**
- **Support course work content flexibility so that students can achieve the standards and graduation requirements with a career and technical education concentration should they opt to do so.**
- **Support measures that enable schools to provide extra help to students struggling to meet the standards including extending the school day and/or school year, providing extra help after school or in summer school, and providing professional development for teachers.**
- **Continue to support widespread dissemination of school report cards. *Note: New York State (as of January 1997) produces school report cards on every public school building in the state. These report cards are available from local school district offices, and also through the state education department web site: <http://www.nysed.gov>***
- **Support changes in special education reimbursement methodology to remove any monetary incentive there may be with regard to the placement or labeling of students**
- **Support the use of technology to improve instruction, to offer a wider range of courses through on-line learning, and to streamline administrative and management functions**
- **Support the elimination of mandates:**

- & that experience shows adversely affect the order, safety, and optimal functioning of schools;**
  - & that add to the costs of school construction such as the Wicks law;**
  - & that hamper school governance and contribute to restrictive work rules that raise costs without improving results and are barriers to improving student achievement (such as the Triborough amendment).**
- Support increased management flexibility to ensure that schools have high quality teachers, principals and administrators through pay related to performance and the repeal of tenure, and repeal of the Triborough provision and any other such impediments to school improvement.**
  - Support the creation of an incentive and reward system for teachers and schools when substantial increases in student achievement levels have been gained and/or are sustained.**
  - Support the provision of early childhood education programs to all children from low income families.**
  - Support measures that improve equity in the school aid formula. New York State currently has the third highest per pupil expenditure in the country, yet the wealth and ability of school districts to support their schools vary widely.**

## **HIGHER EDUCATION**

- Support a multi-year, multi-million dollar commitment to fund investments in technology with universities and businesses that enter into partnerships around micro/nanotechnology, photonics and information technology and genomics and biotechnology.**
- Support predictable tuition increases in SUNY and CUNY senior and community colleges that don't exceed the Consumer Price Index.**
- Support enabling SUNY and CUNY to charge differential tuition between campuses and programs.**
- Support removal of the tuition differential for out-of-state students at SUNY and CUNY to attract high caliber students, to enhance the universities' prestige, and to bolster New York's potential work force.**
- SUNY and CUNY campuses should be allowed to use any tuition increase revenues to continue their efforts to raise quality standards.**
- Support restoration of unrestricted aid to independent colleges and universities**

**(commonly known as Bundy Aid) and continued improvements and funding enhancements in the Tuition Assistance Program. Part of any tuition increases should also be devoted to offset the higher tuition costs for needy students.**

- **Support merit scholarships and any expansion of such scholarships.**

## **JOB TRAINING**

- **Support additional state dollars for incumbent worker training through employer consortium training programs.**
- **Support increased funding for community colleges to provide employer-specific training to individual employers on a contract course basis.**
- **Support individual training vouchers, based on income and circumstances, for individuals choosing short term non-degree training programs.**
- **Support expansion of the EPP (Employment Preparation Program) aid for adults who lack the basic skills needed to be successful in the job market. Support providing more basic skills training in the workplace.**
- **Support programs that provide teachers, guidance counselors and other educators with more information about employer's skill requirements and expectations.**
- **Support requiring the state to approve qualified unilateral apprentice programs even when the employer is a participant in a Joint Apprenticeship Training Committee.**
- **Support year-round youth programming that is focused on the exploration of high demand career opportunities and that help youth meet the state's academic standards.**

## **MANUFACTURING**

***Staff Contact: Ken Pokalsky***

- **Support legislation to adopt a "single sales factor" for assessing the state's corporate franchise tax. This change will provide a significant incentive to locate facilities and employees in New York State - and eliminate a tax "penalty" on New York State businesses with large in-state facilities and staff.**
- **Support legislation to reduce the cost of workers' compensation insurance, including limits on "permanent partial" disability awards, objective medical standards for assessing partial disabilities, and others.**
- **Reduce the cost of group health insurance plans by: limiting state-imposed coverage mandates; reducing state charges on hospital bills; and other reforms.**

- **Support superfund reform legislation that adopts use-based cleanup standards and post-cleanup liability releases; that refinances the state's remediation program using General Fund resources; and that avoids imposition of onerous new enforcement and/cost recovery provisions.**
- **Support measures to reduce the cost of electric power, and to assure reliable and adequate power supplies. These include:**
  - & **the development of new electric generating capacity in New York State that is necessary to assure adequate supplies and to achieve more competitive market**
  - & **reduced regulatory barriers to the development of distributed generation.**
- **Support tort reform legislation that: repeals "joint and several" liability; caps non-economic damages; establishes a "statute of repose" to limit the period in which a manufacturer can be held liable for damages attributable to its product; allows consideration of plaintiff's negligence; and limits contingency fees.**

## **HEALTH**

*Staff Contact: Elliott Shaw*

- **Lobby the Administration to launch an initiative to cut health-care costs ten percent for New York employers.**
- **Support adoption of performance payment plans that base health-care payments on quality outcomes, with particular emphasis on disease state management.**
- **Support regional health initiatives designed to publicly measure quality of care delivered including the Niagara Health Quality Coalition, Excellus, IPRO and the Rochester Health Commission. Actively provide technical and political assistance to these groups.**
- **Support implementation of Leapfrog improvements in New York State, including a) physician order entry systems, b) centers for excellence and c) improved staffing of intensive care units. Promote adoption of Leapfrog by the State, including for its workforce.**
- **Work with government officials, particularly the Attorney General, to encourage collaboration between health care providers where appropriate.**
- **Support proposals to make health insurance more affordable by a) allowing employers purchase a foundation plan - similar to Healthy New York - free of some insurance mandates, b) opposing new mandates and creating a cost-benefit commission, and c) assisting chambers with implementation of the sole proprietor law.**
- **Support reduction in the covered lives assessment and 8.18% bad debt/charity care**

**assessment.**

- **Support the reduction of excess capacity of hospital beds in New York State.**
- **Support state initiatives that promote corporate wellness programs.**
- **Support public ownership of long-term care facilities in New York State.**
- **Support a prohibition of health insurance rate increases being imposed unless thirty days advance written notice has been provided to the policyholder.**
- **Support medical liability tort reform and strongly oppose expansion of liability to health plans and self-insured funds.**

## **WORKERS' COMPENSATION**

*Staff Contact: Kerry O. Kirwan*

- **Support a fundamental overhaul of New York's workers' compensation system using an approach that might be called "the Connecticut plan". Propose adopting their system that of a similar state - as a common-sense approach that provides an appealing combination of higher weekly benefits for the injured and lower costs for employers.**
- **Provide payment of benefits in a non-scheduled partial impairment case to 500 weeks**
- **Implement reasonable, objective medical guidelines.**
- **Support legislation to reduce the cost of workers' compensation insurance, including state-imposed assessments used to support the Workers Comp board and other special funds.**
- **Support amendments to sections 240 and 241 of the labor law to create a comparative negligence standard on third party suits.**
- **Provide scheduled awards to one-half the claimants total disability for periods that do represent actual lost time.**
- **Support partial benefit offset when the claimant begins to receive, or becomes eligible for full social security benefits.**
- **Support amendments to sections 21 and 47 of the workers' compensation law that require a preponderance of the evidence to support and award under this law.**
- **Support regulation or legislation that defines independent contractors.**
- **Support prohibiting payment of workers' compensation benefits, similar to limits found**

**the disability law, if the employee's injury was sustained during the perpetration of an illegal act or if the injury occurred under the influence of drugs or alcohol.**

- **Base legal fees for claimants representatives on the amount of any increase in award received by claimant in excess of the initial offer from the insurer or self-insurer.**
- **Suspend indemnity benefits if a partially disabled claimant refuses to apply for or inte for an employment opportunity within his current functional capability.**
- **Limit the number of chiropractor visits to those authorized by a referring physician and require the physician to reevaluate the treatment plan after ten chiropractic visits.**
- **Require that all insurers and self-insurers provide a monthly list, in electronic form, to the New York State Workers' Compensation Board of all claims currently receiving indemnity payments for matching with existing state database of employed workers.**

## **TELECOMMUNICATIONS**

*Staff Contact: Chris Pugliese*

### **Mission Statement**

- **Actively promote regulatory and tax reform to encourage increased investment and competition in New York's telecommunications and information technology industries**

### **Tax Issues**

- **Amend the gross receipts and sales taxes on telecommunications services to conform with national, uniform sourcing rules for determining which jurisdiction a transaction occurs for tax purposes and clarify the tax treatment of charges for telecommunications aggregated with nontaxable charges for telecommunications.**
- **Support legislation that would apply existing statutory reductions of section 183-3 of the tax law to all telecommunication carriers. Current law penalizes corporations that pay dividends on the par value of capital stock in the amount of six percent or more and have more than one million access lines.**
- **Assure full recovery of expenses incurred by PSC-regulated entities in response to the 9/11 terrorist attacks, including costs related to provision of emergency utility service site cleanup, personnel expenses and the replacement of buildings, facilities and equipment, as well as costs necessary to enhance the security of utility services.**
- **Support the consolidation & simplification of remittance filings to streamline local tax payments.**
- **Continue expansion of the current Section 115 (12A) sales and use tax exemption for telecommunications equipment to include testing, training, billing and other ancillary**

**equipment, and energy required for providing telecommunication services.**

- **Oppose legislation which increases or imposes new surcharges on telecommunications companies and their customers which fund social programs, and state or local government.**
- **Support legislation that eliminates the Gross Receipts Tax (GRT) - section 186a of Article 17 of the NYS Tax Law applicable to revenues of utilities subjected to the supervision of the Public Service Commission.**
- **Support legislation which would reform Article 9 taxation and reduce the tax burden on telecommunication customers.**
- **Property taxes paid by New York's telecommunication corporations are excessive when compared to parallel corporations in other states and other corporations within New York. Given the adverse impact of this disparity on New York's competitive position, we support appropriate legislation to ameliorate this unfair burden borne by telecommunication corporations and their customers to achieve equity and parity with other states in the country.**
- **Support legislation which immediately removes all telecommunication services from taxation under gross earnings (§184 of the New York State Tax Law).**
- **Support an investment tax credit to provide companies with a deduction for leased equipment.**

### **Policy Issues**

- **Support legislation that provides all telecommunication carriers with unfettered and uniform access to public rights-of-way at a cost that reflects only the actual and direct costs incurred in managing the public rights-of-way used by the carrier. Access should be provided in a reasonable and fixed period of time from the date a request for such access is made by a carrier.**
- **Support legislation which makes it a felony for interfering with a person's ability to connect with an emergency service provided by intentionally damaging a telephone line.**
- **Oppose legislation that attempts to secure Anti-Joint Bidding legislation. Support legislation which provides for "Joint-Bidding."**
- **Support legislation that would set a uniform statewide process for municipal review of siting and construction of wireless service facilities.**
- **Oppose legislation that would allow a municipal corporation to recover damages caused by acts of nature or similar unforeseen circumstances from telecommunication, wireless cable companies.**

- **Oppose legislation that would restrict consumer access to “10-10 dial around” long distance services or require additional disclosure of such long distance rates by telecommunications and local exchange carriers.**
- **Support legislation that would establish an effective and cost-efficient statewide wirel emergency telecommunication system.**
- **Oppose legislation that would regulate service quality standards of telecommunication corporations.**

## **U.S. BORDER AND TRADE**

*Staff Contact: Johnny Evers*

- **Full and speedy implementation of the 30 point Canada -- U.S. “Smart Border Declaration”, in order to establish and maintain a balance of physical and economic security along the entire NYS -- Canada border.**
- **Preparation and emphasis by NYS’s elected leaders of a comprehensive CanAm border and strategic trade/tourism corridor needs assessment and plan without delay, which must be reflected in TEA-21 and Air-21 reauthorizations in 2003.**
- **Adequate (24/7) staffing, interoperability, and cross designation by US and Canadian authorities at NYS -- Canadian border crossings.**
- **Establishment of “accord processing zones” at all NYS commercial border crossings, enabling shared facilities, staffing, technology, and operations; with each zone tailored to the particular circumstances at that border crossing.**
- **No implementation of INS Section 110 or any equivalent, including expansion of documentation for US and Canadian citizens, on the NYS -- Canadian border.**
- **Elimination of separate, US Customs outbound inspection checkpoints at all NYS commercial border crossings.**
- **Full deployment of NEXUS at all NYS commercial border crossings by the end of 2003, and at all high volume crossings by end of 2002.**
- **Full deployment of Free and Secure Trade program (FAST) -- including access to priority booths through traffic streaming -- at all NYS commercial border crossings as soon as possible; including active promotion, outreach, education,**

**and technical assistance.**

- **Full deployment of prearrival processing at all NYS commercial border crossings by August 2003.**
- **Development and deployment of a preclearance system for cross border Amtrak and motorcoach passengers along the NYS-Canada border.**
- **Formal identification of I-87 as the “Quebec-New York Corridor”, including full funding of the Champlain/Lacolle “Port of Excellence” project by 2004, and implementation of bilingual (English and French) signage along I-87 in NYS.**
- **Full recognition of Continental 1 as a strategic trade corridor between the US and Canada.**

## **ECONOMIC DEVELOPMENT**

*Staff Contact: Ken Pokalsky*

- **Support creation of a refundable state credit for real property taxes for manufacturers making capital investments for the purpose of improving their productivity and competitiveness and retaining existing employment. Modeled on the existing Empire RPT credit, this credit would be available to manufacturers statewide, not just within designated zones.**
- **Support amendments to the Empire Zone program that assures continued eligibility of businesses with multiple facilities in New York, when such businesses make significant capital investments within a zone.**
- **Repeal the state Bond Issuance Charge imposed last year on bond issued by local Industrial Development Agencies.**
- **Support creation of additional Empire Zones, with priority given to counties that have received any zone designations; Support creation of “statewide” zone acreage that can be used to give EZ benefits to projects outside of municipally designated Empire Zones.**
- **Support legislation that would promote the in-state commercialization of technologies developed through New York’s various technology investment programs.**
- **Support economic development incentives that are targeted to the cleanup and redevelopment of privately-owned brownfield sites.**
- **Support the development and adoption of reasonable land use and development plans.**

**initiatives. Oppose legislation which restricts economic growth in New York under the guise of promoting “smart growth.”**

- **Support increased funding for key Empire State Development Corporation programs, including but not limited to: “Jobs Now,” Empire State Economic Development Fund, Regional Technology Development Centers, and business marketing programs.**
- **Support the expansion of the state investment tax credit for telecommunication equipment.**

## **LABOR AND HUMAN RESOURCES**

*Staff Contact: Tom Minnick*

### **Employee Benefits**

- **Oppose government mandated employee benefits, especially the use of Disability Insurance payments or Unemployment Insurance benefits for paid leave or paid time off.**
- **Support legislation which makes it easier for business to offer dependent care program options.**
- **Support the implementation of reasonable, objective medical guidelines and a maximum 500 week payment schedule for non-scheduled partial impairments for workers’ compensation cases.**

### **Employment**

- **Support the doctrine of “employment at will” and oppose any attempt to undermine an employer’s right to employ and terminate employment.**
- **Support legislation which protects an employer’s ability to create a drug-free workplace and excludes current drug and alcohol abuse from protection under the Human Rights Law.**
- **Support legislation which would provide limited liability to employers who provide good faith employment reference information.**

### **Human Rights**

- **Support legislation which facilitates employer actions to eliminate sexual harassment, domestic violence and discourage additional mandates and remedies under the Human Rights and Labor Laws.**

### **Labor Relations**

- **Oppose the use of a “union only” workforce in public and private projects and continue support of New York’s competitive bidding laws.**
- **Oppose any attempts to limit an employer's right to operate during a labor dispute.**

### **Pay Administration**

- **Support the concept of “equal pay for equal work” and oppose the doctrine of comparability in both the public and private sectors.**
- **Oppose living wage proposals.**

### **Miscellaneous**

- **Support a civil mediation process to serve as a first resolution effort prior to litigation and oppose any limitations to employer or agency Alternative Dispute Resolution procedures.**
- **Support amendments to the Industrial Homework Law that give employers flexibility and allow workers the ability to work from home.**
- **Oppose legislation that mandates studies, policy development and training in workplace violence prevention.**

### **Regulatory**

- **Collaborate with the state Labor Department and Human Rights Division on the rulemaking for the new “Use of State Funds” and “Religious Accommodation” laws.**
- **Support the continuing activities of the state and local Workforce Investment Boards.**

## **INSURANCE**

*Staff Contact: Chris Pugliese*

- **Support legislation which would amend Article 13 of the Insurance Law to allow New York companies to comply with the new NAIC Statutory Accounting Practices and Procedures with respect to admitted assets such as positive goodwill, EDP equipment and aircraft.**
- **Support legislation that would require the legislature to provide a fiscal analysis of all insurance mandates prior to legislative consideration.**
- **Oppose legislation which would place limitations on policy or coverage exclusions.**
- **Support an investment tax credit to provide companies with a credit for purchased or leased computer equipment used in the business of insurance.**

- **Support legislation which would establish procedures that must be followed when transferring the benefits, rights, privileges or options accruing under an annuity contract funding a structured settlement.**
- **Establish performance standards for the Department of Insurance Fraud Unit including annual report on the activities of the unit.**
- **Supporting amendments to Sections 240 and 241 of the Labor Law to clarify the responsibilities and liabilities of insurers, owners, contractors and others in the construction process.**
- **Support the continuation of the streamlined process to file and use rates, as well as for with the insurance department.**
- **Support legislation to create a new capital investment company to encourage development in lower Manhattan.**
- **Support legislation to expand insurers ability to access capital markets.**
- **Support tort reform proposals and other reforms to the civil justice system which would result in a fairer, more balanced system.**
- **Oppose proposals to assess interest penalties, court costs, attorney's fees, or punitive damages in connection with claim settlements.**
- **Oppose proposals that would require prejudgment interest in personal injury actions or would provide for non-economic damages in wrongful death cases.**
- **Oppose any further prohibition, restrictions or penalty for the use of statistically valid indicators.**
- **Oppose broadening the application of the Unfair Claims Settlement Practices Act, the Unfair Trade Practices Act, and Article 22-A of the General Business Law.**
- **Encourage managed care for all applicable lines while opposing legislation which impedes the growth of managed care including "any willing provider" and "unitary pricing" proposals.**
- **Support reasonable standards to promote insurance company solvency and oppose unreasonable restrictions and burdensome reporting requirements on investment power of the insurance industry.**
- **Oppose unreasonable legislative or regulatory restrictions on the ability of insurers to insure some or all of any risk written.**

- **Oppose the use of fines and penalties for specific revenue purposes.**
- **Oppose any mandate that integrates health and medical insurance with auto medical : workers compensation insurance.**

## **Health & Life**

- **Support changes to the standard non-forfeiture law for annuities to reduce the minimum guaranteed nonforfeiture interest rate from the current three percent to one and one-percent.**
- **Support “speed-to-market” initiatives to expedite uniform product approval processes set forth by the National Association of Insurance Commissioners (NAIC), the National Conference of Insurance Legislators (NCOIL) and the National Conference of State Legislatures (NCSL), such as the Coordinated Advertising Rate & Form Review Authority (CARFRA) and the Interstate Compact proposals.**
- **Support legislation to make permanent the law allowing the expanded use of derivative replication transactions as part of an insurer’s investment plan.**
- **Support legislation to authorize a benefit for the waiver of premium for lapses in coverage due to a policyholder’s confinement in a nursing home or other assisted living situation similar to such benefits for policyholders who become unemployed.**
- **Oppose the Uniform Computer Information Technology Act (UCITA) as proposed by the National Conference of Commissioners on Uniform State Law (NCCUSL).**
- **Oppose the inclusion of variable life insurance and variable annuities within the definition of “security” in the Uniform Securities Act as proposed by the National Conference of Commissioners on Uniform State Laws (NCCUSL).**
- **Support health plan flexibility to market products that increase cost sharing through flexible co-payments of specific services or providers.**
- **Oppose legislation defining medical necessity that would prohibit insurance carriers from performing utilization review.**
- **Support legislation which would authorize designation of funeral firms as beneficiaries of certain life insurance policies and allow for the payment of commissions on such policies to funeral directors who are also licensed life insurance agents..**

- **Oppose efforts to broaden the standard of liability and increases in damages on health plans and providers.**
- **Oppose further expansion of mandatory and make-available health insurance coverage specific benefits and services.**
- **Oppose experimental treatment proposals that do not have appropriate standards.**
- **Oppose universal health insurance measures which require employers to either provide health insurance or pay financial assessments.**
- **Oppose further expansion of the requirement to employ community rating/open enrollment beyond current law and support limited recognition of age in community rating.**
- **Support the adoption of health plans risked based capital standards or increased reserving requirements.**
- **Support the adoption of the Medicare 95% standard used to determine if a health plan is compliant with statutory prompt payment requirements.**
- **Oppose efforts to change existing utilization management and prompt payment requirements that would prevent proper investigation of fraud and abuse.**
- **Support continuation and expansion of individual market subsidy programs so that group purchasers will not have to cross subsidize individual rates.**
- **Support increased funding for report card and other quality measurement tools to provide more meaningful information and accountability to group purchasers.**
- **Oppose any increase in either the covered lines (GME) or 8.18% (BDCC) assessments, which would cause premium increases.**
- **Oppose any further movement of General Fund supported health care initiatives to Health Care funding.**

### **Property & Casualty**

- **Support voluntary market solutions to insurance market availability problems, including but not limited to terrorism or coastal insurance issues.**
- **Support changing the assessment base for all Workers Compensation insurance funds, in order to offset impact of new Financial Accounting Standards Board (FASB).**
- **Support legislation to exempt large commercial risks from rigid rate and form regulations.**

- **Oppose further regulatory or legislative expansion of flex-rating for those lines that are presently open rated.**
- **Oppose legislative and regulatory expansion of dual authority between the Insurance Department and the Department of Motor Vehicles.**
- **Oppose mandated residual market mechanisms to lead liability problems in order to encourage legislation promoting a lead safe environment.**

## **FINANCIAL SERVICES**

*Staff Contact: Elliott Shaw*

- **Support the banking department in proposing legislation and adopting regulations in relation to suspicious banking activities that may be related to terrorist activities.**
- **Support the reform of vehicle and traffic law by transferring liability for auto accident from the leasing companies to the lessees. Under existing law, leasing companies, which effectively provide an alternate form of auto financing, can be sued for damages caused by vehicles over which they have no control simply because they are the registered owner of the vehicle.**
- **Support industry led initiative to protect consumers privacy over the internet.**
- **Support enforcement of existing laws against fraudulent and deceptive marketers and promote consumer empowerment technologies.**
- **Oppose legislation further restricting the telemarketing of financial services and products by regulated financial entities including but not limited to affiliates and subsidiaries.**
- **Support the elimination of lender liability for clean-up costs associated with environmentally hazardous conditions beyond their control.**
- **Oppose legislative approval of changes to the Uniform Commercial Code "Revised Article 2" as recommended by the National Conference of Commissioners on Uniform State Laws.**
- **Oppose legislation that expands appraisal requirements.**

## **SMALL BUSINESS**

*Staff Contact: Kerry Kirwan*

**Fundamental Changes**

- **Support proposals to make health insurance more affordable by a) allowing employers purchase a foundation plan free of some Insurance mandates, b) creating a health insurance tax credit, and c) opposing new mandates and creating a cost-benefit commission.**
- **Support legislative measures to a) increase the jurisdictional limit of the small claims commercial claims parts of District Courts and upstate City Courts from \$3,000 to \$5,000 and b) amend laws governing jurisdictional limits of the Justice Courts, by increasing the jurisdictional limits of their regular parts and their small claims parts, from \$3,000 to \$5,000.**
- **Support initiatives which clearly define the term “Independent Contractor”.**
- **Support comprehensive legislation reforming New York State’s costly civil justice system.**

#### **Other Changes**

- **Amend the Workers' Compensation Law to limit the payment of benefits in permanent partial disability cases to a period not to exceed 500 weeks, and implement reasonable objective medical guidelines for the determination of disability awards.**
- **Support electronic commerce, but oppose any mandates on all businesses.**
- **Support the collection of state and local taxes on tobacco and motor fuels sold by Native American tribal stores to non-Native Americans.**

## **TRANSPORTATION**

*Staff Contact: Johnny Evers*

- **Support efforts that insure maximum funding for New York transportation programs, continued funding under TEA-21 re-authorization, and infrastructure investment encompassing all modes of transportation necessary for the economic success of New York State’s businesses and industry.**
- **Support legislation to continue existing levels of Dedicated Highway Trust Fund. In that regard, dedicated highway user fees must be used only for the purpose of improving the state’s road and bridges and should be held accountable to the public.**
- **As New York’s current transportation infrastructure funding plan is being reviewed and updated, the state must adopt a forward-looking plan that will sufficiently address needed repairs to its roads, bridges and planned improvement projects.**
- **Support elimination of New York State’s truck mileage tax provided that the amount of dedicated highway funding be maintained at or above current levels to allow for continued**

**transportation infrastructure projects.**

- **Support funding parity between road and bridges and mass transit.**
- **Support a capital funding program for railway infrastructure projects and port development and federal support for port dredging initiatives.**
- **Support legislation that would eliminate the Petroleum Business Tax (PBT).**
- **Support regulations which would adopt reasonable and attainable Corporate Average Fuel Economy (CAFÉ) standards.**
- **Support the position that federal standards and requirements sufficiently provide for safe transportation of hazardous materials.**
- **Support efforts to insure that New York's international border crossings and bridges are properly upgraded and improved and share in regional and national funding efforts.**
- **Oppose legislation that would increase the cost of shipping goods into New York, including legislation that would require the licensing by the state of federally licensed docking pilots.**

## **CONTRACT PROCUREMENT**

*Staff Contact: Diana A. Ehrlich*

### **Mission Statement:**

**The Contract Procurement Committee will support policy, legislation and regulation which ensure economic growth and stability within New York State through open, and equal competition to all interested parties.**

### **Contracting Out (Privatization)/Competitive Bidding/Preferential Bidding**

- **Support legislation which would decrease the incidence of government agencies, authorities, and prison industries competing with the private sector. In specific we will oppose the growing trend of those entities to obtain goods, services, or construction with public dollars.**
- **Support legislation which would establish an objective review process which determines whether a good, service or public work project should be contracted out or provided by public entity, including mandated and preferred source goods and services.**
- **Support legislation which would create consistent enforcement of municipal contracts similar to the manner in which state contracts are enforced.**

- **Support legislation, regulation or administrative action which would institute an electronic transfer of both contract documents, and of funds for payment, wherever feasible.**
- **Oppose legislation which creates a preference of one class of bidder over another.**

#### **Alternative Dispute Resolution**

- **Support legislation which would establish an independent contract dispute resolution mechanism which would render decisions in an objective and expedient manner.**

**(Legislation should also require that a written explanation of award to both winner and be submitted after award. Allow unsuccessful bidders to be debriefed, confidentially, why their bid was unsuccessful. This allows a continual learning process for both contracting agency and bidder.**

#### **Speedy Award Process (Service and Commodity Contracts)**

- **Support legislation which would create a timely process for the award of a contract us specified deadlines.**
- **Emergency construction contracts.**

#### **Vendor Responsibility**

- **Oppose legislation which would create a "vendor responsibility" file and/or establish a qualified bidder's list for commodity and service contracts.**

#### **Other Changes**

- **Support Qualification Based selection for design professional services for all state and local public works projects.**
- **Support "Hold Harmless" legislation which would allow contracts to be paid during budget delays.**

## **OCCUPATIONAL SAFETY AND HEALTH**

*Staff Contact: Kerry O. Kirwan*

- **Support legislation to license occupational safety and hygiene professionals.**
- **Strongly oppose any effort by the state to develop and implement its own state OSHA**
- **Oppose legislation that would place restrictions on the use of, or set state-level equipment standards for VDT's in the workplace.**

- **Oppose legislation that would impose state-level regulations in areas pre-empted by the federal Occupational Safety and Health Act. For example, oppose legislation that would mandate that employers provide medical monitoring services for all employees within broad occupational categories.**
- **Propose and support amendments to the state's asbestos abatement law to make it more risk-based by exempting from regulation those activities and materials which do not pose a threat.**
- **Continue to monitor activities of the New York State Occupational Health Clinics Network and to promote business participation on local OHCN advisory committees.**

## **BUSINESS LAW / GENERAL COUNSELS**

*Staff Contact: Jack Rice / Larry Justice*

- **Support comprehensive civil justice reform.**
- **Support restructuring the unified court system.**
- **Support the extension of Court of Claims jurisdiction to include claims by or against a local government or by or against any public officer or government employee.**
- **Oppose awarding pre-judgment interest in personal injury actions.**
- **Oppose awarding damages for bereavement, emotional loss and mental anguish in wrongful death actions.**
- **Support expansion of the Commercial Division of New York Supreme Court.**
- **Oppose legislation which restricts the use of protective orders to keep discovery exchanged in civil litigation confidential.**

## **CONSTRUCTION**

*Staff Contact: Johnny Evers*

### **Safety and Liability**

**Create a fair and equitable civil justice system by:**

- **Support efforts to encourage the availability and affordability of liability insurance.**
- **Supporting amendments to Sections 240 and 241 of the Labor Law to clarify the responsibilities and liabilities of owners, contractors and others in the construction process.**

- **Creation of a statute of repose for engineers, architects and contractors.**

**Also, support legislation and regulation which would:**

- **Promulgate comprehensive written rules and regulations implementing the Voluntary Safety Program (established through the 1996 Workers' Comp Reform Act) which would increase workplace safety by allowing employers with premiums greater than \$5,000/yr and safety mods below 1.3 who voluntarily establish certified safety and loss prevention programs to be eligible to receive a 5 percent premium credit for up to two years.**
- **Support legislation which would allow all industries (including construction) to be eligible for the Safety Premium Credit program. This program allows companies to take 5 percent of their investment in new technologies and apply it as a credit against workers' comp premiums up to 15 percent of their total premium for three years.**
- **Support legislation which would allow safety groups insured through the State Insurance Fund to be eligible for safety incentive credits.**

#### **Workforce Development and Apprenticeship Training Programs**

**Encourage public and public/private endeavors to meet the employment demands of the industry by preparing our future workforce through workforce development programs. This would include:**

- **Establishing fair and equitable state support of pre-apprentice and trainee programs.**
- **Requiring the state approve qualified unilateral apprentice programs even where the employer is a participant in a Joint Apprenticeship Training Committee.**
- **Encourage grant programs administered by private sector grantees.**

#### **Infrastructure Investment**

- **Encourage the use of prudent bonding for "hard dollar" construction. Such bonding should be financed with specific revenue sources not impacting the State's general fund obligations.**
- **Ensure that sufficient capital dollars are invested to maintain a safe, environmentally sound infrastructure, conducive to economic development.**

#### **Regulatory and Administrative Support**

- **The promulgation of comprehensive rules and regulations implementing the premium payroll cap that was established by legislation in 1998. Also, produce a compliance manual for affected employers.**
- **Require the Department of Labor to promulgate reasonable and equitable comprehensive written rules, regulations, and definitions for Section 220 of the Labor Law.**
- **Encourage better definition of sales tax exemptions and when are they applicable. Also production of a "how to comply" manual for employers.**
- **Support the promulgation of comprehensive written rules, regulations, definitions for an "Independent Contractor" is.**

### **Additional Priorities**

#### **Workers' Compensation**

- **Support legislation which would cap the length of time an injured worker can collect permanent partial disability benefits.**
- **Support prohibiting of workers' compensation benefits if an employee is intoxicated from alcohol and/or an illegal substance, or is in the act of committing a crime at the time of injury.**
- **Support the adoption of objective medical guidelines.**

#### **Fair Contracting**

- **Support legislation which would require public owners to pay contractors for delay damages upon documentation that public owners' action led to damages.**
- **Ensure that payments due contractors by public owners be expedited regardless of untimely budgets and insist that budgetary appropriations be regarded as promissory. If need be, pursue a legislative fix to the problem to ensure that contractors are paid for work.**
- **Enhance the process by which payments are made upon the completion of public work projects. Encouragement of "quick payment" to contractors through technological advances, i.e. electronic transfer of funds.**
- **Oppose the extension of retainage beyond substantial completion.**
- **Support legislation which would require public owners to provide expeditious dispute resolution.**
- **Support legislation which would result in an alternative dispute resolution process between**

**contractors and public owners that is fair, independent and timely.**

- **Insist that the contract processes be expedited upon award.**

### **Competitive Bidding/Government Competition/Preferential Bidding**

- **Oppose the expanded use of state and municipal agencies' staff in the construction management profession, and in their associated construction trades.**
- **Maintain, if not strengthen, the competitive bidding laws by ensuring that procurement policy not be adversely affected.**
- **Oppose legislation which would increase the incidence of unfair competition.**
- **Oppose legislation which would create preference through: domicile requirements, preferred bid lists, licensure requirements, percentage of lowest bid, or any other mechanism which allows preferential treatment of one class of bidder over another on public works contracts.**
- **Oppose legislation that authorizes alternative project delivery systems on public work without objective criteria that preserves a fair and open process.**
- **Oppose public entities attempting to circumvent the competitive bidding process through the use of "contracting in" and "force account" within the construction industry.**
- **Ensure that the continued and expanded use of emergency contracts does not circumvent the competitive bidding process.**
- **Support limiting the use of inmates or other taxpayer funded entities on public works projects, other than for minor maintenance work.**
- **Support the selection of private sector architects and engineers on all public works projects based on Section 136-a of the State Finance law.**

### **Affirmative Action**

- **Support capital project appropriations which would establish mentoring, training, and revolving loan programs to allow equal access to the construction, and related trades, minority, women, and small business entrepreneurs.**
- **Support efforts which would encourage increased opportunities for participation of available and competitive minority, women, and small owned business enterprises as well as economic opportunity for minority, women, (M/WBEs) and small business enterprises (SBEs) in the construction industry.**

- **Encourage uniform statewide implementation of Article 15-A, which promotes use of minority and women-owned business enterprises on public contracts.**

#### **Other Issues**

- **Support legislation which would permit mechanic's liens to be filed against the real property when private improvements are situated on publicly owned property.**
- **Oppose legislation which would require "wrap-up" insurance and surety bonds on public works projects.**
- **Oppose onerous mandates or unnecessary licensing requirements.**

## **UNEMPLOYMENT COMPENSATION**

*Staff Contact: Rich Schwarz*

#### **Support**

- **Creation of separate General Accounts for taxable employers, reimbursable government employers, and reimbursable private employers.**
- **Federal funding of claims where separation from employment was caused by September 11 damage of the workplace, or by a reduction in business volume within one-half mile of World Trade Center.**
- **Use of the principles of experience rating, necessity, lowest cost to the economy, and contemporary timing in the design of any revised funding of the UC Trust Fund.**
- **Increase of the requalification standards from five times a claimant's benefit level to ten times.**
- **Variable duration of benefits to reflect better a claimant's attachment to the workforce.**
- **Strengthening the seeking work requirement for continued benefit check eligibility.**
- **Facilitation of communication of work interruptions to chargeable employers.**
- **Weekly communication of benefit charge notices to employers.**

## **CONSUMER AFFAIRS**

*Staff Contact: Diana A. Ehrlich*

- **Support the position that all necessary labeling and packaging requirements for food, and products be done at the federal level.**
- **Support the position that all necessary warranty requirements be imposed at the federal level to ensure nationwide consistency.**
- **To ensure nationwide consistency, oppose legislation which amends New York State's Credit Reporting Act beyond the standards established by the federal Fair Credit Reporting Act.**
- **Oppose legislation which restricts the release or sale of names on consumer lists.**
- **Oppose legislation that would impose additional government mandated restrictions on terms of franchise agreements.**

## **e-COMMERCE**

*Staff Contact: Diana A. Ehrlich*

### **Mission Statement**

**Advocate legislation or regulations which will foster the growth of the Internet and e-commerce including, but not limited to, issues involving:**

**Privacy, use of information technologies, tax policy, amendments to the State Technical Law, the Uniform Commercial Code as well as the National Uniform Electronic Transactions Act.**

- **Support enforcement of existing laws against fraudulent and deceptive marketers and promote consumer empowerment technologies.**
- **Oppose legislation that imposes onerous burdens or liabilities on providers.**
- **Support a moratorium on any new taxes on commercial Internet transactions.**
- **Support industry-led initiatives to protect consumers' privacy over the Internet.**
- **Oppose legislation which would regulate the content on the Internet.**
- **Oppose legislation prohibiting the use of social security numbers as identifiers.**
- **Support legislation promoting educational technology.**

## **GENERAL**

***Staff Contact: Elliott Shaw***

- **Support debt reform which reduces the historically-high level of debt financed by New York State taxpayers.**
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